

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

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."

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Tourism, Trade, and Economic Development

RULE CHAPTER TITLE: Entertainment Industry RULE CHAPTER NO.: 27M-2

Financial Incentive 27M-2

PURPOSE AND EFFECT: The purpose and effect of the rule development is to implement the provisions of Sections 228.125 through 228.1258, F.S.

SUBJECT AREA TO BE ADDRESSED: State funding incentives for location of entertainment industry projects and entities to locate in Florida.

SPECIFIC AUTHORITY: 288.1254 FS.

LAW IMPLEMENTED: 228.1254, 1258 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ted Bonanno, Executive Director, Office of Tourism, Trade, and Economic Development, The Capitol, Suite 2001, Tallahassee, Florida 32399-0001

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

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Tourism, Trade and Economic Development

RULE CHAPTER TITLE: Professional Sports Facilities Funds RULE CHAPTER NO.: 27M-3

27M-3

PURPOSE AND EFFECT: The purpose and effect of the rule development is to implement the provisions of Section 288.1162(2), F.S.

SUBJECT AREA TO BE ADDRESSED: State funding for facilities for a new professional sports franchise, a facility for a retained professional sports franchise or a facility for a retained spring training franchise.

SPECIFIC AUTHORITY: 288.1162(2) FS.

LAW IMPLEMENTED: 212.20, 288.1162 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ted Bonanno, Executive Director, Office of Tourism, Trade and Economic Development, The Capitol, Suite 2001, Tallahassee, Florida 32399-0001

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Public Information and Inspection of Records RULE NO.: 33-102.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise an incorporated form for consistency with current Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Public records.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 119.07, 120.53 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:

33-102.101 Public Information and Inspection of Records.

(1) through (4) No change.

(5) When copies requested pursuant to this rule are available to be picked up or for mailing, the requestor shall be notified of the costs of reproduction as specified in subsections (2) and (3) on an Invoice for Production of Records, Form DC1-201. Form DC1-201 shall also indicate if any information is redacted from the copies provided as required by state law. Form DC1-201 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of Form DC1-201 is ~~10-29-01~~.

Specific Authority 944.09, FS. Law Implemented 119.07, 120.53 FS. History--New 10-8-76, Amended 2-14-81, Formerly 33-1.04, Amended, 6-9-86, 2-9-88, Formerly 33-1.004, Amended 10-29-01, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: Division of Real Estate General Licensing Forms
 RULE NO.: 61-6.025

PURPOSE AND EFFECT: This rule incorporates Division of Real Estate forms utilized in applications for professional licensing.

SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference the Division of Real Estate licensing forms.

SPECIFIC AUTHORITY: 455.213(1), 475.415, 475.161, 475.180, 475.182 FS.

LAW IMPLEMENTED: 455.203, 455.213, 475.045 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 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: Jennifer Causseaux, (850)414-7677. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Causseaux, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER TITLE: General
 RULE CHAPTER NO.: 61A-2

RULE TITLE: Penalty Guidelines
 RULE NO.: 61A-2.022

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to implement statutory provisions and define terms relating to the regulation of cigarette licensing based on Chapter 2005-228, Laws of Florida, to review and modify existing penalty guidelines.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions and terms defining the regulation of cigarette licensing.

SPECIFIC AUTHORITY: 210.09, 210.10, 210.11, 210.12, 210.16, 210.161, 210.20, 210.75, 561.11, 569.009 FS.

LAW IMPLEMENTED: 210.01, 210.02, 210.03, 210.04, 210.05, 210.06, 210.07, 210.09, 210.12, 210.14, 210.15, 210.16, 210.161, 210.18, 210.181, 210.185, 210.25, 210.50, 210.60, 210.65, 569.002, 569.004, 569.005, 569.006, 569.007, 569.0075, 569.101, 569.11, 569.12, 569.14 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Angela Desmond, Assistant Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, Tel: (850)487-2563

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER TITLE: Cigarette Tax Division Rule
 RULE CHAPTER NO.: 61A-10

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to implement statutory provisions and define terms relating to the regulation of cigarette licensing based on Chapter 2005-228, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions and terms defining the regulation of cigarette licensing.

SPECIFIC AUTHORITY: 210.09, 210.10, 210.11, 210.75, 561.11 FS.

LAW IMPLEMENTED: 210.01, 210.02, 210.03, 210.04, 210.05, 210.06, 210.07, 210.09, 210.11, 210.15, 210.185, 210.25, 210.30, 210.55, 210.60, 210.75, 218.215, 218.23, 218.245, 218.25, 218.26, 569.007 FS.

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

TIME AND DATE: 10:00 a.m. – 5:00 p.m., Monday, September 26, 2005

PLACE: Division of Alcoholic Beverages and Tobacco Conference Room, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Angela Desmond, Assistant Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
General Definitions	61D-2.001
Wagering Prohibitions	61D-2.004
Violations	61D-2.005
Electrical or Mechanical Device Prohibition	61D-2.006
Pre-meet Report Required	61D-2.008
Ineligible or Disqualified Jai Alai Player or Racing Animal	61D-2.009
Photofinish Camera and Video Tape Requirement	61D-2.010
Post Position Drawing Requirement	61D-2.011
Racing Animal Identification	61D-2.012
Altered Identification Exclusion	61D-2.016
Pooling of Prize Money in Jai Alai Prohibited	61D-2.018
Inspection of Kennels and Stables	61D-2.022

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of races at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are changes in definition of terms as used in pari-mutuel rules, eligibility requirements for racing animals due to owners license status, to amend and provide a new section regarding pre-race draw and limitations on the number of entries from the same kennel and to amend requirements regarding the duties of the paddock judge or horse identifier and requiring that inspections of kennels and stables to be reported on appropriate forms.

SPECIFIC AUTHORITY: 550.01215(4), 550.0251(2),(3), (5),(6),(9),(11), 550.0351(8), 550.054(5), (8)(b), 550.105(2)(c),(4)(b),(d),(5),(9), 550.125(2)(b), 550.155(1), 550.1815(5), 550.2415(13), 550.2614(4), 550.2625(2)(d), 550.3551(10),(11), 550.3615(5), 550.495(2)(a),(4), 550.6305(5) FS.

LAW IMPLEMENTED: 120.80, 550.01215, 550.0251, 550.0351, 550.054, 550.0951(4), 550.09514, 550.105, 550.1155, 550.125, 550.155, 550.1645, 550.1815, 550.235, 550.2415, 550.2625, 550.3551, 550.3615, 550.495, 550.6305 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Hearings Before Stewards/Judges	61D-3.001
Appeal Hearing Procedures	61D-3.002
Stay of Steward/Judges' Penalty	61D-3.003
Payment of Fines	61D-3.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to the conduct of proceedings before the judges and stewards officiating races at pari-mutuel facilities and procedures related to appeals of orders of judges and stewards.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are amendments requiring notice to be provided to owners of animals in cases where a purse may be redistributed, amendments to procedures and forms in requesting an appeal of a judges' or stewards' ruling, procedures regarding the payment of fines and obtaining a stay pending an appeal.

SPECIFIC AUTHORITY: 120.80(4)(a), 550.0251, 550.0251(3), 550.054(9)(b), 550.1155, 550.1155(1),(2), 550.2415(7) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.054, 550.1155, 550.2415 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Cost of Investigation	61D-4.001
Evaluating a Permit Application for a Pari-Mutuel Facility	61D-4.002
Application for Lease Addendum to Permit	61D-4.003
Application for Annual Racing License	61D-4.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to forms for applications for pari-mutuel permits, leasing of facilities and annual racing licenses.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are revisions to forms and rules regarding the investigation of an applicant for a permit to conduct pari-mutuel wagering and for authorization to lease premises for the conduct of pari-mutuel wagering. The provisions also add a new rule to formalize the use of the form under which pari-mutuel permitholders apply for annual racing licenses.

SPECIFIC AUTHORITY: 550.0251(3), 550.105(1),(2),(5),(9) FS.

LAW IMPLEMENTED: 550.0251, 550.105 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Occupational Licensure	61D-5.001
Possession of a License	61D-5.002
Applications for Licensure; Fingerprint Requirements; Exemptions from Fingerprinting	61D-5.003
Temporary Occupational Licenses	61D-5.004
Exemptions to Occupational Licensing Requirements	61D-5.005
Waiver of Criminal Convictions or Other Offenses	61D-5.006
Basis for Denial or Cancellation of License	61D-5.007

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to the forms for the application for a pari-mutuel license and regulations regarding use of a pari-mutuel license.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are revisions to forms for applications for pari-mutuel occupational licenses and incorporation of those forms within the rules, amendments regarding the requirements for display of licenses and revisions of rules to conform to current statutory classification of licenses, providing for persons over 70 years of age to obtain background information checks from FDLE, amendments to

rules implementing provisions related to temporary licenses, requiring permitholder security to maintain a list of unlicensed employees working in restricted areas, and revisions related to forms for the application of a waiver of criminal convictions and the cancellation of voluntarily relinquished licenses.

SPECIFIC AUTHORITY: 550.0251(3), 550.105(1),(2),(5),(9) FS.

LAW IMPLEMENTED: 550.0251, 550.105 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Purpose for Rules; Definitions Related to Drugs and Medications	61D-6.001
General Duties and Responsibilities	61D-6.002
Prohibited Devices, Medications, and Procedures; Exceptions	61D-6.004
Procedures Relating to Split Samples	61D-6.006
Permitted Medications for Racing Greyhounds	61D-6.007
Veterinarians	61D-6.009
Penalty Guidelines for Class I-V Drug Violations	61D-6.011

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to forms and procedures related to the use of medication in racing animals.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are references to forms that are being incorporated in the rules. Some forms are being revised and a new form is being created for the identification of the trainer of record. Rules regarding notice of positive tests that may result in purse redistribution to owners are being deleted so they may be moved to rules regarding procedures for stewards' and judges' hearings.

SPECIFIC AUTHORITY: 120.80(4)(a), 550.0251(3),(11), 550.155(1), 550.2415(5),(8),(9),(13),(14),(16) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.1155, 550.155, 550.235, 550.2415, 550.2415(14) 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Definitions	61D-7.001
Calculation of Payout and Distribution of Pools – General	61D-7.002
Pick (N) Pools	61D-7.014
Trifecta and Superfecta Combinations	61D-7.015

Mutuels Tickets, Cashing, Records, and
 Totalisator Security Requirements 61D-7.021
 Outs Cashed After the End of the Meet 61D-7.022
 Reporting of Wagering Activities,
 Permitholder and Totalisator Reports 61D-7.023
 Totalisator Requirements 61D-7.024

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to reporting of pari-mutuel wagering activity on pools and totalisator reports.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are amendments to the existing rules to appropriately reference revised forms for reporting of pari-mutuel and totalisator activity.

SPECIFIC AUTHORITY: 550.0251(3),(7), 550.125(2)(b), 550.155(1), 550.125(2)(b), 550.1645(1), 550.495(4),(5), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.125, 550.155, 550.1645, 550.2633, 550.3551, 550.495, 550.6305 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Admissions Requirements	61D-8.001
Financial Reporting Requirements	61D-8.002

Reporting Requirements for Charity/
 Scholarship Performances 61D-8.003
 Retired Jai Alai Players Charity Days
 Fund: Accumulation Payments
 and Reporting 61D-8.004
 Purses and Florida Owners' Awards,
 Horse Racing 61D-8.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to reporting requirements for taxes and takeout on pari-mutuel wagering.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are amendments to the existing rules to appropriately reference revised forms for reporting of pari-mutuel taxes and takeout.

SPECIFIC AUTHORITY: 550.0251(3),(7),(9), 550.0351(8), 550.0951(2), 550.125(2)(b), 550.155(1), 550.2614(1),(2), (3),(4), 550.2625(2)(d), 550.3551(10), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.0351, 550.0951, 550.0951(5), 550.125, 550.155, 550.1647, 550.1648, 550.2614, 550.2625(2), 550.3551, 550.615, 550.625, 550.6305, 550.655 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Interstate and Intertrack Broadcasts	61D-9.001
Interstate and Intertrack Broadcasts – Emergency Procedures	61D-9.003
Intertrack Wagering – Permitholder Accounting, Reporting and Ticket Cashing Responsibilities	61D-9.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to reporting of interstate (simulcast) and intertrack wagering activities.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are amendments to the existing rules to appropriately reference revised forms for reporting of pari-mutuel interstate (simulcast) and intertrack wagering.

SPECIFIC AUTHORITY: 550.0251(3),(7), 550.155(1), 550.125(2)(b), 550.2625(2)(d), 550.3551(10), 550.495(4), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.155, 550.125, 550.2625, 550.3551, 550.495, 550.615, 550.625, 550.6305 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLE:	RULE NO.:
Incorporated and Approved Forms	61D-10.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to reporting of activities conducted at a pari-mutuel wagering facility.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is renumbering and revisions to all forms utilized by the division in its rules regulating pari-mutuel wagering.

SPECIFIC AUTHORITY: 120.80(4)(a), 550.01215(4), 550.0251(2),(3),(5),(6), 550.0351(8), 550.054(5),(8)(b), 550.105(1),(2)(c),(4)(b),(d),(5),(9), 550.125(2)(b), (3)(a), 550.155(1), 550.1815(5), 550.2415(2),(3)(b),(5)(a),(b),(6)(b), (8)(a),(b),(c),(e), (9)(b),(c), (13), 550.2614(4), 550.2625(2)(d), 550.3551(10), 550.495(2)(a),(4), 550.6305(5) FS.

LAW IMPLEMENTED: 120.633, 120.80, 550.01215, 550.0251, 550.0351, 550.054, 550.105, 550.125, 550.155, 550.1815, 550.2415, 550.2625, 550.354, 550.3551, 550.495, 550.615, 550.625, 550.6305 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005
PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES:	RULE NOS.:
Cardroom Games	61D-11.002
Cardroom Operator License	61D-11.007
Cardroom Business Occupational License	61D-11.008
Cardroom Employee Occupational License	61D-11.009
Duties of Cardroom Operators	61D-11.012
Chips and Tokens	61D-11.015
Admissions Requirements	61D-11.017
Reporting Requirements to Determine Net Proceeds	61D-11.018
Tournaments	61D-11.027

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to reporting on the operation of cardrooms by pari-mutuel permitholders who possess a cardroom license issued by the division.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are amendments to the existing rules to conform with recent legislation allowing for the relocation of a cardroom in certain circumstances and for the rules to appropriately reference revised forms for reporting of cardroom activity.

SPECIFIC AUTHORITY: 550.0251(12), 849.086(4),(5),(6), (8),(11),(13) FS.

LAW IMPLEMENTED: 849.086 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 (PREVIOUS WORKSHOP WAS POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLE:	RULE NO.:
Incorporated and Approved Forms	61D-12.001
PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to reporting of activities conducted in licensed cardrooms operated by a pari-mutuel wagering permitholder.	
SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is renumbering and revisions to all forms utilized by the division in its rules regulating cardroom activities.	
SPECIFIC AUTHORITY: 550.0251(12), 849.086(4), (5), (6), (7), (9), (11), (13), (16), (17) FS.	
LAW IMPLEMENTED: 849.086 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):	
TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005	
PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399	

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

LAW IMPLEMENTED: 849.086 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 (PREVIOUS WORKSHOP POSTPONED DUE TO POTENTIAL THREAT OF HURRICANE KATRINA):

TIME AND DATE: 9:00 a.m. – 1:00 p.m., September 29, 2005

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo, (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

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: RULE NO.:

Deceptive and Misleading Advertising 64B2-15.001
 Prohibited; Policy; Definition

PURPOSE AND EFFECT: The Board proposes to add language clarifying what advertisement or advertising of acupuncture services shall be deemed by the Board to be fraudulent, false, deceptive or misleading.

SUBJECT AREA TO BE ADDRESSED: Deceptive and Misleading Advertising Prohibited; Policy; Definition.

SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 456.062, 460.413(1)(d) FS.

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

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

64B2-15.001 Deceptive and Misleading Advertising Prohibited; Policy; Definition.

(1) No change.

(2) No chiropractor shall disseminate or cause the dissemination of any advertisement or advertising which is in any way fraudulent, false, deceptive or misleading. Any advertisement or advertising shall be deemed by the Board to be fraudulent, false, deceptive, or misleading if it:

(a) through (l) No change.

(m) Contains a reference that the chiropractic physician is licensed to practice acupuncture, unless the chiropractic physician is licensed under the provisions of Chapter 457, Florida Statutes. Any chiropractic physician certified to practice acupuncture pursuant to Section 460.403, Florida Statutes, and Rules 64B2-11.012, 64B2-11.013, and 64B2-17.003, F.A.C., and using the term "acupuncture" in the letterhead, business card, or other advertisement, must state that the practitioner is "certified" to practice acupuncture and identify that the practitioner is a chiropractor in the same print size or volume.

(3) No change.

Specific Authority 460.405 FS. Law Implemented 456.062, 460.413(1)(d) FS. History—New 1-10-80, Amended 11-25-81, 5-12-83, Formerly 21D-15.01, Amended 4-19-89, Formerly 21D-15.001, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.001, Amended 9-21-98, 5-20-99, 4-23-00, 11-19-00, 10-24-04, _____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE TITLES: RULE NOS.:

Disciplinary Guidelines 64B4-5.001
 Minor Violations, Notice of Noncompliance 64B4-5.005

PURPOSE AND EFFECT: The Board proposes to amend the existing rules to clarify what discipline will be imposed on a licensee practicing on retired status license.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Minor Violations, Notice of Noncompliance.

SPECIFIC AUTHORITY: 120.695, 456.073(3), 456.079, 468.365(4), 491.004(5) FS.

LAW IMPLEMENTED: 120.695, 456.072, 456.073(3), 468.365, 491.009(2)(n), 491.0149 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: RULE NO.:

Teaching Permits 64B5-7.005

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

SUBJECT AREA TO BE ADDRESSED: Teaching Permits.

SPECIFIC AUTHORITY: 466.002(6), 466.004(4) FS.

LAW IMPLEMENTED: 466.002(6), 466.017(4) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-7.005 Teaching Permits.

(1) A teaching permit ~~shall~~ ~~may~~ be issued by the Board of Dentistry to a faculty member of a dental education program school accredited by the Commission on Dental Accreditation of the American Dental Association and located within a dental school as defined herein or a medical school accredited by the American Medical Association's Liaison Committee for Medical Education upon the request of the dean of the school if the faculty member:

(a) Has a degree in dentistry and is ~~is~~ eligible to take the Florida dental licensure examination or has not failed the Florida dental licensure examination. A permit may not be issued if an applicant fails to pass the clinical examination in three attempts until he or she completes a one year general practice residency, advanced education general dentistry residency, or pedodontic residency or a minimum of one academic year of undergraduate clinical coursework in dentistry at a dental school approved by the American Dental Association's Commission on Dental Accreditation; and

(b) Is a full-time faculty member; and unless otherwise permitted by law:

(c) Does not engage in the practice of dentistry, except at the teaching facilities under the programs of the dental ~~or medical~~ school described in subsections 64B5-7.005(1), (3), F.A.C.

(2) A teaching permit ~~shall~~ ~~may~~ be issued to a graduate of a foreign dental college if the graduate meets the requirements of paragraphs 64B5-7.005(1)(a)-(c), F.A.C.

(3) A dental school is an educational institution that includes but need not be limited to a predoctoral dental education program of not less than four years from which students graduate with a D.D.S. or D.M.D. degree.

~~(4)(3)~~ A teaching permit or temporary teaching permit authorizes the holder to practice dentistry at the teaching facility under the following terms and conditions:

(a) All records pertaining to the teaching practice shall be subject to review and available to the Board.

(b) Upon the Board's request, the permit holder shall submit any information the Board deems necessary to evaluate compliance with Chapters 456 and 466, F.S., and Chapter 64B5, F.A.C.

(c) Permits shall be in effect only as long as the holder is a full-time faculty member of the College of Dentistry ~~or School of Medicine~~ and shall be automatically cancelled and nullified by the termination of the holder as a faculty member of the teaching facility or third time failure of the Florida dental licensure examination.

(d) Teaching permits are subject to cancellation or revocation by the Board for failure to comply with Chapters 456 and 466, F.S., and Chapter 64B5, F.A.C.

~~(5)(4)~~ Prior to issuance of a teaching permit, each faculty member must provide proof of current CPR certification. If otherwise eligible, the faculty member will be granted a permit with the requirement that current CPR certification be obtained within 60 days. Each faculty member holding a teaching faculty permit shall maintain current CPR certification.

Specific Authority 466.002(6), 466.004(4) FS. Law Implemented 466.002(6), 466.017(4) FS. History--New 4-30-80, Amended 1-13-81, Formerly 21G-7.05, Amended 1-29-89, Formerly 21G-7.005, 61F5-7.005, Amended 10-16-96, 3-16-97, Formerly 59Q-7.005, Amended 11-10-98, 8-3-00, 1-12-04,

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE CHAPTER TITLE: Fee Schedule
 RULE CHAPTER NO.: 64B7-27

PURPOSE AND EFFECT: The Board proposes the development of rule amendments and new rules to address retired status licenses and other issues in order to implement Section 456.036, F.S., 2005 and other laws.

SUBJECT AREA TO BE ADDRESSED: Fee Schedule.

SPECIFIC AUTHORITY: 456.013(2), 456.025(7), 456.036, 456.065(3), 480.035(7), 480.0425, 480.044(1) FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), (7), 456.036, 456.065(3), 480.043(7), 480.044(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, IF AVAILABLE, IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Disciplinary Guidelines
 RULE NO.: 64B7-30.002

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.072(2), 456.073(4), 456.079(1),(3),(4), 480.035(7) FS.

LAW IMPLEMENTED: 456.072(2), 456.073(4), 456.079(1),(3),(4), 480.046, 480.047 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Advertisement
RULE NO.: 64B7-33.001

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Advertisement.

SPECIFIC AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.046(1)(d),(f), 480.0465 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLES: Physician Assistant Licensure
Citation Authority
RULE NOS.: 64B8-30.003
64B8-30.014

PURPOSE AND EFFECT: In Rule 64B8-30.003, F.A.C., the Board proposes the development of a rule amendment clarifying the criteria for those who have not passed the NCCPA PANCE exam within 5 attempts. For Rule 64B8-30.014, F.A.C., the Board proposes the development of rule amendments to set forth additional violations which are appropriate for issuance of a citation, and to increase the fine for failure to notify of a change in supervisor.

SUBJECT AREA TO BE ADDRESSED: Clarification of criteria for those who have not passed the PA licensure exam within 5 attempts and violations appropriate for the issuance of citations.

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 456.077, 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 456.077, 458.347 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-30.003 Physician Assistant Licensure.

(1) No change.

(2) Applicants who have not passed the NCCPA PANCE examination within five (5) attempts and have not practiced as a fully licensed physician assistant shall be required to successfully complete a minimum of three (3) months in a full-time review course at an accredited physician assistant program approved by the Chair of the Physician Assistant Committee ~~prior to sitting for the sixth examination attempt.~~ Said completion shall be documented by a letter signed by the head of the program stating that the applicant has satisfactorily completed the course.

(3) through (5) No change.

Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History—New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03, 10-19-03, 11-17-03, 9-5-05,_____.

64B8-30.014 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) through (f) No change.	
(g) Failure to report to the Department of addition/deletion/change of supervising physician(s). (Section 456.035, F.S.) (Section 458.331(1)(g), F.S.) (Section 458.347(7)(e), (g), F.S.)	<u>\$250 fine per supervising physician</u> \$125 fine

<p><u>(h) Failure to notify the Board in writing within 30 days if an action as defined in Section 458.331(1)(b), F.S., has been taken against one's license to practice as a physician assistant in another state, territory, or country if that action was based on action taken by the Florida Board of Medicine.</u> (Section 458.331(1)(kk), F.S.) (Section 456.072(1)(w), F.S.)</p>	<p><u>\$500 fine</u></p>
---	--------------------------

<p><u>(i) First time failure to pay fine or costs imposed by Board Order within 30 days of the due date of the fine or costs. (Failure to pay more than 30 days after the due date will result in an administrative complaint)</u> (Section 456.072(1)(q), F.S.)</p>	<p><u>\$500 fine</u></p>
--	--------------------------

(4) Citations shall be issued to licensees by the Bureau of Investigative Services only after review by the legal staff of the Department of Health, Division of Regulation. Such review may be by telephone, in writing, or by facsimile machine.

(5) The procedures described herein apply only for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section 456.073, F.S., to be followed. In addition, should an initial offense for which a citation could be issued occur in conjunction with other violations, then the procedures of Section 456.073, F.S., shall apply.

(6) The subject has 30 days from the date the citation becomes a final order to pay any fine imposed and costs. All fines and costs are to be made payable to the "Department of Health" and sent to the Department of Health in Tallahassee. A copy of the citation shall accompany the payment of the fine.

~~(5)~~(7) The Department of Health shall, at the end of each calendar quarter, submit a report to the Board of the citations issued, which report shall contain the name of the subject, the violation, fine imposed, and the number of subjects who dispute the citation and chose to follow the procedures of Section 456.073, F.S.

Specific Authority 456.077, 458.309, 458.347(7)(g),(12) FS. Law Implemented 456.077, 458.331, 458.347(7)(g),(12) FS. History--New 3-3-02, Amended 5-19-03, 11-17-03, 5-4-04,_____.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLES:	RULE NOS.:
Retirement Status Fee	64B12-11.005
Duplicate License Fee	64B12-11.017

PURPOSE AND EFFECT: The Board proposes new rule to add fees for retirement status and amend rules to delete obsolete language.

SUBJECT AREA TO BE ADDRESSED: \$50.00 retirement status fee; and obsolete wall certificate and duplicate license fees.

SPECIFIC AUTHORITY: 456.025(11), 484.005 FS.

LAW IMPLEMENTED: 456.025(11), 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B12-11.005 Retirement Status Fee.

The fee for retirement status of an active or inactive license shall be \$50.00.

Specific Authority 484.005 FS. Law Implemented 456.036 FS. History--New _____.

64B12-11.017 Duplicate License Fee.

(1) If a duplicate license is requested by a licensee, the fee is \$25.00 for the duplicate license.

(2) Licensees licensed prior to July 1, 1998, may obtain a wall certificate by submitting a written request to the Board along with a \$25.00 fee.

(3) If a duplicate wall certificate is requested by a licensee, the fee is \$25.00 for the duplicate wall certificate.

Specific Authority 456.025(11), 484.005 FS. Law Implemented 456.025(11) FS. History--New 2-23-93, Formerly 21P-11.017, 61G13-11.017, 59U-11.017, Amended 10-29-02,_____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: RULE NO.: 64B15-6.01051

Citation Authority 456.077, 459.005, 459.022(7)(f),(12) FS.

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to set forth additional violations which are appropriate for issuance of a citation, and to increase the fine for failure to notify of a change in supervisor.

SUBJECT AREA TO BE ADDRESSED: The Board proposes the development of rule amendments to set forth additional violations which are appropriate for issuance of a citation, and to increase the fine for failure to notify of a change in supervisor.

SPECIFIC AUTHORITY: 456.077, 459.005, 459.022(7)(f),(12) FS.

LAW IMPLEMENTED: 456.077, 459.015, 459.022(7)(f),(12) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-6.01051 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) through (f) No change.	
(g) Failure to report to the Department of addition/deletion/change of supervising physician(s). (Sections 456.035, 459.015(1)(g), 459.022(7)(e),(g), F.S.)	<u>\$250 fine per supervising physician</u> \$125 fine

(h) Failure to notify the Board in writing within 30 days if an action as defined in Section 459.015(1)(b), F.S., has been taken against one's license to practice as a physician assistant in another state, territory, or country if that action was based on action taken by the Florida Board of Osteopathic Medicine. (Section 456.072(1)(w), F.S.) \$500 fine

(i) First time failure to pay fine or costs imposed by Board Order within 30 days of the due date of the fine or costs. (Failure to pay more than 30 days after the due date will result in an administrative complaint). (Section 456.072(1)(q), F.S.) \$500 fine

(4) Citations shall be issued to licensees by the Bureau of Investigative Services only after review by the legal staff of the Department of Health, Division of Regulation. ~~Such review may be by telephone, in writing, or by facsimile machine.~~

~~(5) The procedures described herein apply only for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section 456.073, F.S., to be followed. In addition, should an initial offense for which a citation could be issued occur in conjunction with other violations, then the procedures of Section 456.073, F.S., shall apply.~~

(6) The subject has 30 days from the date the citation becomes a final order to pay any fine imposed and costs. All fines and costs are to be made payable to the "Department of Health" and sent to the Department of Health in Tallahassee. A copy of the citation shall accompany the payment of the fine.

~~(5)(7)~~ The Department of Health shall, at the end of each calendar quarter, submit a report to the Board of the citations issued, which report shall contain the name of the subject, the violation, fine imposed, and the number of subjects who dispute the citation and chose to follow the procedures of Section 456.073, F.S.

Specific Authority 456.077, 459.005, 459.022(7)(f),(12) FS. Law Implemented 456.077, 459.015, 459.022(7)(f),(12) FS. History--New 3-10-02, Amended 1-12-04, 5-4-04, _____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Definitions RULE NO.: 64B15-9.0055

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the definition of administrative medicine.

SUBJECT AREA TO BE ADDRESSED: The definition of administrative medicine.

SPECIFIC AUTHORITY: 456.013(13), 459.005 FS.

LAW IMPLEMENTED: 456.036(9), 459.007(5) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-9.0055 Definitions.

The term "administrative medicine" as used in this rule chapter, shall be defined as the administration or management of a private or government organization, by a licensed physician, wherein the physician is required to apply and utilize the medical and clinical knowledge, skills, and judgment that are unique to a licensed physician. Administrative medicine shall include, but is not limited to, administering or managing a hospital or other health service, developing health operational policy, planning or purchasing health services or administering or managing a government healthcare benefit program. Administration medicine does not include diagnosing or treating patients or the prescription of drugs or controlled substances.

Specific Authority 456.013(13), 459.005 FS. Law Implemented 456.036(9), 459.007(5) FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Retired Physician Fee RULE NO.: 64B15-10.011

PURPOSE AND EFFECT: The Board proposes the development of rule to address the fee for retired physicians.

SUBJECT AREA TO BE ADDRESSED: Retired physician fee.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Violations and Penalties RULE NO.: 64B15-19.002

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the penalty for licensees who have been terminated or failed to comply with a treatment program.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines with regard to licensees who have been terminated or failed to comply with a treatment program.

SPECIFIC AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-19.002 Violations and Penalties.

In imposing discipline upon applicants and licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The statutory language is intended to provide a description of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited directly under each violation description.

(1) through (57) No change.

(58) Being terminated from a treatment program for impaired practitioners, as described in Section 456.076, F.S., for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug-treatment or alcohol-treatment program.
(456.072(1),(gg), F.S.)

FIRST OFFENSE:

Stayed suspension and probation and \$2,500 fine.

Suspension until licensee is able to demonstrate to the Board ability to practice with reasonable skill and safety to be followed by probation and \$5,000 fine.

SECOND OFFENSE:

Suspension until licensee is able to demonstrate to the Board ability to practice with reasonable skill and safety to be followed by probation and \$7,500 fine.

Revocation and \$10,000 fine.

Specific Authority 456.079, 459.015(5) FS. Law Implemented 456.072, 456.079 FS. History—New 9-30-87, Amended 10-28-91, 1-12-93, Formerly 21R-19.002, 61F9-19.002, 59W-19.002, Amended 2-2-98, 2-11-01, 6-7-01, 2-26-02,_____.

**DEPARTMENT OF HEALTH
Board of Respiratory Care**

RULE CHAPTER TITLE:

RULE CHAPTER NO.:

Fees

64B32-4

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the respiratory care profession or other mandatory requisites, pursuant to Section 120.74, FS.

SUBJECT AREA TO BE ADDRESSED: Retired or inactive licenses.

SPECIFIC AUTHORITY: 456.025(1), 456.036(7), 456.036(8), 468.353(1), 468.364 FS.

LAW IMPLEMENTED: 456.025(1), 456.025(6), 456.036, 456.065, 464.364 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye

Howerton, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH
Board of Respiratory Care**

RULE CHAPTER TITLE:

RULE CHAPTER NO.:

Discipline and Licensure

Provisions

64B32-5

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the respiratory care profession or other mandatory requisites, pursuant to Section 120.74, FS.

SUBJECT AREA TO BE ADDRESSED: Standard of practice for licensed respiratory therapists.

SPECIFIC AUTHORITY: 120.695, 456.072(4), 456.073(3), 456.077, 456.078, 456.079, 468.353(1), 468.354(5)(a), 468.365(1)(f), 468.365(4), 486.025 FS.

LAW IMPLEMENTED: 120.695, 456.032, 456.072, 456.072(3), 456.072(4), 456.073(3), 456.077, 456.078, 468.354(5)(a), 468.365, 468.365(1)(f), 468.365(1)(x), 468.365(2)(c) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

Section II
Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Course Requirements – Grades 6-12 Basic and Adult Secondary Programs
RULE NO.: 6A-1.09412

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate the course descriptions of new courses into the "Course Code Directory and Instructional Personnel Assignments" for 2006-2007, as required in SBE subsection 6A-1.09441(5), F.A.C. Courses in art, social sciences, and foreign languages are added to the Course Code Directory to allow districts to receive funding. Certification areas for courses in reading have been amended to align with teacher certification requirements. Revisions to the narrative section were made to align course requirements with state law and federal regulations.

SUMMARY: These new courses and course descriptions direct school and district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the "Course Code Directory and Instructional Personnel Assignments" and ensure consistency and alignment with the Sunshine State Standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.03(1), 1011.62(1)(r) FS.
LAW IMPLEMENTED: 1001.42(7), 1003.42, 1011.62(1)(r) FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005
PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, 325 West Gaines Street, Room 514, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09412 Course Requirements – Grades 6-12 Basic and Adult Secondary Programs.

A course description directs district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the "Course Code Directory and Instructional Personnel Assignments" adopted by Rule

6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publications "2002-2003 Florida Course Descriptions for Grades 6-12/Adult, Basic Education," and "2005 Florida Course Descriptions for Grades 6-12/Adult, Basic Education," and 2006-2007 Florida Course Descriptions for Grades 6-12/Adult, Basic Education which are hereby incorporated by reference and made a part of this rule. District school boards of education are authorized, through local rules, to approve a variance of up to ten (10) percent of the course requirements of each course description. Copies of approved course descriptions may be obtained from the Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority 1001.03(1), 1011.62(1)(r) FS. Law Implemented 1001.42(7), 1003.42, 1011.62(1)(r) FS. History--New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-15-01, 12-17-02, 7-26-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor, K-12 Public Schools, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: August 26, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Requirements for Programs and Courses Which are Funded through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation
RULE NO.: 6A-1.09441

PURPOSE AND EFFECT: The purpose of this amendment is to obtain approval of the "Course Code Directory and Instructional Personnel Assignments" for 2006-2007. This rule provides specific conditions for which students may earn credit toward high school graduation and for which the courses are funded through the Florida Education Finance Program (FEFP). Courses in art, social sciences, and foreign language are added to the Course Code Directory to allow districts to receive funding. Certification areas for courses in reading have been amended to align with teacher certification requirements. Revisions to the narrative section were made to align course requirements with state law and federal regulations.

SUMMARY: Revisions to the “Course Code Directory and Instructional Personnel Assignments” were made to include new courses, align courses, teacher certification, and narrative section to recent changes in teacher certification, state laws, and federal regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1011.62 FS.

LAW IMPLEMENTED: 1011.62 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, 325 West Gaines Street, Room 514, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) The program in which the student is in membership shall be one of the programs listed in Section 1011.62(1)(c), Florida Statutes.

(2) The course or program in which the student is in membership shall be an educational activity which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Rule 6A-1.0501, F.A.C.

(4) The course or program shall be listed in the “Course Code Directory and Instructional Personnel Assignments” for the year in which the student is in membership.

(5) The “Course Code Directory and Instructional Personnel Assignments 2006-2007 ~~2005-2006~~” is hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The directory may be obtained from the

Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Specific Authority 1001.02(1), 1011.62(1)(r) FS. Law Implemented 1011.62(1) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jo Butler, Educational Policy Consultant, K12 Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor, K-12 Public Schools, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: August 26, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Required Annual Calendar for Schools and Colleges	6A-10.019
Procedures for Determining the Level at Which Courses Shall be Classified	6A-10.0242
Postsecondary Credit Definitions	6A-10.033
Deletion of Courses from Catalogs and Common Course Designation and Numbering System	6A-10.0331
Postsecondary Feedback of Student Information to High Schools	6A-10.038
Substitution for Requirements for Eligible Disabled Students at State Universities, Community Colleges, and Postsecondary Vocational Institutions	6A-10.041
Nonpublic College Participation in the Common Course Numbering and Designation System	6A-10.043

PURPOSE AND EFFECT: The rules are proposed to be amended to accurately reflect current implementing legislation and education governance. The effect will be rules which are aligned with current legislation and education governance.

SUMMARY: The rules are proposed to be amended to align with current legislation and education governance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02(1)(2)(n), 1007.24(8) FS.

LAW IMPLEMENTED: 1001.02, 1001.42(4), 1007.24 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-10.019 Required Annual Calendar for Schools and Colleges.

Each district school board, each community college district board of trustees, and each university board of trustees ~~the Board of Regents~~ shall prior to the beginning of each fiscal year adopt an annual calendar which shall be observed by all schools or post high school educational institutions operated by said board.

(1) Each board shall adopt a calendar ~~that which~~ supports the following objectives:

(a) Minimal loss of time between student exit from one public institution and entry into another. Students who complete a phase of their education in one public institution and who need to transfer to another public institution to continue their education should be able to do so without prolonged delay.

(b) Opportunity for students to move through the educational system at their respective paces. Calendars should not be based on the assumption that all students will initiate and complete learning activities at the same pace.

(c) Opportunity for school personnel to utilize in-service and continuing education.

(d) Opportunity for effective and efficient utilization of resources. School plants and school personnel should not have prolonged periods during which they are idle.

(e) Opportunity for family activities.

(f) Flexibility in implementation of calendar decisions.

(2) The calendar adopted by each community college board of trustees and each university board of trustees ~~the Board of Regents~~ shall include at least the following statewide requirements:

(a) Unless an exception is granted by the Division of Colleges and Universities or the Division of Community Colleges and Workforce Education, as appropriate, ~~Three~~ (3) common entry periods shall be established so that the first day of classes will fall within each of the three (3) periods listed below:

~~1. The period from the next to last Monday in August through August 31.~~

~~2. The period from January 3 through January 10.~~

~~3. The period from May 6 through May 13.~~

(b) ~~Effective August, 1985, the common entry periods shall be:~~

1. The first three (3) weekdays after August 22.

2. The first three (3) weekdays after January 4.

3. The first three (3) weekdays after May 5.

(b)(e) In addition to the three (3) common entry periods prescribed in this section, each calendar shall include the following:

1. Pre-established dates for issuing certificates, diplomas, or degrees which will permit students to utilize the entry period which minimizes the loss of time to students in completing the transfer between programs or institutions.

2. A summer program for teachers and other school personnel scheduled to begin no earlier than June 15 and close no later than August 15; provided, however, that this requirement shall apply only to each postsecondary educational institution offering programs for in-service teachers.

3. As many additional periods throughout the fiscal year in which a student can begin a program as can be feasibly provided.

(3) An official copy of the annual calendar adopted by each school board, community college board of trustees, and the Board of Governors ~~board of regents~~ for each school or institution operated by said boards shall be filed with the Department in the manner prescribed by the Commissioner.

Specific Authority 1001.02(1)(2)(n) ~~229.053(1), 240.325~~ FS. Law Implemented 1001.02, 1001.42(4), 1006.50 ~~229.053(2)(e), 230.23(4)(f), 240.203(2), 240.227(17), 240.319(3)(e), 240.325~~ FS. History—New 6-17-74, Repromulgated 12-5-74, Amended 3-27-80, 7-7-83, 2-19-84, Formerly 6A-10.19, Amended _____.

6A-10.0242 Procedures for Determining the Level at Which Courses Shall be Classified.

(1)(a)1. through 8. No change.

(b) While not exhaustive, the criteria establish intent, which further guides decision making. The institution's recommendation ~~decision~~ regarding upper and lower division classification shall be indicated in the submission of the course for entry in the statewide uniform ~~and designation~~ course numbering and designation system. Should any another institution object to the level designated, it may appeal to the Articulation

Coordinating Committee after first attempting resolution ~~directly~~ with the statewide course numbering system ~~subject institution~~.

Specific Authority 1001.02(1), 1007.24(8), 229.053(1), 229.551, 240.115(2) FS. Law Implemented 1001.02, 1007.24, 229.053(2)(e), 240.115(2), 240.203(2), 240.301, 240.325(3),(4) FS. History--New 7-13-83, Formerly 6A-10.242, Amended 1-4-94, _____.

6A-10.033 Postsecondary Credit Definitions.

The definitions herein apply to instruction in postsecondary career area vocational-technical centers, community colleges, and universities.

(1)(a) No change.

(b) Career Vocational credit. ~~Career Vocational~~ credit is the type of credit assigned to courses or course equivalent learning that is part of an organized and specified program leading to a career vocational certificate. It applies to postsecondary adult career vocational courses. One (1) career vocational credit is based on the learning expected from the equivalent of thirty (30) hours of instruction.

(c)1. No change.

2. Career Vocational preparatory credit. ~~Career Vocational~~ preparatory credit is the type of preparatory credit assigned to courses that provide students who wish to enroll in career vocational credit courses with additional academic preparation. One (1) career vocational preparatory credit is based on the learning expected from the equivalent of fifteen (15) fifty-minute periods of classroom instruction, with credit for such things as laboratory instruction and individualized study determined by the institution based on the proportion of direct instruction to the laboratory exercise or individualized program.

(2) Noncredit. Noncredit is a term indicating that credit, as defined herein, is not awarded. It applies, in the case of universities, to the instructional classifications of noncredit continuing education; in the case of community colleges, to the instructional classifications of noncredit continuing education supplemental, adult basic and secondary, citizenship, and recreational; and in the case of postsecondary career area vocational-technical centers, to the instructional classifications of noncredit continuing education supplemental, adult basic and secondary, community education, and community instructional services. The unit of measure is hours of instruction.

Specific Authority 1001.02(1), 229.053(1), 240.115(2), 240.117(1) FS. Law Implemented 1001.02, 1004.65, 1004.93, 1007.22, 1007.23, 1007.24, 1007.25, 1008.30, 1008.345, 228.041(1), 229.053(2)(e), 229.551(1), 239.301, 240.115, 240.117, 240.203(2), 240.301, 240.325(3),(4) FS. History--New 7-13-83, Amended 5-14-85, Formerly 6A-10.33, Amended _____.

6A-10.0331 Deletion of Courses from Catalogs and Common Course Designation and Numbering System.

(1) ~~Effective with the 1987-88 academic year, Each university in the State University System and each community college in the State Community College System shall adopt, as part of the procedure for the preparation of its institutional~~

catalog, a rule to ensure that courses which have not been taught for five (5) years, or less if desired, are deleted from the catalog. Each institution shall also notify the Office of the Statewide Common Course Designation and Numbering System to delete these courses.

(2) Courses not taught in the preceding five (5) years or less in keeping with institutional requirements, ~~that which~~ an institution wishes to continue shall be reviewed in the same manner that the institution reviews courses which are proposed for addition to the catalog and statewide course numbering system ~~Common Course Designation and Numbering System~~. A course may be continued in the catalog if the institution plans to offer it during the next five (5) years.

(3) The president of each university ~~shall annually certify to the Board of Regents~~ and the president of each community college shall annually certify to the board of trustees for that university or college that the institution has complied with the law.

Specific Authority 1007.24(8), 229.053(1), 233.015 FS. Law Implemented 1001.02, 1007.24, 229.053(1), (2)(e), 233.015 FS. History--New 12-31-86, Amended 4-7-87, 8-30-88, _____.

6A-10.038 Postsecondary Feedback of Student Information to High Schools.

(1) From data provided by the state universities, community colleges, and state-supported career vocational-technical centers, the Divisions of Colleges and Universities, Community Colleges and Workforce Education, and Public Schools shall maintain information on the performance of Florida's public high school graduates on the entry-level placement tests, pursuant to Rules 6A-10.0315 and 6A-10.040, F.A.C.

(2) By October 31 each year, the Divisions of Colleges and Universities, Community Colleges and Workforce Education, shall provide the Commissioner of Education the following information on students enrolled during the most recent academic year, beginning with the summer session and ending with the spring semester, who were prior year graduates of Florida public high schools:

- (a) Legal name,
- (b) Social security number,
- (c) Florida student identifier when available,
- (d) Gender,
- (e) Racial/ethnic group,
- (f) Name and number of school and school district from which student graduated,
- (g) Year of graduation from high school,
- (h) Report year (academic year student was enrolled in postsecondary education and the first academic year after graduation from high school),
- (i) Name of postsecondary institution in which student was enrolled, and

(j) An indicator for each of the three (3) subtest areas indicating whether a student's score on the subtest was above or below the cut-off score for that area pursuant to Rule 6A-10.0315, F.A.C.

(k) The name of the entry-level placement test used to place each student and subtest scores on the entry-level placement test in the areas of reading, writing/language, or mathematics shall be maintained by the Division of Community Colleges and the Division of Universities and made available to the Commissioner of Education upon request.

(3) ~~Beginning in 1997, with enrollment data for academic year 1995-96, and annually thereafter, Each~~ postsecondary ~~career vocational-technical~~ center shall provide, by October 31 each year, the same information as described in paragraphs (2)(a) through (2)(i) of this rule pursuant to Section ~~1004.91 239.213~~, Florida Statutes, for students who were prior year graduates of Florida public high schools. Reporting on postsecondary ~~career vocational-technical~~ students shall be consistent with Rule 6A-10.040, F.A.C., and shall indicate whether a student, upon completion of a required basic skills examination within the first six (6) weeks after admission into the program, was deemed to have achieved mastery of the required minimum level of basic skills for the program pursuant to Rule 6A-6.0571, F.A.C.

(4) Upon request to the postsecondary institutions in which its students enrolled, a Florida public high school or school district shall be provided transcripts of its graduates including a record of all postsecondary courses in which its graduates enrolled during the first year after high school graduation. Transcripts, performance of an individual student on an entry-level placement test, and other personally identifiable student information may be used only for educational purposes pursuant to Section ~~1002.22 228.093~~, Florida Statutes, and shall be released without the written consent of the student only to the superintendent of the school district or principal of the school from which the student graduated.

(5) From information data bases maintained by the Division of Colleges and Universities, the Division of Community Colleges and Workforce Education, and the Division of Public Schools, the Commissioner shall provide to the State Board of Education, the Board of Governors, and Legislature by November 30, and to the school districts and high schools by January 31, summary reports on the performance of Florida's public high school graduates who enroll in public postsecondary institutions within one (1) year after graduation. The Commissioner shall provide summary report for the state as a whole, for each school district, and for each public high school. Student level reports shall be provided to the high schools from which students graduate. The summary reports shall indicate the number of prior year graduates who enrolled in state-supported career

~~vocational-technical~~ centers, community colleges, and state universities in Florida during the previous summer, fall, and spring terms and the number of those students whose scores on the entry-level placement tests indicate readiness for postsecondary education or the need for remediation through basic skills instruction or college-preparatory instruction pursuant to Sections ~~1004.92 and 1008.30, 239.213 and 240.117~~, Florida Statutes.

(6) Pursuant to Section ~~1008.37 240.118~~, Florida Statutes, each school district and high school shall include strategies in its school improvement plan to improve student readiness for the public postsecondary level based on annual analysis of the feedback report data.

Specific Authority ~~1008.37(1) 229.053(1), 240.118~~ FS. Law Implemented ~~1008.37 240.118~~ FS. History--New 9-24-84, Formerly 6A-10.38, Amended 11-7-89, 1-2-95, _____.

6A-10.041 Substitution for Requirements for Eligible Disabled Students at State Universities, Community Colleges, and Postsecondary Vocational Institutions.

(1) Each university and community college board of trustees ~~The Board of Regents, each community college district board of trustees~~, and each district school board which operates a postsecondary career vocational-education center shall develop and implement policies and procedures for providing reasonable substitution for eligible students as required by Sections ~~1007.264, 240.152 and 240.153~~, Florida Statutes. In determining whether to grant a substitution, documentation to substantiate that the disability can be reasonably expected to prevent the individual from meeting requirements for admission to the institution, admission to a program of study, entry to upper division, or graduation shall be provided. For purposes of this rule, the following definitions shall apply.

(a) through (c) No change.

(2) through (4) No change.

(5) Each public university, community college and postsecondary career vocational-education center operated by a school district shall maintain records on the number of students granted substitutions by type of disability, the substitutions provided, the substitutions identified as available for each documented disability and the number of requests for substitutions which were denied.

Specific Authority ~~1007.264, 1007.265 229.053(1), 240.152, 240.153~~ FS. Law Implemented ~~1007.264, 1007.265 240.152, 240.153~~ FS. History--New 4-13-87, Amended _____.

6A-10.043 Nonpublic College Participation in the Common Course Numbering and Designation System.

Nonpublic colleges may participate in the statewide common course numbering and designation system pursuant to Section ~~1007.24 246.013~~, Florida Statutes.

(1) Eligibility Requirements. In order to participate an institution must:

(a) Be eligible pursuant to Section ~~1007.27(6) 246.013(1)~~, Florida Statutes,

(b) Agree to abide by the system's requirements and responsibilities, and

(c) Unless exempt from paying by Section 1007.34(6) ~~246.013~~, Florida Statutes, pay the required fees.

(2) Fee Schedule. The fees charged to participating institutions shall be:

(a) Application fee. A nonrefundable application fee of one thousand (1000) dollars must accompany each nonpublic institution's initial application for participation in the statewide common course numbering and designation system.

(b) Entry Fee. The unit cost per course of entering, modifying, or terminating courses in the course numbering and designation system, including administrative, personnel, expense, and capital costs of the system.

(c) Maintenance Fee. The unit cost of maintaining courses in the system, including computing, programming, and printing costs.

(d) Fiscal Year. The period for which fees are calculated shall be from July 1 through June 30.

(e) Payment. An invoice detailing entry and maintenance fees shall be sent to each participating nonpublic institution annually, within sixty (60) days after the close of the fiscal year. The fees incurred by each college shall be payable to the Department within sixty (60) days of the invoice. An institution which fails to pay shall be withdrawn from the system.

(f) Special Review/Site Visit Fee. If a special review or site visit is requested by an institution not exempt from fees, or, in the judgement of the Department, a special review or site visit is required to assure compliance, a fee of three hundred (300) dollars will be assessed for a review. If a site visit is required, a fee of three hundred (300) dollars per day will be assessed for each Department representative conducting the site visit.

(g) Reinstatement Application Fee. Within twelve (12) months following termination of participation in the system, an institution may apply for reinstatement without having to go through the application process. All outstanding fees plus a reinstatement application fee of three hundred (300) dollars must be paid to be eligible for reinstatement. In the event that reinstatement is denied, the reinstatement application fee shall be refunded.

(h) All fees and other funds collected by the statewide common course numbering and designation system shall be deposited into the Institutional Assessment Trust Fund created by Section 1010.83 ~~246.31~~, Florida Statutes, and shall be available for the authorized expenses of the system.

(3) Any nonpublic college or school which has not been accepted as a participant in the statewide common course numbering and designation system under the conditions of this rule or has been withdrawn from participation in the system shall not use the system's course classification and identification system to record courses on student transcripts or

otherwise document courses offered by the college or school using the system. Any college or school deemed to be in violation of this section shall be subject to denial, probation, or revocation of license or certificate of exemption pursuant to Section ~~246.111~~, Florida Statutes, or other disciplinary action pursuant to Section 1005.38 ~~246.228~~, Florida Statutes.

Specific Authority 1007.24(6) ~~229.053(1)~~, ~~246.013~~, ~~246.31~~ FS. Law Implemented 1007.24 ~~246.013~~ FS. History--New 9-6-88, Amended 3-13-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Heather Sherry, Director, Office of Articulation, Department of Education Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Articulation Between and Among State Universities, Community Colleges, and School Districts

RULE NO.:

6A-10.024

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 6A-10.024, F.A.C., Articulation Between State Universities, Community Colleges and School Districts, is to ensure consistency between existing statutes and the changes in education governance. The effect is a rule which is consistent with existing statutes.

SUMMARY: Proposed revisions are proposed to clarify current policy, update or delete obsolete language, and revise language to reflect changes in education governance relating to the school code rewrite and constitutional changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02(2)(n), 1007.23(1), 1007.27(9) FS.

LAW IMPLEMENTED: 1007.01(2), 1007.23(1), 1007.27(9) FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.024 Articulation Between and Among State Universities, Community Colleges, and School Districts.

It is the intent of the Board of Governors and the State Board of Education to facilitate articulation and seamless integration of the education system by agreeing to the provisions of this rule. The authority to adopt and amend this rule aligns with the Constitutional power given the Board of Governors for the state university system and the statutory authority given the State Board of Education for the district school boards, the community college system, and the Department of Education.

(1) Each state university board of trustees ~~president~~, community college board of trustees, and district school board shall plan and adopt policies and procedures to provide articulated programs so that students can proceed toward their educational objectives as rapidly as their circumstances permit. State universities ~~Universities~~, community colleges, and school districts shall exchange ideas in the development and improvement of general education, and in the development and implementation of student acceleration mechanisms. They shall establish joint programs and agreements to facilitate articulation, acceleration, and efficient use of faculty, equipment, and facilities.

(2) Articulation Coordinating Committee. The Commissioner shall establish an Articulation Coordinating Committee which shall report to the Commissioner and consist of eighteen (18) fifteen (15) members. The committee shall have four (4) standing members from the Department of Education to represent the state university system, the community college system, public workforce education, and the public pre-K-12 schools. Fourteen (14) are appointed by the Commissioner for two-year terms: three (3) members representing the state university system; three (3) members representing the state community college system; one (1) member representing career vocational ~~educational~~ education; three (3) members representing public schools; two (2) members representing nonpublic postsecondary institutions; one (1) member representing students; one (1) member from the Commissioner's staff who shall serve as chairman; and one (1) additional member. The Commissioner will appoint a chair from the membership. Ten members of the committee shall constitute a quorum. No business may be transacted at any meeting unless a quorum is present. The Committee shall:

(a) Function as the statewide pre-kindergarten through university, or K-16, advisory committee ~~council~~ and accept continuous responsibility for community college-university-school district relationships, ~~including~~

~~recommending to the Commissioner plans for school district articulation relationships with community colleges and universities, including coordination of cooperative plans required by Section 229.814(5), Florida Statutes.~~

~~(b) Establish articulation accountability measures. Further, the Committee shall annually collect, analyze, and make recommendations to the Commissioner of Education on the accountability measures. Such report, at a minimum, shall address the provisions set forth in Section 240.1162, Florida Statutes. The articulation accountability report shall be included in the Commissioner's annual report on the status of education to the State Board of Education and the Legislature.~~

~~(b)(e) Develop suggested guidelines for interinstitutional agreements between and among public schools, community colleges, and universities to facilitate interaction, articulation, acceleration, and the efficient use of faculty, equipment, and facilities.~~

~~(c)(d) Establish groups of university-community college-school district representatives to facilitate articulation in subject areas.~~

~~(d)(e) Conduct a continuing review of the provisions of this rule and make recommendations to the State Board of Education and the Board of Governors for revisions Rule 6A-10.024, F.A.C.~~

~~(e)(f) Review instances of student transfer and admissions difficulties among universities, community colleges, and public schools. Decisions shall be advisory to the institutions concerned.~~

~~(f)(g) Examine statewide data regarding articulation, recommend resolutions of issues, and propose recommend policies and procedures to improve articulation systemwide.~~

~~(g)(h) Recommend the priority to be given research conducted cooperatively by the Divisions of Community Colleges and Workforce Education, Colleges and Universities, and Public Schools with individual institutions. Such research shall be encouraged and conducted in areas such as admissions, grading practices, curriculum design, and follow-up of transfer students. Research findings shall be used to evaluate current policies, programs, and procedures.~~

~~(h)(i) Review and make recommendations to institutions for experimental programs which vary from official transfer policy.~~

~~(j) Develop procedures to improve articulation systemwide.~~

~~(i)(k) Collect and disseminate information on successful cooperative programs between and among educational institutions under Rule 6A-10.024(1), F.A.C.~~

~~(j) Establish and maintain a standard format to record the performance and credits of postsecondary students. Each such transcript shall include all courses in which a student enrolls each term, the status in each course at the end of each term, all grades and credits awarded, College-Level Academic Skills Test scores, and a statement explaining the grading policy of~~

the institution. The Articulation Coordinating Committee shall collaborate with the Division of Public Schools in the development of a standard format on which district school systems shall record the performance and credits of students.

(k) Document, maintain and publish a current listing of limited access, capstone, and career ladder degree programs.

(l) Document, maintain, and publish the statewide associate in science to bachelor of arts/bachelor of science articulation agreements between the community colleges and the state universities. The agreements must be consistent with the policies of the Board of Governors and the State Board of Education and shall be reviewed by the Division of Colleges and Universities and the Division of Community Colleges and Workforce Education.

(m) Maintain and review annually the accelerated articulation mechanism examinations, minimum scores guaranteed for transfer, maximum credits guaranteed to transfer, and recommended course equivalencies

(n)(4) Perform such other duties as may be assigned in law or by the State Board of Education, the Board of Governors, or the Commissioner.

(3) General education.

(a) Each state university and community college public postsecondary institution shall establish a general education core curriculum, which shall require at least thirty-six (36) semester hours of communication, mathematics, social sciences, humanities, and natural sciences college credit in the liberal arts and sciences for students working toward a baccalaureate degree.

(b) After a state university or community college has published its general education core curriculum, the integrity of that curriculum shall be recognized by the other public universities and community colleges. Once a student has been certified by such an institution on the official transcript as having completed satisfactorily its prescribed general education core curriculum, regardless of whether the associate degree is conferred, no other state university or community college public postsecondary institution to which he or she may transfer shall require any further such general education courses.

(c) If a student does not complete a general education core curriculum prior to transfer, the general education requirement becomes the responsibility of the new institution.

(4) Associate in Arts (A.A.) Degree. The associate in arts degree is the basic transfer degree of the community colleges. It is the primary basis for admission of transfer students from community colleges to upper division study in a state university. Every associate in arts graduate of a Florida community college shall be granted admission to an upper division program consistent with Section 1007.23, Florida Statutes. Admission to the student's preferred public postsecondary institution or program is not guaranteed offered by a state university institution except to: a limited access

program; a teacher certification program; or a major program requiring an audition or portfolio. After admission has been granted to associate in arts graduates as specified above and to state university students who have successfully completed sixty (60) credit hours of course work and met the requirements of Section 240.107, Florida Statutes, admission shall then be granted to state university system and Florida community college students who have successfully completed sixty (60) credit hours of work.

(5) The associate in arts degree shall be awarded upon:

(a) Completion of at least sixty (60) semester hours of college credit courses in an established program of study, exclusive of courses not accepted in the state university system, and including a general education core curriculum of at least thirty-six (36) semester hours of college credit in communication, mathematics, social sciences, humanities, and natural sciences with the remaining twenty-four (24) semester hours consisting of appropriate common program prerequisite courses and electives, the liberal arts and sciences;

(b) Achievement of a grade point average of at least 2.0 in all courses attempted, and in all courses taken at the institution awarding the degree, provided that only the final grade received in courses repeated by the student shall be used in computing the average. The grade of "D" shall transfer and count toward the associate and baccalaureate degrees in the same way as "D" grades obtained by native students in the receiving state university or receiving community college universities. Whether courses with "D" grades in the major satisfy requirements in the major field may be decided by the receiving university or receiving community college department or college; The 60 hours that comprise a completed Associate in Arts degree shall be accepted in total upon transfer to an upper division program at another public postsecondary institution.

(c) Completion of the requirements for English and mathematics courses adopted by the State Board of Education in Rule 6A-10.030, F.A.C., and the Board of Governors; and

(d) Achievement of the minimum standards for college-level communication and computation skills adopted by the State Board of Education in Rule 6A-10.0312, F.A.C., and the Board of Governors.

(5)(6) Associate in Science (A.S.) Degree. The associate in science degree is the career education degree of the community colleges. It is a two-year degree intended to prepare students for the workforce. The following provisions allow for articulation from an associate in science to a baccalaureate degree:

(a) The associate in science degree shall be awarded upon:

1. Completion of the minimum number of semester hours of college credit courses in an established program of study as required in subsection paragraph 6A-14.030(2)(a), F.A.C., including;

2. Completion of ~~at least a minimum of fifteen to eighteen~~ (15-18) semester hours in the general education core curriculum in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences liberal arts and sciences comprised of courses which meet the Southern Association of College and Schools Commission on Colleges criteria. English and math courses must meet the requirements adopted by the State Board of Education in ~~of~~ Rule 6A-10.030, F.A.C., and the Board of Governors. No physical education credit will be included in the general education block of credit.

3. General education courses not taught in accordance with the Southern Association of Colleges and Schools Commission on Colleges criteria for programs designed for college transfer shall not be included in the associate in science degree.

(b) Appropriate courses within associate in science degree programs will articulate to baccalaureate degree programs.

~~1.3.~~ Achievement of the minimum standards adopted by the State Board of Education in Rule 6A-10.0312, F.A.C., and the Board of Governors, will be required by the time the student earns 36 semester hours at the senior institution in upper division work.

~~2.4.~~ Completion of common prerequisites will be required for the baccalaureate degree or as otherwise outlined in program-specific statewide agreements.

~~3.5.~~ Courses taken as part of the associate in science degree to meet the general education requirements will transfer and apply toward the 36 credit hours required for the baccalaureate degree. No additional general education credit hours can be required except to complete the total 36 general education hours ~~or for remediation~~.

(c)(b) The Interdisciplinary Capstone Degree Articulation Agreement. A capstone agreement that is entered into by a specific public or private postsecondary institution provides for the acceptance of a specific associate in science degree from any Florida community college and applies it as a block of credit toward a specified baccalaureate degree. The quality and content of the associate in science degree is respected as the technical component of the baccalaureate degree and the remainder of the program is designed to complete general education requirements and provide management skills to assist in job progression. Every associate in science degree graduate of a Florida community college program that articulates with a an interdisciplinary capstone degree program in a specific Florida public or private postsecondary institution university shall be guaranteed admission to that program except for limited access programs and those requiring specific grades on particular courses for admission. All associate in science degree graduates who articulate under the interdisciplinary capstone agreement shall be treated equally, regardless of the community colleges from which they receive their degrees. The general education component of the

associate in science degree shall be accepted in total as a portion of the general education requirement upon transfer to the capstone program in a specific Florida public or private postsecondary institution.

~~1. The general education component of the A.S. degree will maintain its integrity upon transfer to the interdisciplinary capstone program.~~

~~2. The Articulation Coordinating Committee shall maintain a current listing of interdisciplinary capstone programs which will be published on an annual basis.~~

~~(d)(e) The Career Ladder Degree Articulation Agreement. The Career Ladder agreement integrates specific associate in science degree programs with identified baccalaureate degree programs statewide. Each associate in science degree program must meet specific requirements as prescribed in the agreement and public postsecondary institutions are required to honor the transfer of credit toward the specified baccalaureate degree. Graduates Beginning fall term 2000, all graduates of a Florida community college associate in science degree program with an agreement that is documented and maintained by the Articulation Coordinating Committee listed in the Statewide Articulation Manual shall be granted admission to a public postsecondary institution any of the universities in the State University System in the program designated to articulate with their degree, except for limited access programs and those requiring specific grades on particular courses for admission. Admission to the student's preferred public postsecondary institution is not guaranteed. Each State University System institution shall develop admissions criteria to ensure that associate in science degree students are evaluated on an equal basis with associate in arts degree graduates and native university students for admission into Career Ladder programs designated as limited access and those requiring specific grades on particular courses for admission.~~

1. The associate in science degree shall be awarded based on all of the requirements contained in paragraph (5)(a) ~~(6)(a)~~ of this rule and in accordance with the articulation agreement provisions maintained by the Articulation Coordinating Committee contained in the Statewide Articulation Manual.

~~2. General education courses not taught in accordance with the Southern Association of Colleges and Schools Commission on Colleges criteria for programs designed for college transfer shall not be included in the associate in science degree.~~

~~2.3.~~ The statewide associate in science to bachelor of arts/bachelor of science baccalaureate degree program articulation agreements between public postsecondary institutions the State Board of Community Colleges and the State University System shall be documented and maintained by the Articulation Coordinating Committee in a Statewide Articulation Manual. The Division of Community Colleges and Workforce Education and the Division of Colleges and Universities, State Board of Education and the Board of

Governors, in consultation with their member institutions, shall review periodically, as necessary, but no more than once a year, the provisions of the state articulation agreements and the prescribed curricula to ensure the continued effectiveness of the articulation between the A.S. and B.A./B.S. programs. Any recommendations for revisions to the state articulation agreements will be forwarded to the Articulation Coordinating Committee for review and approval. The revisions may be approved after the Board of Governors and the State Board of Education make independent determinations that the recommended revisions are consistent with board policies.

~~(6)(7) The Applied Technology Diploma (ATD). The ATD~~ consists of a course of study that is part of an associate in science (A.S.) or an associate in applied science degree (A.A.S.), is less than sixty (60) credit hours, is approximately fifty (50) percent of the technical component (non-general education), and leads to employment in a specific occupation. An applied technology diploma program may consist of either ~~technical vocational~~ credit or college credit.

(a) Students must have a high school diploma, a high school equivalency diploma, or a certificate of completion pursuant to Section 1003.433(2)(b), Florida Statutes, or the equivalent to be admitted to an applied technology diploma program. Within six (6) weeks of entry, students in applied technology diploma programs of 450 or more hours must be tested pursuant to Rule 6A-10.040, F.A.C., and, if below minimum standards for completion from the program as defined in the program standards document adopted in Rule 6A-6.0571, F.A.C., must receive remedial instruction. The minimum standards must be at least the equivalent of a score of ten (10) on all sections of any basic skills test approved in Rule 6A-10.040, F.A.C. Students must successfully complete all remedial instruction before completing the Applied Technology Diploma.

(b) Community colleges may offer either college or ~~career vocational~~ credit toward the applied technology diploma. Career Vocational-technical centers may offer only career vocational credits.

(c) All faculty providing instruction must have at least a baccalaureate degree or an associate degree with demonstrated competencies in the specific instructional program area ~~or meet the criteria for "exceptional cases"~~ as defined by the Southern Association of Schools and Colleges and Schools.

(d) The information related to the guaranteed transfer of credit between an applied technology diploma program and associate in science or an associate in applied science degree must be documented and maintained by the Articulation Coordinating Committee in the Statewide Articulation Manual and the Vocational Education Program Courses Standards, which is incorporated by reference in Rule 6A-6.0571, F.A.C. The documentation Statewide Articulation Manual and the Vocational Education Program Courses Standards shall include the following:

1. The total number of clock or credit hours within the program.

2. The associate in science or associate in applied science degree into which the applied technology diploma is guaranteed to transfer.

3. The number of college credit hours guaranteed to transfer.

4. An effective date.

(e) The transfer of the applied technology diploma to an associate in science or associate in applied science degree is guaranteed for a period of three (3) years following the date of the award of the applied technology diploma.

(f) Applied technology diploma students entering an associate degree program shall meet the admissions standards stipulated in Section 1007.263 240.321, Florida Statutes. Additional admissions requirements for limited access programs may be established by the community college boards of trustees.

~~(7)(8) Articulated Acceleration Mechanisms Credit by examination.~~ This subsection addresses the common mechanisms available for secondary and postsecondary students attending public educational institutions.

(a) Credit by examination; general provisions.

1. For examination programs listed in paragraphs subsections (b)(9) through (h)(13) of this rule, examination specifications and content information shall be submitted to the Statewide Course Numbering System for course equivalency recommendations.

~~2.(b)~~ A list of examinations, minimum scores for guaranteed transfer credit, maximum credits guaranteed to transfer, and recommended course equivalents shall be maintained by the Articulation Coordinating Committee and reviewed annually.

~~3.(e)~~ Transfer of credit by examination is guaranteed for up to forty-five (45) credits, provided that credit was awarded in accordance with the Articulation Coordinating Committee's recommended minimum scores and course equivalents.

~~4.(d)~~ Transfer of examination credit over forty-five (45) credits is at the discretion of the receiving institution.

~~5.(e)~~ Credit by examination may not duplicate credit previously earned through postsecondary courses or ordinary credit, dual enrollment credit or other credits earned through examination.

~~6.(f)~~ No grades or grade points shall be assigned for credit by examination.

~~7.(g)~~ Institutions may award credit for examinations that are not listed in this rule or that do not have recommended course equivalents, minimum scores, and maximum credits. Acceptance of transfer credit so awarded is at the discretion of the receiving institution.

~~(b)(9) The College Board College Level Examination Program (CLEP) of the College Board.~~

~~1.(a)~~ The transfer of credit awarded on the basis of scores achieved on examinations in the College Level Examination Program is protected by this rule only for examinations taken in an administration authorized by CLEP.

~~2.(b)~~ For examinations taken after July 2001, transfer of credit is mandatory for all CLEP examinations, ~~except for foreign languages, on which students achieved a scale score of fifty (50). For all CLEP examinations, credit must be awarded at a minimum in accordance with the credit-by-examination equivalencies determined by the Articulation Coordinating Committee.~~

~~3.(e)~~ For examinations taken prior to July 1, 2001, transfer of credit under the terms of this rule is mandatory provided that the award of credit is consistent with the institution awarding the credit did so on the basis on CLEP recommendations or scaled scores determined to represent student achievement at or above the fiftieth (50) percentile on the combined men-women sophomore norms in use prior to 1978, with no letter grade or grade points assigned.

~~(d)~~ For foreign language CLEP examinations, transfer of credit for examinations taken after July 1, 2001, is mandatory provided that credit was awarded on the basis of the Articulation Coordinating Committee's recommended minimum scores and maximum credit guaranteed to transfer.

~~(c)(10)~~ College Board Advanced Placement Program (AP). For all AP examinations, credit must be awarded at a minimum in accordance with the credit-by-examination equivalencies determined by the Articulation Coordinating Committee. Transfer of Advanced Placement credit under terms of this rule is also mandatory, provided that the award of credit is consistent with institution awarding the credit did so on the basis of the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer.

~~(d)(11)~~ International Baccalaureate (IB) Diploma Program. For all IB examinations, credit must be awarded at a minimum in accordance with the credit-by-examination equivalencies determined by the Articulation Coordinating Committee. Transfer of International Baccalaureate credit under terms of this rule is also mandatory, provided that the award of credit is consistent with the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer. The award of credit based on scores achieved on IB Diploma program examinations and the transfer of such credit are mandatory under the provisions herein.

(a) Students who have not been awarded the IB Diploma shall be awarded six (6) semester credits in the subject areas of each IB higher level examination on which they scored five (5) points or above.

(b) Students who have been awarded the IB Diploma shall be awarded up to thirty (30) semester credits in the subject areas in which they scored four (4) or above on IB Diploma program examinations. The credits shall be awarded as follows:

1. Six (6) semester credits for each IB examination on which they scored five (5) or above.

2. Three (3) semester credits for each IB examination on which they scored four (4).

~~(e)~~ For students The award of credit for students who completed IB Diploma program examinations before April 1993 shall be determined by the public postsecondary institution.

1. Three (3) semester credits shall be awarded in the subject areas of each IB higher level examination on which they scored four (4).

2. Six (6) semester credits shall be awarded in the subject areas of each IB higher level examination on which they scored five (5) or above.

3. One (1) semester credit shall be awarded in the subject areas of each IB subsidiary level examination on which they scored four (4).

4. Three (3) semester credits shall be awarded in the subject areas of each IB subsidiary level examination on which they scored five (5) or above.

(e) Advanced International Certificate of Education Program (AICE). Transfer of Advanced International Certificate of Education credit under terms of this rule is mandatory, provided that the award of credit is consistent with the Articulation Coordinating Committee's recommended minimum scores and the statutory maximum amount of 30 credits.

~~(f)(12)~~ Excelsior College Examinations, formerly known as the Regents College Examinations or the Proficiency Examination Program (PEP). Transfer of credit under terms of this rule is mandatory provided that the award of credit is consistent with institution awarding the credit did so on the basis of the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer with no letter grades or grade points assigned.

~~(g)(13)~~ Defense Activity of Non-Traditional Education Support (DANTES) Subject Standardized Tests (DSSTs). Transfer of credit under terms of this rule is mandatory provided that the award of credit is consistent with institution awarding the credit did so on the basis of the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer with no letter grades or grade points assigned.

~~(14) Advanced International Certificate of Education Program (AICE). Transfer of Advanced International Certificate of Education credit under terms of this rule is mandatory, provided that the institution awarding the credit did so on the basis of the Articulation Coordinating Committee's recommended minimum scores and maximum amount of credit guaranteed to transfer.~~

~~(h)(15) United States Armed Forces Institute (USAFI). The award of credits for students who successfully completed USAFI courses or exams before 1974 shall be determined by the public postsecondary institution.~~

~~(a) Credit earned through correspondence courses sponsored by USAFI may, but need not, be included under standard policies of the institutions. The standard policies of the institution prohibiting credit for overlapping courses shall apply.~~

~~(b) Credit may be awarded for tests of General Education Development (GED) only when verified by CLEP scores.~~

~~(c) Credit awarded on the basis of subject tests (USST) in collegiate subjects may be included provided that the scores are at the fiftieth (50th) percentile or above.~~

~~(d) The institution awarding credit on the work sponsored by USAFI may, but need not, specify the course for which credit is being awarded. The standard policies of the institution prohibiting credit for overlapping courses shall apply.~~

~~(e) No grade or quality points are to be assigned for credit awarded on the basis of work sponsored by USAFI.~~

~~(f) No credit is to be awarded on work sponsored by USAFI which is duplicative of credit awarded by CLEP, College Board AP, or courses taken in the institution or received in transfer.~~

~~(16) Alternatives to the College-Level Academic Skills Test. For purposes of Section 240.107(9)(a), Florida Statutes, the recentered Scholastic Achievement Test (SAT-I) or its equivalent on the original SAT, and the Enhanced American College Testing Program (ACT), or its equivalent on the original ACT, may be used to exempt the College-Level Academic Skills Test, as specified in Rule 6A-10.0311, F.A.C.~~

~~(8)(17) Pre-professional course responsibility. Lower division programs in state universities and community colleges may offer introductory courses to enable students to explore the principal professional specializations available at the baccalaureate level. Such courses shall be adequate in content to count toward the baccalaureate for students continuing in such specialization. However, deciding major course requirements for a baccalaureate, including courses in the major taken in the lower division, shall be the responsibility of the institution state university awarding the baccalaureate degree.~~

~~(9)(18) Limited access programs. Community college and state university transfer students shall have the same opportunity to enroll in baccalaureate university limited access programs as native university students. Baccalaureate University limited access program selection and enrollment criteria shall be established and published in catalogs, counseling manuals, and other appropriate publications. A list of limited access programs shall be filed annually with the Articulation Coordinating Committee.~~

~~(10)(19) A state university may accept non-associate in arts degree credit in transfer based on its evaluation of the applicability of the courses to the student's program at the university.~~

~~(11)(20) State universities and community colleges shall publish with precision and clarity in their official catalogs the admission, course, and prerequisite requirements of the institution, each unit of the institution, each program, and each specialization. Any applicable duration of requirements shall be specified. The university or college catalog in effect at the time of a student's initial collegiate enrollment shall govern upper division prerequisites, provided the student maintains continuous enrollment as defined in that catalog unless otherwise specified.~~

~~(21) Standard transcript. The Articulation Coordinating Committee shall maintain a standard format for universities and community colleges to record the performance and credits of students. Each such transcript shall include all courses in which a student enrolls each term, the status in each course at the end of each term, all grades and credits awarded, College-Level Academic Skills Test scores, and a statement explaining the grading policy of the institution. The Articulation Coordinating Committee shall collaborate with the Division of Public Schools in the development of a standard format on which district school systems shall record the performance and credits of students.~~

~~(12)(22) By December 1, 1991, †The Department and all public universities, community colleges, and school districts shall maintain have implemented the electronic exchange of student transcripts and associated educational records, including acquisition of and access to test scores of students in the standard format established by the ACC, using the Florida Information Resource Network and following the procedures in the Florida Automated System for Transferring Educational Records section in "DOE Information Data Base Requirements: Volume I Automated Student Information System," which is incorporated by reference in Rule 6A-1.0014, F.A.C.~~

~~(23) When a student transfers among postsecondary institutions that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and that participate in the common course designation and numbering system, the receiving institution shall award credit for courses satisfactorily completed at the previous participating institutions when the courses are judged by the appropriate common course designation and numbering system faculty task forces to be academically equivalent to courses offered at the receiving institution including equivalency of faculty credentials regardless of the public or nonpublic control of the previous institution. The award of credit may be limited to courses that are entered in the course numbering system. Credit so awarded shall satisfy institutional requirements on the same basis as credits awarded to native students.~~

~~(13)(24) All postsecondary courses offered for college credit, technical vocational credit, or college preparatory credit, or career-preparatory credit as they are defined in Rule 6A-10.033, F.A.C., shall be entered in the statewide common course designation and numbering system. Each course shall be assigned a single prefix and a single identifying number in the course numbering system.~~

(14) When a student transfers among postsecondary institutions that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and that participate in the statewide course numbering system, the receiving institution shall award credit for courses satisfactorily completed at the previous participating institutions when the courses are judged by the appropriate common course designation and numbering system faculty task forces to be academically equivalent to courses offered at the receiving institution including equivalency of faculty credentials regardless of the public or nonpublic control of the previous institution. The award of credit may be limited to courses that are entered in the statewide course numbering system. Credit so awarded shall satisfy institutional requirements on the same basis as credits awarded to native students.

Specific Authority ~~1001.02(2)(n)-1007.01(2), 1007.23(1), 1007.27(9) FS. Law Implemented 1007.01(2), 1007.23(1), 1007.27(9) FS. History—New 5-5-75, Amended 10-7-75, 6-8-76, 8-22-77, 12-26-77, 3-28-78, 5-10-78, 7-2-79, 2-27-80, 5-27-81, 1-6-83, 4-5-83, 6-28-83, 1-9-85, Formerly 6A-10.24, Amended 8-4-86, 5-18-88, 5-29-90, 7-30-91, 10-4-93, 5-3-94, 1-2-95, 9-30-96, 6-15-98, 12-13-99, 8-14-00, 10-16-01, 9-22-03, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Foreign Language Competence and Equivalence

RULE NO.: 6A-10.02412

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update appropriate CLEP examination scores that are used to demonstrate foreign language competence for the purposes of state university admission.

SUMMARY: CLEP scores used for the purposes of demonstrating foreign language competence are updated to reflect recent changes by the College Board.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02(1), 1007.262 FS.

LAW IMPLEMENTED: 1001.02, 1007.261, 1007.262 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.02412 Foreign Language Competence and Equivalence.

The provisions herein shall be used by community colleges and universities to determine equivalency in the university admission requirement in Section 1007.262 ~~240.233(1)~~, Florida Statutes, for two (2) credits in one (1) foreign language at the secondary level or the equivalent at the postsecondary level.

(1)(a) through (b) No change.

(2) Eight (8) to ten (10) semester credits in one (1) foreign language at the postsecondary level shall be considered to produce the competence specified in subsection (1) herein. Therefore, students who have earned at least eight (8) semester credits in one (1) foreign language at the postsecondary level shall have met the foreign language requirement for university admission. Credit awarded on the basis of scores on the foreign language subject matter examinations in the College Level Examination Program (CLEP) pursuant to paragraph 6A-10.024(6)(b), F.A.C., shall count toward the eight (8) to ten

(10) semester credits. The examination, minimum scores for awarding credit, and ~~minimum~~ ~~maximum~~ credit to be awarded are:

<u>Minimum</u>	<u>Minimum</u>	
<u>French</u>		
<u>Level 1</u>	<u>50</u>	<u>3</u>
<u>Level 2</u>	<u>62</u>	<u>6</u>
<u>German</u>		
<u>Level 1</u>	<u>50</u>	<u>3</u>
<u>Level 2</u>	<u>63</u>	<u>6</u>
<u>Spanish</u>		
<u>Level 1</u>	<u>50</u>	<u>3</u>
<u>Level 2</u>	<u>66</u>	<u>6</u>
<u>Minimum</u>	<u>Maximum</u>	
<u>Examination</u>	<u>Score</u>	<u>Credit</u>
<u>French</u>		
	<u>50</u>	<u>12</u>
	<u>46</u>	<u>9</u>
	<u>42</u>	<u>6</u>
<u>German</u>		
	<u>55</u>	<u>12</u>
	<u>52</u>	<u>9</u>
	<u>43</u>	<u>6</u>
<u>Spanish</u>		
	<u>55</u>	<u>12</u>
	<u>48</u>	<u>9</u>
	<u>45</u>	<u>6</u>

(3) No change.

Specific Authority ~~1001.02(1), 1007.262 229.053(1), 240.2333~~ FS. Law Implemented ~~1001.02, 1007.261, 1007.262 229.053(2)(e), 240.233(1), 240.2333~~ FS. History–New 2-23-88, Amended 10-17-89, 11-13-90, 10-4-93, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES: RULE NOS.:

Procedures for Determining the Level at Which Vocational Education Programs Shall be Offered 6A-10.2422

Planning and Coordination of Postsecondary Education Programs 6A-10.039

PURPOSE AND EFFECT: The purpose is to repeal obsolete rules for which there is no longer statutory authority. The effect will be the deletion of rules from the Florida Administrative Code which are now obsolete.

SUMMARY: The rules are to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1), 229.551, 240.147(2), (5),(8), 240.209(5)(b), 240.312 FS.

LAW IMPLEMENTED: 229.053(1),(2), 240.147(2),(5),(8), 240.209(5)(b), 240.312 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-10.02422 Procedures for Determining the Level at Which Vocational Education Programs Shall be Offered.

Specific Authority 229.053(1) F.S. Law Implemented 239.205(1),(2) FS. History–New 3-22-94, Repealed _____.

6A-10.039 Planning and Coordination of Postsecondary Educational Programs.

Specific Authority 229.053(1), 240.147(2),(5),(8), 240.209(5)(b), 240.312 FS. Law Implemented 229.053(2)(c), 240.147(2),(5),(8), 240.209(5)(b), 240.312 FS. History–New 12-6-84, Formerly 6A-10.39, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:

Other Assessment Procedures for College-Level Communication and Computation Skills 6A-10.030

PURPOSE AND EFFECT: The purpose of this amendment is to align the rule with current legislation, educational governance, and current policy. The effect will be a rule which accurately reflects governing law.

SUMMARY: This rule is amended to: add the Board of Governors as an entity that may adopt assessments; move the definition of “successful completion” of coursework from paragraph (2)(b) to subsection (1) so that it applies to both math and English courses; add the term “college” to include former community colleges who now offer baccalaureate degrees; change the number of semester hours in English from 12 to 6 semester hours of English and 6 semester hours of additional course work in which the student must demonstrate writing skills; eliminate the word count and include language to require that competencies be demonstrated through multiple assignments; new language was added to codify current practice – institutions designate the courses that fulfill the general education writing requirement and submit those designations to the Statewide Course Numbering System; adds language that guarantees that the writing requirements met at one institution will be honored at the receiving institution; delete language relating to GPA related exemptions and waivers as this provision is obsolete; and amend current language relating to exemptions and waivers to update titles of divisions within DOE and include the Board of Governors as an entity to which alternative plans must be submitted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02(1), 1001.02(2)(n) FS.

LAW IMPLEMENTED: 1001.02(2)(d) FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.030 Other Assessment Procedures for College-Level Communication and Computation Skills.

(1) In addition to assessments tests that may be adopted by the State Board of Education or Board of Governors to measure student achievement in college-level communication and computation skills, ~~pursuant to Section 229.053(2)(d), Florida Statutes,~~ other assessment requirements procedures shall be ~~met measured~~ by successful completion of coursework in English and mathematics. For the purposes of this rule, a grade of C or higher shall be considered successful completion.

(2) Prior to receipt of an Associate of Arts degree from a public community college or university or prior to entry into the upper division of a public university or college, a student shall complete successfully the following:

(a) ~~Six (6) Twelve (12)~~ semester hours of English coursework and six (6) semester hours of additional coursework in which the student is required to demonstrate college-level writing skills through multiple assignments. Each institution shall designate the courses that fulfill the writing requirements of this section. These course designations shall be submitted to the Statewide Course Numbering System. An institution to which a student transfers shall accept courses so designated by the sending institution as meeting the writing requirements outlined in this section. ~~For the purposes of this rule, an English course is defined as any semester length course within the general study area of the humanities in which the student is required to produce written work of at least six thousand (6,000) words.~~

(b) Six (6) semester hours of mathematics coursework at the level of college algebra or higher. For the purposes of this rule, applied logic, statistics and other such computation coursework which may not be placed within a mathematics department may be used to fulfill three (3) hours of the six (6) hours required by this section. ~~For the purposes of this rule, a grade of C or higher shall be considered successful completion.~~

(c) Students awarded college credit in English based on their demonstration of writing skills through dual enrollment, advanced placement, or international baccalaureate instruction pursuant to Rule 6A-10.024, F.A.C., and students awarded college credit based on their demonstration of mathematics skills at the level of college algebra or higher through one (1) or more of the acceleration mechanisms in Rule 6A-10.024, F.A.C., shall be considered to have satisfied the requirements in subsection 6A-10.030(2), F.A.C., to the extent of the college credit awarded.

~~(3) Exemptions and waivers.~~

~~(a) Any student who completes the first six (6) hours of the English coursework required by this rule with a grade point average of 4.0 may waive completion of the remaining six (6) hours until after entry into the upper division of a university and shall be considered eligible for an Associate of Arts degree, notwithstanding the provisions of paragraph 6A-10.030(2)(a), F.A.C.~~

~~(3)(b) Exemptions and Waivers.~~ Any public community college or university desiring to exempt its students from the requirements of subsection 6A-10.030(2), F.A.C., shall submit an alternative plan to the Division State Board of Community Colleges and Workforce Education or the Division of Colleges and Universities, Board of Regents, respectively. Upon approval of the plan by the respective division board, the plan shall be submitted to the State Board of Education or the Board of Governors as appropriate. Upon approval by the State Board

of Education or the Board of Governors, said plan shall be deemed effective in lieu of the requirements of subsection 6A-10.030(2), F.A.C.

Specific Authority ~~1001.02(1)(2)(n)~~ ~~229.053(1),(2)(d)~~ FS. Law Implemented ~~1001.02~~ ~~229.053(2)(d)~~ FS., Section 15, Chapter 87-212, Laws of Florida. History—New 1-11-82, Formerly 6A-10.30, Amended 6-8-88, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Registration of Adult Education Students

RULE NO.: 6A-10.0381

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update and clarify current policy and align with current legislation and governance.

SUMMARY: This amendment deletes all references to supplemental vocational courses since they no longer exist and deletes obsolete language relating to reduction of data elements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1008.405 FS.

LAW IMPLEMENTED: 1008.405 FS.

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

TIME AND DATE: 8:30 a.m., October 18, 2005

PLACE: Broward Community College, 3501 S. W. Davie Road, Davie, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0381 Registration of Adult Education Students.

(1) ~~As Introduction. Beginning on July 1, 1993,~~ as part of the registration of adult education students, each school district and community college shall be required to collect and maintain on file sufficient information for two purposes. First, to locate students upon the termination of instruction and second, to determine the appropriateness of student placement in specific instructional programs. Registration information may be collected and maintained in electronic or manual format.

(2) Required information. The following information shall be collected and maintained for each student enrolled in an adult general education program; ~~or adult postsecondary career vocational program, or supplemental vocational courses funded by the state through the Florida Education Finance Program or the Community College Program Fund:~~

(a) Name, permanent address, date of birth, social security number if available, and/or Florida student number identifier, and whether, except for lifelong learners, the student has a high school diploma or equivalent certificate, and

(b) The course title and course number.

(3) through (4) No change.

~~(5) School district requirement—supplemental. In addition to the data required in subsection (2) of this rule, information on the reason for enrolling shall be collected and maintained for each student enrolled in an adult vocational supplemental course. The reason for enrolling shall include:~~

~~(a) Currently holds employment and is taking a course to enhance or upgrade skills related to that employment, or~~

~~(b) Has an employment history and enrolls in a course related to that employment history with the intent to seek employment in an occupation directly related to the course and that employment history, or~~

~~(c) Has an employment history and wants to develop competence in the English language in order to secure employment related to that employment history.~~

~~(5)(6)~~ Record retention requirement. Each school district and community college shall maintain on file the data required by this rule in electronic format or hard copy for a period of three (3) years or until the completion of all audits for the period during which the course is offered, whichever occurs later.

~~(6)(7)~~ Other data requirements. School districts are to ensure that they comply with the information data base requirements of the Comprehensive Management Information System as specified in Rule 6A-1.0014, F.A.C., and colleges shall comply with the Community College Data Elements Dictionary, for elements required by other state and federal laws and regulations.

~~(8) Reduction of data elements. All other information and data elements formerly required by Section 229.132, Florida Statutes, Registration of Adult Students, which was replaced by Section 239.113, Florida Statutes, and no longer needed to meet the requirements of this rule, may be eliminated from the adult registration process beginning with the 1993-94 school year.~~

Specific Authority 1008.405 229.053(1), 239.113 FS. Law Implemented 1008.405 239.113 FS. History—New 12-23-92, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Theresa Klebacha, Director, Strategic Initiatives, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Rules of Procedure – Organization 14-1

RULE TITLE: RULE NO.:

General Description of the Agency 14-1.003

PURPOSE AND EFFECT: Rule 14-1.003, F.A.C., is being repealed. Section 120.53, F.S., no longer requires each state agency to adopt a rule describing its organization. Section 20.23, F.S., describes the basic organizational structure of the Department of Transportation and provides for the delegation of authority by the Department Secretary. Repeal of this rule is part of the Department’s overall goal to review existing rules and to repeal any rules that are considered to be obsolete or unnecessary.

SUMMARY: Rule 14-1.003, F.A.C., is being repealed. Section 20.23, F.S., describes the basic organizational structure of the Department and no rule is necessary.

SPECIFIC AUTHORITY: 20.23(1)(c), 334.044(2) FS.

LAW IMPLEMENTED: 20.23 FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

14-1.003 General Description of the Agency.

Specific Authority 20.23(1)(c), 334.044(2) FS. Law Implemented 20.23 FS. History—New 6-26-75, Formerly 14-1.03, Amended 7-3-89, 5-2-90, 2-13-91, 3-18-92, 2-22-96, 4-2-98, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bruce R. Conroy, Chief, Administrative Law and Real Property Division

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Denver J. Stutler, Jr., P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Highway Traffic Safety Program 14-98

RULE TITLES: RULE NOS.:
Application and Award Procedures 14-98.005
Forms 14-98.008

PURPOSE AND EFFECT: Subsections 14-98.005(7),(10) and 14-98.008(6), F.A.C., are amended because of a revision to the Subgrant Application for Highway Safety Funds, Form 500-065-01. Specifically, the form is revised to add a reference to the Department’s DUNS Number on the bottom of the first page and to add specific language relating to the audit and retention of records (Criteria 14 and 15) of Part V.

SUMMARY: Subsection 14-98.008(6), F.A.C., is amended to incorporate by reference a revised version of the Subgrant Application for Highway Safety Funds, Form 500-065-01. Specifically, the form is revised to add a reference to the Department’s DUNS Number on the bottom of the first page and to add specific language relating to the audit and retention of records (Criteria 14 and 15) of Part V. Subsections 14-98.005(7) and (10), F.A.C., also are being amended to update the revision date references to the same form.

SPECIFIC AUTHORITY: 334.044(2),(25) FS.

LAW IMPLEMENTED: 334.044(25) FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

14-98.005 Application and Award Procedures.

(1) through (6) No change.

(7) Two copies of the application form, Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. ~~09/05~~ ~~05/04~~, will be sent to those applicants whose concept papers are selected for funding. Applicants whose concept papers were not selected for funding will be notified by the Office.

(8) through (9) No change.

(10) The Office shall review all applications and will reject any applications not meeting the requirements of these rules and applicable Federal and State laws, within ten working days of receipt of said applications. In the event that an applicant submits a Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. ~~09/05~~ ~~05/04~~, for an activity that is not included in the Highway Safety Plan, the application shall be rejected. Failure to reject any application within ten days shall not result in the automatic award of a subgrant. All subgrants are subject to funds availability.

(11) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.05, 9B-32.005, Amended 11-19-89, Formerly 9G-15.005, Amended 12-7-93, 11-29-94, 1-17-99, 4-16-02, 8-6-02, 11-2-03, 8-24-04, _____.

14-98.008 Forms.

The following forms used in the Highway Traffic Safety Program are hereby incorporated by reference:

(1) through (5) No change.

(6) Subgrant Application for Highway Safety Funds – FDOT Form 500-065-01, Rev. ~~09/05~~ ~~05/04~~.

(7) through (8) No change.

Specific Authority 334.044(2),(25) FS. Law Implemented 334.044(25) FS. History—New 6-10-85, Formerly 9B-32.08, 9B-32.008, Amended 11-19-89, Formerly 9G-15.008, Amended 12-7-93, 6-14-94, 11-29-94, 4-16-02, 8-6-02, 11-2-03, 8-24-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Roger J. Doherty, Certified Law Enforcement Planner, DUI Program Coordinator

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Denver J. Stutler, Jr., P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 26, 2005

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.”

LAND AND WATER ADJUDICATORY COMMISSION

Cocohatchee Community Development District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Cocohatchee Community Development District	42KK-1
RULE TITLES:	RULE NOS.:
Establishment	42KK-1.001
Boundary	42KK-1.002
Supervisors	42KK-1.003

PURPOSE AND EFFECT: The purpose and effect is to repeal certain rules. The rules identified for repeal relate to the Cocohatchee Community Development District. In 2003, the Florida Land and Water Adjudicatory Commission adopted rules setting forth the establishment, boundary and supervisors of the Cocohatchee Community Development District. The development contemplated in 2003 was never undertaken. As a result, the District is not providing any community development services or facilities to the property within the boundaries and has no outstanding financial obligations or operating and maintenance responsibilities. The property within the District is under contract and the plan of development for the property has changed. Rather than a single integrated development, several separate and distinct developments are planned, each of which will be owned and developed by a different entity. A single community development district for the entire 1,298 acres is no longer consistent with the development plans of the contract purchaser.

SUMMARY: Repeals Rules 42KK-1.001, 1.002 and 1.003, F.A.C. Development contemplated in 2003 has not been undertaken. The property within the District is under contract and the plan of development for the property has changed. A single community development district for the 1,298 acres is no longer consistent with the development plans of the contract purchaser.

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

SPECIFIC AUTHORITY: 190.005 FS.
LAW IMPLEMENTED: 190.004, 190.005 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
TIME AND DATE: 10:00 a.m., Thursday, October 6, 2005
PLACE: Room 2107, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty, (850)487-1884, at least 3 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

42KK-1.001 Establishment.

Specific Authority 190.005 FS. Law Implemented 190.005 FS. History--New 9-16-03, Repealed _____.

42KK-1.002 Boundary.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New 9-16-03, Repealed _____.

42KK-1.003 Supervisors.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New 9-16-03, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE: Administration of Federal Aging Programs
RULE CHAPTER NO.: 58A-1

RULE TITLES: The Area Agency on Aging's Area Plan
SERVICE PROVIDERS UNDER AREA PLAN
RULE NOS.: 58A-1.006
58A-1.008

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the references to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUMMARY: The proposed amendments delete the references to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

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

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

SPECIFIC AUTHORITY: 430.08 FS.

LAW IMPLEMENTED: 430.03, 430.04 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-1.006 The Area Agency on Aging's Area Plan.

(1) through (3) No change.

(4) Changes to the Area Plan are to be made based on the following:

(a) through (d) No change.

(e) Whenever a change is contemplated by the Area Agency in any cost category or individual salary as budgeted in the Area Plan for Area Agency Administration:

1. No change.

2. Notification of such change shall be included in the next monthly financial report to the Department, if the change would not result in a change in the original amount greater than ten percent, ~~in accordance with the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary, and herein incorporated by reference.~~

3. No change.

(5) Subject to the availability of Federal and State funds and budget authority, the Department will contract with the Area Agency on Aging based on the submitted Area Plan for the Federal and State amounts indicated in the approved State Plan on Aging. Instructions for submitting payment requests and expenditure reports are contained in each contract for services executed between the Area Agency on Aging and the Department. ~~Contract payment instructions will also be found in the Financial Management of Older Americans Programs Manuals HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary, and herein incorporated by reference.~~

(6) through (7) No change.

Specific Authority ~~20.41(2), 410.016(2)(k); 430.08 FS., ch. 91-115, s. 10, Laws of Fla. Law Implemented 20.41, 430.03, 430.04 410.016(2)(h); (m); 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History--New 12-23-81, Formerly 10A-11.06, 10A-11.006, Amended 3-28-95, _____.~~

58A-1.008 Service Providers Under an Area Plan.

(1) No change.

(2) Any eligible agency or organization desiring to apply for a contract under the Area Plan may request an application from the local Area Agency on Aging after a request for proposal(s) has been issued. The Area Agency on Aging shall respond within ten working days and enclose an application. The application will contain complete instructions, forms, and specific documentation requirements to be completed by an applicant. The Area Agency shall utilize competitive bidding procedures in procurement contracts in accordance with State and Federal regulations defined by the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary and herein incorporated by reference.

(a) through (b) No change.

(3) through (4) No change.

(5) Contracts between the Department, and the Area Agency on Aging, lead agency or core service providers shall follow departmental contracting and financial management procedures in accordance with the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.

(6) No change.

Specific Authority 20.41(2), 410.016(2)(k), 430.08 FS., ch. 91-115, s. 10, Laws of Fla. Law Implemented 430.03, 430.04 20.41, 410.016(2)(f), (h), (m), 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History-New 12-23-81, Formerly 10A-11.08, 10A-11.008, Amended 3-28-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carole Green

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE TITLE: Application Procedures

RULE NO.: 58C-1.004

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the reference to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUMMARY: The proposed amendment deletes the references to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

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

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

SPECIFIC AUTHORITY: 430.08 FS.

LAW IMPLEMENTED: 430.204, 430.205 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE FULL TEXT OF THE PROPOSED RULE IS:

58C-1.004 Application Procedures.

(1) through (3) No change.

(4) Contracting and Financial Management Procedures.

Contracts between the department, the Area Agency on Aging, lead agency or core service providers shall follow departmental contracting and financial management procedures in accordance with the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.

Specific Authority 410.021-029, 430.08 FS., ch. 80-181, s. 10, ch. 91-115, s. 10, Laws of Fla. Law Implemented 430.204, 430.205 410.024, 410.241, 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History-New 3-11-81, Formerly 10A-10.04, 10A-10.004, Amended 3-28-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carole Green

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE TITLE: Program Administration

RULE NO.: 58D-1.005

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the reference to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUMMARY: The proposed amendments delete the references to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

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

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

SPECIFIC AUTHORITY: 430.08 FS.

LAW IMPLEMENTED: 430.502, 430.503 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE FULL TEXT OF THE PROPOSED RULE IS:

58D-1.005 Program Administration.

(1) The Department of Elder Affairs shall plan, develop and coordinate a statewide program to carry out its responsibilities under the ADI. The Department shall:

(a) through (k) No change.

~~(l) Perform contract management responsibilities according to the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary and herein incorporated by reference.~~

~~(l)(m) Establish guidelines and procedures for the award and allocation of funds received pursuant to Section 410.401(3), F.S., Note, into a Department administrative trust fund.~~

(2) The Area Agency on Aging under contract with the Department shall be responsible for the planning and administration of respite and model day care services funded under the ADI and, in turn, shall contract with local service providers for the provision of these services. The Department may retain the budget authority to contract directly with service providers for the implementation of special projects when appropriate. Each Area Agency on Aging shall:

(a) No change.

(b) Comply with State of Florida procedures regarding solicitation and execution of agreements with providers of services ~~and found in the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.~~

(c) through (p) No change.

Specific Authority ~~410.401(3); 430.08 FS. Law Implemented 430.502, 430.503 410.402(3)-(5) FS., Ch. 91-115, Laws of Florida, s. 10: History-New 3-28-95, Amended~~.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carole Green

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Asbestos Consultants

RULE TITLE: Asbestos Training Courses and Providers

RULE NO.: 61E1-2.006

PURPOSE AND EFFECT: This technical change to Rule 61E1-2.006, F.A.C., updates several citations contained within the rule, particularly citations to the corresponding federal regulations.

SUMMARY: This rule adopts the federal standards for Asbestos Training Courses and Providers contained in 40 C.F.R., Part 763.

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

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

SPECIFIC AUTHORITY: 455.203(5), 469.011 FS.

LAW IMPLEMENTED: 469.014 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE FULL TEXT OF THE PROPOSED RULE IS:

61E1-2.006 Asbestos Training Courses and Providers.

(1) Each training course provider must be approved by the Department as a course provider and each training course must be approved by the Department. Provider and course approvals are valid until May 31st of odd numbered years and must be renewed prior to expiration. Applications for course provider and training course approval must be submitted using the form Asbestos Licensing Unit Training Provider and Continuing Education Course Approval Application, Number DBPR ALU-4054, ~~Effective Date: April 18, 2003~~ incorporated herein by reference. The form may be obtained by contacting the Department at the following address: Asbestos Licensing Unit, 1940 N. Monroe Street, Tallahassee, Florida 32399-1027-1006 or at <http://www.myflorida.com/dbpr/pro/forms/asbest/>. Any substantial change in the course content will require the provider to reapply to the Department for approval.

(2) No change.

(3) A training course provider must meet the standard set forth in 40 C.F.R. Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~, 59 FR 5251, Feb. 3, 1994, as amended at 60 FR 31922, June 19, 1995, which is incorporated herein by reference. Copies can be obtained by writing the Department at Department of Business and Professional Regulation, Asbestos Licensing Unit, 1940 North Monroe Street, Tallahassee, Florida 32399, or at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=96052cf0c67764631cabfe8c9732c4b1;rgn=di>. The following providers and courses shall be approved.

(a) through (b) No change.

(4) The application for the provider and course approval shall include but is not limited to the following information.

(a) through (d) No change.

(e) A copy of all course materials, including student manuals, instructor notebooks, handouts, videotapes and any other materials requested by the Department.

1. Pursuant to 40 C.F.R., Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~, the asbestos worker courses are the only courses approved to be conducted in a language other than English.

2. Any course provider who wishes to conduct a course in a language other than English must comply with the following:

a. through d. No change.

(5) through (8) No change.

(9) Fees.

(a) Fees for initial training course review shall be \$350.00 per training day. Courses with a duration of eight hours will be assessed at the 8-hour day rate (\$350.00). An additional \$350.00 will be assessed for each 8-hour day of training above the minimum days of training specified in Sections 469.001-.015, Florida Statutes, and those set forth in 40 C.F.R. Part 763, Appendix C to Subpart E ~~Subpart E of Appendix C~~,

as it existed on September 1, 1997. Courses with a duration of four hours of training will be assessed \$175.00. Courses with a duration of eight hours will be assessed at the 8-hour day rate (\$350.00).

(b) Fees for refresher training course approval shall be as follows:

1. \$175.00 – per 4-hour day;

2. \$250.00 – per 8-hour day.

(c) All application fees are non-refundable.

(10) No change.

Specific Authority 455.203(5), 469.011 FS. Law Implemented 469.014 FS. History—New 5-12-93, Formerly 21-23.006, Amended 8-17-94, 11-24-97, 3-23-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric R. Hurst, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Diane Carr, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 22, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2005

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling

RULE TITLE: RULE NO.:

Wall Certificate and Duplicate License Fees 64B4-4.017

PURPOSE AND EFFECT: The Board proposes to repeal this rule since new law deleted this requirement that mandated issuance of wall certificates for all professions as of July 1, 2005.

SUMMARY: The Board proposes to repeal this rule.

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

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

SPECIFIC AUTHORITY: 456.025(6), 491.004 FS.

LAW IMPLEMENTED: 456.025(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-4.017 Wall Certificate and Duplicate License Fees.

Specific Authority 456.025(6), 491.004 FS. Law Implemented 456.025(6) FS. History—New 10-18-99, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2005

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Mediation RULE NO.: 64B8-30.016

PURPOSE AND EFFECT: The proposed rule is intended to set forth those violations which are appropriate for mediation.

SUMMARY: The proposed rule amendment sets forth the physician assistant practice violations which the Board deems appropriate for mediation.

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

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

SPECIFIC AUTHORITY: 456.078 FS.

LAW IMPLEMENTED: 456.078 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.016 Mediation.

(1) For purposes of Section 456.078, F.S., the Board designates a being appropriate for mediation, violations of the following provisions:

(a) Failing to comply with the requirements of Sections 381.026 and 381.0261, F.S., to provide patients with information about their patient rights and how to file a patient complaint;

(b) Negligently failing to file a report or record required by state or federal law;

(c) Failing to comply with the requirements for profiling and credentialing.

(2) The above-outlined provisions shall qualify for mediation only when the violation can be remedied by the licensee, there is no allegation of intentional misconduct, no patient injury, and allegations do not involve any "adverse incidents" as defined by Section 456.078(2), F.S.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3-4, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2005

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Mediation RULE NO.: 64B15-6.014

PURPOSE AND EFFECT: The proposed rule is intended to set forth those violations which are appropriate for mediation.

SUMMARY: The proposed rule amendment sets forth the physician assistant practice violations which the Board deems appropriate for mediation.

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

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

SPECIFIC AUTHORITY: 456.078 FS.

LAW IMPLEMENTED: 456.078 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.014 Mediation.

(1) For purposes of Section 456.078, F.S., the Board designates a being appropriate for mediation, violations of the following provisions:

(a) Failing to comply with the requirements of Sections 381.026 and 381.0261, F.S., to provide patients with information about their patient rights and how to file a patient complaint;

(b) Negligently failing to file a report or record required by state or federal law;

(c) Failing to comply with the requirements for profiling and credentialing.

(2) The above-outlined provisions shall qualify for mediation only when the violation can be remedied by the licensee, there is no allegation of intentional misconduct, no patient injury, and allegations do not involve any "adverse incidents" as defined by Section 456.078(2), F.S.

Specific Authority 456.078 FS. Law Implemented 456.078 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2005

DEPARTMENT OF HEALTH

Office of Vital Statistics

RULE TITLE: Death and Fetal Death Registration
 PURPOSE AND EFFECT: Purpose of proposed amendment is to update form used in registering fetal deaths to incorporate items from the national standard Certificate of Fetal Death as recommended by the Center for Disease Control (CDC), National Center for Health Statistics (NCHS). These records are the principal means of promoting uniformity of data collection by states. Florida has already implemented the recommended birth and death certificates.

RULE NO. 64V-1.0061

SUMMARY: Amending rule to update form used in registering fetal deaths. The revised fetal death certificate promotes more complete reporting including the usefulness of fetal autopsies, the need for standard definitions of obstetric terminology, medical risk factors, measurement of gestational age, and prenatal care. This revised data is integrated with other public

health systems such as Newborn Screening, Immunization Registry, Maternal Mortality Review, Healthy Start, Fetal Infant Mortality Review, Medical Examiner system, and other disease specific reporting systems.

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

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

SPECIFIC AUTHORITY: 382.003(10), 382.008 FS.

LAW IMPLEMENTED: 382.003(7),(11), 382.008 FS.

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

TIME AND DATE: 1:00 p.m., October 3, 2005

PLACE: Department of Health, State Office of Vital Statistics, 1217 Pearl St., Boorde Bldg., Rm. 420, Jacksonville, FL 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kevin Wright, Government Analyst, Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042

THE FULL TEXT OF THE PROPOSED RULE IS:

64V-1.0061 Death and Fetal Death Registration.

All deaths except for fetal deaths filed pursuant to Section 382.008, F.S., shall be registered on a Certificate of Death, DH Form 512, July 04. All fetal deaths occurring in this state shall be filed on a Certificate of Fetal Death, DH Form 428, Jan. 06 ~~Nov-97~~, both hereby incorporated by reference and available from the department.

Specific Authority 382.003(10), 382.008 FS. Law Implemented 382.003(7),(11), 382.008 FS. History--New 2-29-04, Amended 10-19-04,

NAME OF PERSON ORIGINATING PROPOSED RULE: Kevin Wright, Government Analyst

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth T. Jones, Deputy State Registrar

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2005

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5I-2	Open Burning
RULE NOS.:	RULE TITLES:
5I-2.003	Definitions
5I-2.004	Open Burning Not Allowed
5I-2.006	Open Burning Allowed

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 25, of the June 24, 2005, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC), and the requested public hearing that took place on July 22, 2005.

The changes are as follows:

5I-2.003 Definitions.

(1) through (6) No change.

(7) "Dispersion Index" is a numerical index from 0 to infinity supplied daily by National Weather Service (NWS), that estimates the atmosphere's capacity to distribute particles and gases emitted by a wildland fire of any type. The Dispersion Index has two relative scales, one for day and one for night. ~~Indices that exceed 40 are generally considered acceptable for burning for the day, and indices that exceed 8 are generally considered acceptable at night.~~

(8) through (19) No change.

(20) "Prescribed Burning" means the ~~controlled~~ application of fire, in accordance with a written prescription for vegetative fuels, under specified environmental conditions while following appropriate precautionary measures that ensures public safety and that the fire is fire is confined to a predetermined area to accomplish planned fire or land management objectives.

(21) through (25) No change.

(26) "Smoke Sensitive Areas" are areas designated by the Division of Forestry within which, for reasons of visibility, health or human welfare, smoke could unduly adversely impact public safety e.g., interstates, urban areas, airports, and hospitals.

(27) through (36) No change.

Specific Authority 570.07(23),(28), 590.125(3)(e) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2),(3) FS. History--New 7-1-71, Formerly 17-5, 7-1-75, Formerly 5I-2.03, Amended 1-9-91, 8-9-93, 8-16-95, 10-18-99, _____.

5I-2.004 Open Burning Not Allowed.

(1) Listed below are the types of open burning not allowed in Florida:

(a) Any open burning disallowed by Rule Chapters 5I-2, 62-256, F.A.C., or Chapters 590 and 403, Florida Statutes.

(b) Open burning of biological waste, hazardous waste, asbestos containing materials, mercury-containing devices, pharmaceuticals, tires, rubber material, residual oil, used oil, asphalt, roofing material, tar, treated wood, plastics, garbage, or trash other than yard trash as provided in subsection 62-256.700(1), F.A.C., except that structures may be burned for the training of fire fighters in accordance with subsection 62-256.700(4), F.A.C.; waste pesticide containers may be burned in accordance with subsection 62-256.700(5), F.A.C.; polyethylene black plastic mulch and untreated wood pallets used in agriculture may be burned in accordance with subsection 62-256.700(7), F.A.C.; and animal carcasses may be burned in accordance with subsection 62-256.700(6), F.A.C.

(c) Open burning that reduces visibility at a public airport, unless the airport in question has been contacted and has agreed to control air traffic during burning activities to avoid any possible smoke related problems.

(d) Open burning when an air pollution episode exists or is forecast to occur.

(e) Open burning during a National Weather Service Air Stagnation Advisory.

(f) Open burning which reduces visibility on public roadways to less than one thousand feet (1000) unless the regulating authorities have agreed to control traffic, or have delegated the authority to control traffic.

(g) Burning in smoke sensitive areas between one hour before sunset and 9:00 a.m. the next day.

(h) All open burning when the Division of Forestry determines that the fire poses a threat to public health, safety, and property protection.

(i) Open burning when the Division of Forestry determines that atmospheric or meteorological conditions indicate improper dispersion of smoke that threaten public health, safety, or general welfare; or which would obscure visibility of vehicular or air traffic; or violates the condition of the authorization, or burning prescription.

~~(j) Open Burning where the radiant/convective heat from the burning has the potential to damage structures in proximity to the burn.~~

(2) Open burning authorizations will be denied to any burner who repeatedly violates Florida law or agency rules. This denial remains in effect until the concern that caused the denial has been mitigated in consultation with the Division of Forestry District/Center Manager.

Specific Authority 570.07(23),(28) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2), (3) FS. History--New 7-1-71, Formerly 17-5, 7-1-75, Formerly 5I-2.04, Amended 9-8-93, 8-16-95, 10-18-99, _____.

5I-2.006 Open Burning Allowed.

(1) Open Burning in General. Authorization must be obtained from the Florida Division of Forestry for burns relating to agriculture, silviculture and pile burning on the same day the burn is to take place or after 4:00 p.m. of the previous day. The Division of Forestry will ~~may~~ set special requirements for authorizations in order to protect public health and safety, including: ~~but not limited to~~ on site inspections, restricting wind direction, limiting the burning period, halt or limit burning when fire danger is too high in all, or specific parts of the state, and requiring specific personnel and control equipment on site. Any authorized burn that goes out of compliance, but has not escaped the authorized area will be allowed a maximum of two hours to be brought into compliance by the person responsible. In the event that the Division determines that there is a threat to life, public safety or property, immediate suppression action will be taken by the Division of Forestry.

(a) Daytime Non-Certified Authorizations will be issued for the burning to be conducted from 8:00 a.m. CT and 9:00 a.m. ET and the fire must discontinue spreading one hour before sunset.

(b) Nighttime Non-Certified Authorizations will be issued with a Dispersion Index of 8 or above for the burning to be conducted between one hour before sunset and 8:00 a.m. CT or 9:00 a.m. ET the following morning. Ignition of these fires is authorized up to midnight CT or ET (specific to the time zone where the fire is located), however the fire can continue to spread until 8:00 a.m. CT or 9:00 a.m. ET the following day. If additional time is required a new daytime authorization must be obtained from the Division.

(2) Open Burning for Certified Prescribed Burn Managers (CPBM). (All burning conducted under this section is related to broadcast burning for the purposes of; Silviculture, Wildlife Management, Ecological Maintenance and Restoration, Range and Pasture Management. Open burning authorizations under this section require the Certified Prescribed Burn Manager's certification number be presented at the time of the request, and that a Certified Prescribed Burn Manager be on site for the entire burn.

(a) Prescription. A prescription for the burn must be completed prior to any ignition and it must be on site and available for inspection by a Department representative. ~~The burn must proceed in accordance with the prescription parameters.~~ The prescription will contain, as a minimum, (unless agreed to in writing locally between the burner and the District or Center Manager of the Division of Forestry) the following:

1. Stand or Site Description;
2. Map of the area to be burned;
3. Number of personnel and equipment types to be used on the prescribed burn;

4. Desired weather factors, including but not limited to surface wind speed and direction, transport wind speed and direction, minimum mixing height, minimum relative humidity, maximum temperature, and the minimum fine fuel moisture;

5. Desired fire behavior factors, such as type of burn technique, flame length, and rate of spread;

6. The time and date the prescription was prepared;

7. The authorization date and the time period of the authorization;

8. An evaluation and approval of the anticipated impact of the proposed burn on related smoke sensitive areas;

9. The signature and number of the Certified Prescribed Burn Manager.

(b) Open Burning Hours.

1. Daytime CPBM Authorizations will be issued for the burning to be conducted from 8:00 a.m. CT and 9:00 a.m. ET and the fire must discontinue spreading one hour after sunset.

2. Nighttime CPBM Authorizations will be issued with a Dispersion Index of 6 or above for the burning to be conducted between one hour before sunset and 8:00 a.m. CT and 9:00 a.m. ET the following day. Ignition of these fires is authorized up to midnight; however the fire can continue to spread until 8:00 a.m. CT and 9:00 a.m. ET the following day. If additional time is required a new authorization (daytime) must be obtained from the Division. The Division will ~~may~~ issue authorizations at other times, in designated areas, when the Division has determined that atmospheric conditions in the vicinity of the burn will allow good dispersement of emissions, and the resulting smoke from the burn will not adversely impact smoke sensitive areas, e.g., highways, hospitals and airports.

(c) Burn Manager Certification Process. Certification to become a Certified Prescribed Burn Manager is accomplished by:

1. Satisfactory completion of the Division of Forestry's Prescribed Fire Correspondence Course and direct experience in three prescribed burns prior to taking the course or;

2. Satisfactory completion of the Division of Forestry's Prescribed Fire Classroom version of the Correspondence Course and a minimum of managing three prescribed burns prior to taking the course or;

3. Satisfactory completion of the Florida Inter-Agency Basic Prescribed Fire Course and direct experience in three prescribed burns following successful completion of the classroom training. The burns conducted during the training do not count as part of this three burn requirement.

4. Applicants must submit a completed prescription for a proposed certifying burn to their local Florida Division of Forestry office prior to the burn for review and approval, and have the burn described in that prescription reviewed by the Division of Forestry during the burn operation. The local Division of Forestry District Manager (or their designee) will

recommend DOF Prescribed Burn Manager certification upon satisfactory completion of both the prescription and required number of burns.

5. In order to continue to hold the Division of Forestry Prescribed Burn Manager Certification the burner must comply with paragraph 5I-2.006(2)(d), F.A.C., or Division Certification will terminate five years from the date of issue.

(d) Certification Renewal. A Certified Prescribed Burn Manager must satisfy the following requirements in order to retain certification.

1. Participation in a minimum of eight hours of Division of Forestry approved training every five years relating to the subject of prescribed fire, or participation in a Division of Forestry recognized Fire Council Meeting, and

2. The Certified Prescribed Burn Manager has submitted their certification number for two completed prescribed burns in the preceding five (5) years, or

3. Participation in five (5) burns and have this documented and verified in writing to the Forest Protection Bureau's Prescribed Fire Manager of the Division of Forestry by a current Certified Prescribed Burn Manager, or

4. Retaking either the Prescribed Fire Correspondence Course or the Inter-Agency Basic Prescribed Fire Course.

(e) Decertification. The Commissioner of Agriculture will revoke any Certified Prescribed Burn Manager's certification if they demonstrate that their practices and procedures repeatedly violated Florida law or agency rules or is a threat to public health, safety, or property. Recommendations for decertification by the Division of Forestry to the Commissioner of Agriculture will be based on the Certified Burner Violations – Point Assessment Table, effective July 1, 2003, which is incorporated by reference, located at: http://www.fl-dof.com/wildfire/wf_pdfs/CBMpoints.pdf.

(3) Pile Burning. Piles or windrows shall not be ignited before 8:00 a.m. CT or 9:00 a.m. ET and have no visible flame one hour before sunset or anytime thereafter, except in smoke sensitive areas where the piles must be extinguished with no visible emissions one hour before sunset. The size and number of piles shall be dictated by the materials to be burned and the time available for burning. All pile burning must adhere to the following:

(a) The moisture content and composition of the materials to be burned shall be favorable to good burning which will minimize emissions. The amount of dirt in the piles or rows shall be minimized to enhance combustion and reduce emissions, and

(b) The pile or windrow burning must be set back one hundred (100) feet from any paved public roadway and the prevailing winds will direct the smoke away from any occupied buildings (other than the landowners) or roads. Pile burning for paved public road maintenance and widening is exempt from the 100 foot set back as long as the visibility on the roadway is not reduced to less than 1,000 feet, and

(c) The pile burning is attended at all times, and

(d) The pile burning must meet one of the following setback requirements:

1. Residential, and Agricultural/Silvicultural pile burning must be set back three hundred (300) feet or more away from any occupied building other than that of the landowner and 50 feet from any wildlands, brush or combustible structure.

2. Non-Residential pile burning without an Air Curtain Incinerator must be setback one thousand (1000) feet or more away from any occupied building and 100 feet from any wildlands, brush or combustible structure.

(e) Exception to Setbacks – An exception to the setbacks in subparagraph 5I-2.006(3)(d)1. and 2., F.A.C., will be granted if all of the affected parties agree in writing to allow the burn to take place.

(4) Tree Cutting Debris Burning. Open burning to dispose of tree cutting debris shall be conducted using a DEP permitted air curtain incinerator ~~operated in compliance with the provisions of Rule 62-296.401, F.A.C., and any other terms of the unit's air permit.~~ Open burning to dispose of tree cutting debris without use of a permitted air curtain incinerator is allowed provided:

(a) The tree cutting debris was generated on residential premises of not more than two family units and;

(b) The open burning is restricted to the site where the tree cutting debris was generated and;

(c) The open burning is conducted in accordance with all provisions applicable to pile burning as set forth by the Division of Forestry at paragraphs 5I-2.006(3)(a),(b),(c),(d)1. and (e), F.A.C.; and

(d) The open burning is not prohibited by any local, county, or municipal rule or ordinance, or the open burning is conducted in accordance with any such rule or ordinance to the extent that such rule or ordinance is stricter than the provisions of this subsection.

(5) Air Curtain Incinerator Burning. The use of an Air Curtain Incinerator is allowed for the combustion of land clearing debris, provided the incinerator has a DEP air permit or has been specifically exempted from air permitting by the DEP pursuant to 62-210.300 F.A.C. If an air curtain incinerator has been exempted from air permitting by the DEP, prior authorization to use the incinerator must be obtained from the Division of Forestry. Operation of an exempt air curtain incinerators shall be authorized provided that open burning would otherwise be allowed under this chapter and the following conditions are met:

(a) Only kerosene, diesel fuel, drip torch fuel, clean dry wood or lighted pine, virgin oil, natural gas or liquefied petroleum gas may be used to start the fire in the incinerator. The use of used oil, chemicals, gasoline, or tires to start the fire is prohibited.

(b) An air curtain incinerator must be located at least 300 feet from any occupied building and 50 feet from any wildlands, brush, combustible structure, or paved public roadway.

(c) Incinerators equipped with refractory-lined walls, shall begin charging no earlier than sunrise and must end no later than one hour after sunset.

(d) Incinerators not equipped with refractory lined walls shall begin charging no earlier than 8:00 a.m. CT or 9:00 a.m. E.T. and must end no later than one hour after sunset.

(e) Regardless of the air curtain incinerator type, after charging ceases, air flow shall be maintained until all material within the air curtain incinerator has been reduced to coals, and flames are no longer visible. A log shall be maintained on site, and available upon request, that documents daily beginning and ending times of charging.

(f) If the air curtain incinerator employs an earthen trench, the pit walls (width and length), shall be vertical, and maintained so that the combustion of the waste within the pit will be maintained at an adequate temperature and with sufficient air re-circulation to provide enough residence time and mixing for proper combustion and control of emissions. Pit width shall not exceed twelve (12) feet.

(g) The waste material shall not be loaded into the air curtain incinerator such that it protrudes above the level of the air curtain in the pit.

(h) Ash shall not be allowed to build up in the pit of the air curtain incinerator to higher than 1/3 the pit depth or to the point where the ash begins to impede combustion, whichever occurs first.

(i) Excessive visible emissions are not allowed except for a period of up to 30 minutes during start ups.

(j) The air curtain incinerator shall be attended at all times while materials are being burned or flames are visible within the incinerator.

(k) The burning will not exceed 6 months on the same site from the date of the initial authorization from the Division of Forestry, unless the Division is notified of an exemption by DEP ~~in accordance with 62-4.040 FAC.~~

(l) Exceptions to the setback requirements from occupied buildings shall be granted by the Division of Forestry when the applicant obtains a signed written statement from every affected resident within the setback area that waives their objections to the open burning associated with the land clearing operation and presents the statement to the Division of Forestry 48 hours in advance of the burning.

(m) If the owner or operator of the air curtain incinerator, by lease or other means, grants authority to operate the incinerator to a person not in the employ of the owner, the owner shall provide such person with a copy of this rule section's requirements.

(6) Off Site Burning. Any open burning of land clearing debris that is allowed by this chapter is restricted to the site where the material was generated and such material shall not be transported to another property to be burned, unless the land clearing debris has been generated by the person, or their agent, who owns or leases the property where it was generated and to where it is transported, and operates an air curtain incinerator in compliance with all applicable paragraphs of subsection 5I-2.006(5), F.A.C.

(7) Recreational Open Burning. Nothing in this chapter shall be construed to prohibit the legal open burning of vegetative debris and untreated wood in a campfire, outdoor fireplace, or other contained outdoor heating or cooking device, or on cold days for warming of outdoor workers. Furthermore, nothing in this chapter shall be construed to prohibit the open burning of vegetative debris or untreated wood in a recreational or ceremonial bonfire, as long as the fire is attended at all times and is completely extinguished with no visible emissions if the area is to be left unattended. The person or persons responsible for the recreational fire shall ensure compliance with any applicable open burning rules adopted by the Division of Forestry of the Florida Department of Agriculture and Consumer Services.

(8) Open Burning Exceptions. The Director of the Division of Forestry is authorized to grant exceptions in furtherance of public health, safety and welfare, to the open burning rules within Chapter 5I-2, F.A.C., in the event of an emergency that would require the destruction of vegetative debris or animal carcasses in the most expeditious means possible. Examples would include the burning of vegetative matter or animal carcasses resulting from an insect or disease infestation, or resulting from storm damage e.g., hurricanes or tornados.

Specific Authority 570.07(23),(28), 590.125(3)(e) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2),(3) FS. History—New 7-1-71, Formerly 17-5, 7-1-75, Formerly 5I-2.06, Amended 1-9-91, 9-8-93, 8-16-95, 10-18-99, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Brenner, Fire Management Administrator, Forest Protection Bureau, Florida Division of Forestry, Department of Agriculture and Consumer Services, Suite A, Room 160, 3125 Conner Blvd., Tallahassee, FL 32399-1650, e-mail: brennej@doacs.state.fl.us

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

Construction Industry Licensing Board

RULE NO.: 61G4-15.005
 RULE TITLE: Requirements for Certification and Registration

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 6, of the February 6, 2004, issue of the Florida Administrative Weekly. The changes are being made in response to a ruling by the Division of Administrative Hearings in Case No. 04-0692 RP and supported by the First District Court of Appeal in Case No. 1D04-3345.

The changes are as follows:

1. Subsection (3) of the rule shall be deleted in its entirety.
2. Subsection (4) of the rule shall be renumbered as subsection (3).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NOS.: 61G17-6.002, 61G17-6.003, 61G17-6.004
 RULE TITLES: Definitions, General Survey, Map, and Report Requirements, Specific Survey, Map, and Report Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 52, of the December 15, 2004, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting held on August 22, 2005, voted to make changes to the rules to address the JAPC concerns. The changes are as follows:

61G17-6.003(2)(a) should read as follows: "The Board is authorized to enforce through the disciplinary process survey standards that are more stringent than those set forth in this chapter that are required by federal, state, or local governmental agencies."

61G17-6.003 – In the Specific Authority add "472.033(1)(h)"

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Knap, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32362-0767

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

Dental Laboratories

RULE NO.: 64B27-1.002
 RULE TITLE: Dental Laboratory Biennial Registration

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 30, July 29, 2005, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

The changes are as follows:

(3) The operator of a dental laboratory shall notify the Department of a change in ownership or address within 30 days. The closure of the laboratory constitutes a change of address. Failure to timely notify the Department of a change in ownership or address, including closure of a laboratory, is grounds to deny an application for registration of a laboratory.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER NO.: 64E-2
 RULE CHAPTER TITLE: Emergency Medical Services
 RULE NO.: 64E-2.001, 64E-2.004, 64E-2.008, 64E-2.010
 RULE TITLE: Definitions, Medical Direction, Emergency Medical Technician Examinations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to proposed Chapter 64E-2, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 31, No. 24 on June 17, 2005. The changes reflect comments received from the Joint Administrative Procedures Committee and from the affected

parties. The following summary was inadvertently left out of that publication and is now included with this notice. The changes that have been made follow this summary.

SUMMARY: The amended rule provides procedures for certification of individuals who receive training in another state or through the military. The amended rule updates the references to forms and curricula and revises several parts of the certification/recertification process to be in line with other regulated health care professions. The amended rule eliminates the options for examination regrades and amends the examination review process to allow for what is listed in statute. The amended rule provides a structured process for those who have failed the certification examination and wish to apply for reexamination. The amended rule simplifies the process for individuals who wish to request special accommodations in order to take the certification examination. The amended rule requires emergency medical service providers to maintain only documentation of their employees' certifications as opposed to a copy of their certification card.

64E-2.001(4) Certification Examination – means an examination developed ~~and~~/or adopted by the department to be used for the purpose of testing the ability to practice as a Florida licensed emergency medical technician ~~and~~/or paramedic.

64E-2.001(6) Controlled Substances – means those drugs listed in Section 893.03, F.S. and the “designer drugs” referred to in Section 893.035, F.S.

64E-2.004(4)(h)2. If the licensed ALS provider elects to utilize EMTs in this capacity, the licensed EMS provider shall ensure that the medical director provides training at least equivalent to that required by the 1999 ~~(Contract #DTNH22-95-C-05108,~~ U.S. D.O.T. EMT-Intermediate National Standard Curriculum relating to IV therapy which is incorporated by reference and available from the Superintendent of Documents, Post Office Box 371954, Pittsburg, PA 15250-7954. The licensed EMS provider shall document successful completion of such training in each EMTs training file and make documentation available to the department upon request.

64E-2.008(1)(a)1. Successfully complete an initial EMT training program conducted in accordance with the 1994 U.S. DOT EMT-Basic National Standard Curriculum, which is incorporated by reference and is available for purchase from the Government Printing Office by telephoning (202)512-1800 or writing to the Government Printing Office, Superintendent of Documents, Post Office Box 371954, Pittsburg, PA 15250-7954, or

64E-2.008(1)(b) Apply for and pass Florida EMT certification examination on DH Form 1583, April 05, Emergency Medical Technicians Initial Certification Application which is incorporated by reference and available from the department, as defined by subsection 64E-2.001(8), F.A.C., and

64E-2.008(2)(a) Complete 30 hours of EMT refresher training based on the 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum, an additional 2 hours of HIV AIDS refresher training, in accordance with Section 381.0034, F.S.; and maintain a current CPR card as provided in Section 401.27(4)(e)2., F.S., and Rule 64E-2.038, F.A.C. CPR shall be included in the 30 hours of refresher training, provided that the CPR training is taken with a continuing education provider recognized by the department pursuant to Section 401.2715, F.S. The 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum shall be the criteria for department approval of refresher training courses. The department shall accept either the affirmation of a licensed EMS provider's medical director; or a certificate of completion of refresher training from a department approved Florida training program or a department approved continuing education provider as proof of compliance with the above requirements. The 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum is incorporated by reference and available for purchase from the Government Printing Office by telephoning (202)512-1800 or writing to the Government Printing Office, Superintendent of Documents, Post Office Box 371954, Pittsburg, PA 15250-7954.

64E-2.008(2)(b) Successfully pass the EMT certification examination during the current certification cycle; and complete 2 hours of HIV AIDS refresher training, in accordance with Section 381.0034, F.S.; and maintain a current CPR BLS card for the professional rescuer. Prior to taking the examination, a candidate shall submit DH Form 1583, April 05, Emergency Medical Technicians Initial Certification Application to the department so as to be received by the department in accordance with the published examination application deadlines which may be obtained by contacting the department, as defined by subsection 64E-2.001(8), F.A.C. ~~located on the department's website,~~ and pay the required fees.

64E-2.010(5) To be scheduled for a reexamination the requestor shall submit DH Form 1975, April 05, Emergency Medical Technicians Re-exam, or Form 1978, Paramedics Re-exam, which is incorporated by reference and available from the department, as defined by subsection 64E-2.001(8), F.A.C. The request shall be submitted so as to be received by the department in accordance with the published deadlines for examinations which may be obtained by contacting the department, as defined by subsection 64E-2.001(8), F.A.C. ~~located on the department's website.~~

PR396497

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF 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

Division of Environmental Health

RULE TITLE: Emergency Medical Technician
RULE NO.: 64EER05-2
SPECIFIC REASON FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The United States military has determined it beneficial to immediately begin to use Florida as a training ground for many of its emergency medical units. Military emergency medical technicians demonstrate competency by holding National Registry certification and should not be required to sit for the Florida administered examination to undergo training in Florida. Florida desires individuals who are undergoing military training to promptly obtain certification in Florida so that they are not uncertified while working in Florida.

REASONS FOR CONCLUDING THAT PROCEDURES USED IS FAIR UNDER THE CIRCUMSTANCES: The Department has determined that there is an ongoing need for this rule. In addition for its emergency adoption for 90 days, the Department will go through the normal notification and rule adoption procedures in order to adopt this amendment as a permanent change to the rule during which time the public may have added input into the process.

SUMMARY OF THE RULE: The Department of Health has determined that it is necessary to amend the rule relating to the certification of Emergency Medical Technicians to set forth an abbreviated procedure for the certification of certain members of the United States military who are temporarily assigned to Florida and meet certain criteria.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Don L. Bennett, Bureau Chief, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738

THE FULL TEXT OF THE EMERGENCY RULE IS:

64EER05-2 (64E-2.008) Emergency Medical Technician.
 (1) through (4) No change.

(5) Individuals who document their possession of the following in their application shall be deemed to satisfy subsection 64E-2.010(4), F.A.C., for certification as an EMT only while these criteria are applicable:

- (a) Status as a member of the United States military;
- (b) Valid EMT certification from the National Registry of Emergency Medical Technicians; and
- (c) Assignment to Florida as part of a training program to operate as an EMT.

This rule shall remain in effect only through December 1, 2005.

Specific Authority 381.0011, 381.0034, 381.0035, 401.23, 401.27, 401.35 FS. Law Implemented 381.001, 401.23, 401.27, 401.34, 401.35, 401.41, 401.411, 401.414 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.56, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.056, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, 6-3-02, 11-3-02, Amended 8-31-05.

THIS EMERGENCY RULE SHALL TAKE EFFECT IMMEDIATELY UPON FILING WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: August 31, 2005

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE TITLE: Requirements Relating to Public Adjusting
RULE NO.: 69BER05-10
SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Department of Financial Services hereby states that the following circumstances constitute an immediate danger to the public health, safety, and welfare: Hurricane Dennis passed near the Florida Keys and West Coast of the State of Florida and then made landfall near Pensacola, Florida, on July 10, 2005, as a category 3 hurricane with sustained winds up to 120 miles per hour. At that time, the Governor of Florida declared a state of emergency (Executive Order #05-139) and the President of the United States declared 13 Florida counties eligible for federal disaster assistance. Damage estimates from Hurricane Dennis are \$1.5 to \$2 billion in insured losses.

On August 25, 2005, Hurricane Katrina made landfall near the border of Miami-Dade and Broward Counties as a Category 1 hurricane with sustained winds of 75 miles per hour and gusts approaching 95 miles per hour. The storm dumped as much as 16 inches of rain in some areas and caused widespread flooding. Over a million homes are without electricity. The storm took a horizontal path across South Florida, including areas that suffered damage from Hurricane Dennis, and emerged in the Gulf of Mexico off the coast of Southwest Florida this morning. Although downgraded to a tropical storm

as it made its way across the state, once it entered the warm waters of the Gulf of Mexico, it regained strength and is now a Category 2 hurricane. The National Oceanographic and Atmospheric Administration predicts that Hurricane Katrina will make landfall again, this time in the Florida Panhandle this Monday morning and that it will be a major hurricane at that point. The Florida Panhandle also suffered extensive damage from Hurricane Dennis.

The Governor of the State of Florida issued Executive Order Number #05-176 on August 24, 2005, which declared a State of Emergency in order to protect the lives and property of the people in the communities threatened by Hurricane Katrina and the cumulative impact of communities being hit by two hurricanes in a period of just over six weeks.

Excessive insurance claim adjusting fees are a source of injury to the public health, safety, and welfare by substantially impairing the financial ability of insureds to effectuate repairs to damaged property in a timely fashion, to commence or complete repairs, or to make proper and adequate repairs meeting building code requirements. In order for complete rebuilding to occur, unreasonable public adjuster fees should not be allowed to erode proceeds recovered under an insurance policy. As a result, there is a need to limit the fees imposed by public adjusters to a reasonable level. This rule limits fees charged by public adjusters to 10 per cent of the policy proceeds.

This rule also contains provisions relating to required contract terms, and other ethical requirements that are reasonable and necessary based on the department's experience with public adjuster abuses after prior hurricanes.

The Legislature recognized, in Section 626.8698, F.S., that the interest of the public demands that public adjusters be prohibited from "soliciting or otherwise taking advantage of a person who is vulnerable, emotional or otherwise upset as a result of trauma, accident or similar occurrence..." Hurricane Katrina has placed a great number of people in a state of vulnerability. Many Floridians in areas that have been or will be impacted by Hurricane Katrina had been impacted by Hurricane Dennis last month and by Hurricane Ivan, a Category 4 hurricane that caused massive damage in the Florida Panhandle on September 16, 2004. The emotional stress of claimants may lead them to make imprudent decisions in the context of contracting with public adjusters.

In consideration of the emergency conditions currently existing, and given the Department's responsibility to protect the public interest, including property owners who have hurricane insurance, and implement the Insurance Code, an emergency rule is necessary.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Department of Financial Services believes that adopting an emergency rule is the fairest method to protect the public because the nature of the destruction caused by Hurricane

Katrina, including flooding, power outages, and disruption of communication and transportation, requires an immediate response. The conditions from Hurricane Katrina will require the Department to exercise its authority to provide protection to consumers from unethical conduct of certain public adjusters. The provisions of this rule provide needed guidance to public adjusters. A Department bulletin addressed to all licensed public insurance adjusters would reach them, but would not be legally binding. A permanent rule would not have the flexibility and immediacy to protect the public welfare.

SUMMARY OF THE RULE: This emergency rule adopts emergency ethical standards to be applied to claims resulting from Hurricane Katrina. The rule limits public adjuster commissions to a maximum 10% of insurance proceeds regardless of whether the risk is residential or commercial. The rule also prohibits public adjusters from requiring, demanding, or accepting payments prior to settlement of a claim. The rule requires certain standards for public adjuster contracts to reduce risk of deception. The rule also establishes ethical standards to avoid incompetence, conflict of interest, or deception. The rule also establishes a 14-day rescission period for public adjuster contracts. Additionally the rule prohibits public adjusters from entering into a contract to adjust a residential property claim that has been declared a total loss, unless the public adjuster services can reasonably be expected to benefit the claimant.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jerry W. Whitmore, Chief, Bureau of Investigation, Division of Agent and Agency Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-5601

THE FULL TEXT OF THE EMERGENCY RULE IS:

69BER05-9 Requirements Relating to Public Adjusting.

(1) General provisions.

(a) This emergency rule sets forth specific limits on public adjuster commissions and provides other ethical standards to protect insureds under stress due to loss.

(b) The provisions of this emergency rule are intended to supplement the requirements for conduct of public adjusting and ethical requirements placed on public adjusting as set forth in Rules 69B-220.051 and 69B-220.201, Florida Administrative Code, as promulgated pursuant to applicable law. These provisions are intended to provide needed guidance to public adjusters and assure ethical public adjusting claims practices under the specific circumstances caused by the impact of Hurricane Katrina.

(c) This rule applies only to losses occurring as a result of Hurricane Katrina and to contracts entered into as a result of Hurricane Katrina.

(d) This rule applies for 90 days from the date filed with the Secretary of State, Bureau of Administrative Code. However, provisions of these rules applicable to contracts

entered into during the 90-day period shall remain in effect until completion of the contract even if that occurs after these rules expire. A public adjuster may not cancel a contract after these rules expire in order to enter into a new contract that increases the commission fee, or other thing of value that is to be paid to the adjuster.

(e) The provisions of this rule are ethical requirements binding upon public adjusters, in addition to those requirements established in Rule Chapter 69B-220, Florida Administrative Code.

(2) Definitions.

(a) "Public Adjuster" is defined for purposes of this rule as defined in Section 626.854, Florida Statutes.

(b) "Public Adjusting" is the activity described in Section 626.854, Florida Statutes.

(3) Limits on Commissions.

(a) As to any one insured or claimant, no public adjuster shall charge, agree to, or accept as compensation or reimbursement any payment, commission, fee, or other thing of value equal to more than ten percent of any insurance settlement or proceeds.

(b) No public adjuster shall require, demand, or accept any fee, retainer, compensation, deposit, or other thing of value, prior to settlement of the claim.

(4) Required Contract Terms. Public adjusters shall ensure that all contracts for their services are in writing, and contain the following terms:

(a) The contract shall legibly state the full name as specified in Department records of the public adjuster signing the contract.

(b) The contract shall be signed by the public adjuster who solicited the contract. If the public adjuster is licensed by the Department as an emergency public adjuster, the contract shall show the public adjuster's:

1. Permanent home address and home phone number;
2. Permanent home state business address and phone number; and
3. Florida Department license number.

(c) The contract shall show:

1. The insured's full name and street address;
2. Address of loss;
3. A brief description of the loss;
4. The insured's insurance company name and policy number, if available.

(d) The contract shall show the date the contract with the public adjuster was actually signed by the insured or claimant.

(e)1. The full compensation to the public adjuster shall be stated in the contract.

2. If the compensation is based on a share of the insurance settlement, the exact percentage shall be specified.

3. Any costs to be reimbursed to the public adjuster out of the proceeds shall be specified by type, with dollar estimates set forth in the contract.

4. Compensation provisions in a public adjusting contract shall not be redacted in any copy of the contract provided to an insurer. Such a redaction shall constitute an omission of material fact in violation of Section 626.9541(1)(e)2., Florida Statutes.

(5) General Ethical Requirements. Public Adjusters shall adhere to the following requirements:

(a) An adjuster shall not undertake the adjustment of any claim concerning which the adjuster is not currently competent and knowledgeable as to the terms and conditions of the insurance coverage, or which otherwise exceeds the adjuster's current expertise.

(b)1. No person shall, as a public adjuster, represent any person or entity whose claim the adjuster has previously adjusted while acting as an adjuster representing any insurer or independent adjusting firm.

2. No person shall, as a company or independent adjuster, represent him- or herself or any insurer or independent adjusting firm against any person or entity that the adjuster previously represented as a public adjuster.

(c)1. A public adjuster shall not represent or imply to any client or potential client that insurers, company adjusters, or independent adjusters routinely attempt to, or do in fact, deprive claimants of their full rights under an insurance policy.

2. No insurer, independent adjuster, or company adjuster shall represent or imply to any claimant that public adjusters are unscrupulous, or that engaging a public adjuster will delay or have other adverse effect upon the settlement of a claim.

(d)1. No public adjuster, while so licensed in the Department's records, may represent or act as a company adjuster, independent adjuster, or general lines agent.

2. No independent adjuster or company adjuster, while so licensed in the Department's records, may represent or act as a public adjuster.

(e)1. A public adjuster's contract with a client shall be revocable or cancelable by the insured or claimant, without penalty or obligation, for at least 14 business days after the contract is entered into.

2. The public adjuster shall disclose to the insured that the insured has the right to cancel with prompt notice within the revocation period.

3. If the insured elects to cancel the contract, prompt notice shall be provided to the adjuster.

4. Nothing in the provision shall be construed to prevent an insured from pursuing any civil remedy after the 14-day cancellation period.

(f) A public adjuster shall not enter into a contract or accept a power of attorney which vests in the public adjuster the effective authority to choose the persons who shall perform repair work.

(g) A public adjuster shall ensure that all contracts for the public adjuster’s services are in writing and set forth all terms and conditions of the engagement.

(6) Total Loss Claims. No public adjuster shall knowingly enter into a contract to adjust a residential property claim subsequent to an insurer declaring the property a total loss, unless the services to be provided by the public adjuster can reasonably be expected to result in the claimant obtaining an insurance settlement, net of the adjuster’s compensation, in excess of what the insured claimant would have obtained without the services of the public adjuster.

Specific Authority 120.54(4), 624.308, 626.878, 626.9611 FS. Law Implemented 624.307(1), 624.307, 626.611, 626.621, 626.865(2), 626.8698, 626.878, 626.9541(1)(e),(i) FS. History—New 8-29-05.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: August 29, 2005

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

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.”

WATER MANAGEMENT DISTRICT

The St. Johns River Water Management District (District) announces its intent to grant a variance from the provisions of paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant’s Handbook: Management and Storage of Surface Waters, including Sections 10.1.1(c), 12.1.1(d) and 12.2.5(c), (F.O.R. number 2005-10), to Pulte Home Corporation and Brevard County to perform a mosquito impoundment restoration project to be used by Pulte Home Corporation and Brevard County as mitigation for a project known as Harbour Island. The project is located in Section 36, Township 24 South, Range 36 East, Brevard County, Florida. Pulte Home Corporation is seeking this variance in conjunction with St. Johns River Water Management District Environmental Resource Permit application number 4-009-89095-1, for the installation of a series of culverts to provide a connection between two mosquito impoundments and a portion of the Banana River. The Banana River is categorized as a Class II water classified by the Department of Agriculture and Consumer Services as conditionally restricted

for shellfish harvesting. Notice of the petition for variance was published in the Florida Administrative Weekly on February 18, 2005. The District’s Governing Board is scheduled to take final action on the Petition for Variance at its September Regulatory meeting, which begins at 1:00 p.m. on September 13, 2005.

A person whose substantial interests are or may be determined by the District’s proposed decision has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (“District”), or may choose to pursue mediation as an alternative remedy under Sections 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the rights to an administrative hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57, Florida Statutes, and Rules 28-106.111 and 28-106.401-405, F.A.C. Pursuant to Chapter 28-106 and Rule 40C-1.1007, F.A.C., the petition must be filed (received) by hand delivery or mail with the District Clerk, District Headquarters, 4049 Reid Street, Palatka, Florida 32177-2529, e-mail: District Clerk, Clerk@sjrwmd.com, within nineteen (19) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice).

Failure to file a petition for an administrative hearing, within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.). A petition for an Administrative Hearing is deemed filed upon receipt of the petition to the District Clerk at the District Headquarters in Palatka, Florida. Receipt by the District Clerk after 5:00 p.m. shall be considered filed as of 8:00 a.m. on the next regular business day. The District’s acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District’s Statement of Agency Organization and Operation, issued pursuant to Rule 28-101.001, F.A.C. These conditions include, but are not limited to, the petition must be in the form of a PDF file and be capable of being stored and printed by the District. Further, according to the District’s Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing. A petition must comply with Section 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. The right to an Administrative Hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., and Chapter 28-106, F.A.C., and Rule 40C-1.1007, F.A.C.

If the Governing Board takes action which substantially differs from the notice of District decision, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to District

Rule 40C-1.1007, F.A.C., the petition must be filed (received) by the District Clerk at the address described above, within nineteen (19) days of the District depositing notice of the final District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice). Such a petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C.

Pursuant to Section 120.68, F.S., a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, F.S., may seek review of the order pursuant to Section 373.114, F.S., by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order. Review by the Florida Land and Water Adjudicatory Commission is not available for final orders resulting from an evidentiary hearing held under Sections 120.569 and 120.57, F.S., or for rules adopted after issuance of a final order resulting from an evidentiary hearing under Section 120.56, F.S.

Failure to observe the relevant time frames for filing a petition for judicial review or for Commission review as described as described above, will result in waiver of that right to review.

The Petition for Variance and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays at St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177. Request for copies or inspection of these files should be made to Kealey A. West, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)312-2317.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on August 25, 2005; the Division of Alcoholic Beverages and Tobacco (“Division”) issued an Order Denying a Petition for Waiver of subsection 61A-2.014(5), F.A.C., on behalf of Apple REIT Six, Inc. (“Petition”). The Petition sought a permanent variance from the rule related to applications for alcoholic beverage licenses requiring all stockholders with an interest in a corporation

holding an alcoholic beverage license which is greater than .5 percent, subject to specific exceptions as listed in the rule, to file a set of fingerprints at the time of making application for a beverage license or at the time an interest is created after a license has been issued. Petition requests that the Division waive the rule’s requirement for each stockholder with an interest greater than .5%, to file fingerprints with the Division. The Petition was filed on July 1, 2005, and the notice was published in Vol. 31, No. 30, of the July 29, 2005, Florida Administrative Weekly. The Petition was denied for the following reasons: Petitioner failed to demonstrate that the denial of waiver would create a substantial hardship; the economic impact of compliance to the Rule was not geographically impacted as alleged by Petition; and the Petition failed to demonstrate a substantial hardship through disparate treatment and/or impact of the effect of the Rule, as every corporate entity holding a license under the Beverage Law is subject to similar requirements and face similar financial consequences. Further, Petitioner failed to establish that the purpose of the underlying statute will be or has been achieved by other means.

A copy of the Petition can be obtained from: Sara Wachman, Agency Clerk, Florida Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on August 25, 2005; the Division of Alcoholic Beverages and Tobacco (“Division”) issued an Order Denying a Petition for Waiver of subsection 61A-2.014(5), F.A.C., on behalf of The Las Olas Company Inc. (“Petition”). The Petition sought a variance from the rule related to applications for alcoholic beverage licenses requiring all stockholders with an interest in a corporation holding an alcoholic beverage license which is greater than .5 percent, subject to specific exceptions as listed in the rule, to file a set of fingerprints at the time of making application for a beverage license or at the time an interest is created after a license has been issued. Petition requests that the Division waive the rule’s requirement for each stockholder with an interest greater than .5%, to file fingerprints with the Division. The Petition was filed on August 10, 2005, and the notice was published in Vol. 31, No. 34, of the August 26, 2005, Florida Administrative Weekly. The Petition was denied for the following reasons: Petitioner failed to demonstrate that the denial of waiver would create a substantial hardship and the Petition failed to demonstrate a substantial hardship through disparate treatment and/or impact of the effect of the Rule, as every corporate entity holding a license under the Beverage Law is subject to similar requirements and face similar financial consequences. Further, Petitioner failed to establish that the purpose of the underlying statute will be or has been achieved by other means.

A copy of the Petition can be obtained from: Sara Wachman, Agency Clerk, Florida Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on July 20, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-4.010(7)(e), F.A.C., from Yokohama Sushi Inc. located in Boca Raton. The above referenced F.A.C. states public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public. The Petitioner is requesting to use the one existing bathroom facility but have seating for 26 people.

This variance request was approved August 17, 2005 and is contingent upon Petitioner ensuring the public restroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-six (26) seats, which includes any outside seating. All provisos and plan review deficiencies shall be met prior to licensing. This variance is not transferable under any conditions. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

NOTICE IS HEREBY GIVEN that on June 13, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(d), subsection 61C-4.010(5) and paragraph 61C-4.010(7)(e), F.A.C., from Jake's Italian Grill located in Orlando. The above referenced F.A.C. specifically address the proper disposal of sewage and adequate bathroom facilities for fixed establishments. This proposed facility establishment is currently licensed as a Mobile Food Dispensing Vehicle, but is requesting to operate as a fixed establishment.

This variance request was denied August 17, 2005. The Petitioner failed to specify the current code cites in which the variance was requested, current commissary information (if applicable), wastewater approval, bathroom finishes, hours of operation for establishment and commissary, method of wastewater disposal, method to obtain potable water, procedure to monitor wastewater holding tanks from creating a sanitary nuisance, complete operating procedures that address food protection, food temperature control, employee health and hygiene, certification and training, emergency policies, and equipment and utensil protection, and documentation required by Chapter 120, F.S., that the requested procedures will not adversely affect the health of the public.

Granting this variance in its current format would create an undesirable and dangerous precedent. Granting this variance would be inconsistent with the principles of public safety and

sanitation articulated in Section 509.032(e)(1), F.S., for public food service establishments enforced by this Division. Petitioner has not provided any further information. Based on the foregoing, the Division concludes that the Petitioner's request for variance fails to meet the burden of demonstrating that required safety and sanitation safeguards have otherwise been met. WHEREFORE, and for the foregoing reasons, Petitioner's Petition for Variance is DENIED.

NOTICE IS HEREBY GIVEN that on August 17, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), F.A.C., from Toastissimo located in Orlando. The above referenced F.A.C. public lodging and food service establishment shall be provided with adequate and conveniently located bathroom facilities for its employees and guests.... The Petitioner is requesting to use Lincoln Property Company bathroom facilities for patrons and employees and have seating for 66 people.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on August 23, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), F.A.C., from Sushi-Ko Express located in Ft. Lauderdale. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to add an additional eight (8) seats for a total of eighteen (18) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

The Electrical Contractors' Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance which was filed on April 29, 2005 by Sandra E. Allen, Esquire on behalf of Carl S. Johnson, II. The Notice of Petition for Variance/Waiver was published in Vol. 31, No. 19, of the May 13, 2005, Florida Administrative Weekly. Petitioner sought a waiver or variance from paragraph

61G6-5.0035(3)(c), F.A.C., entitled "Certification of Registered Contractors," that provides that the experience required for eligibility for certification, pursuant to the "grandfathering" provisions, could have been obtained through oversight or inspection responsibility only if the experience was gained while the applicant was licensed by the Building Code Administrators and Inspectors Board. The Board considered the instant Petition at a duly-noticed public meeting, held July 29, 2005, in Tampa, Florida.

The Board's Order, filed on August 22, 2005, granted the petition, finding Petitioner had demonstrated that application of the rule to his circumstances would violate the principles of fairness and would impose a substantial hardship on him.

A copy of the Board's Order may be obtained by contacting: Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

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

The Board of Acupuncture hereby gives notice that it has received a petition, filed on August 25, 2005 by Jata Muhamud Abdur-Rahim, seeking a waiver or variance of subsections 64B1-4.001(1) and 64B1-4.0011(1), F.A.C., allowing him to waive the requirement of the rule that the applicant must have completed at least 900 hours of supervised instruction in traditional oriental acupuncture and at least 600 hours of supervised clinical experience and to provide proof in the form of official transcripts from the institution(s) where the applicant completed his/her program.

Comments on this petition should be filed with: Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-0750, within 14 days of publication of this notice.

For a copy of the petition, contact Pam King, Executive Director, Board of Acupuncture, at the above address or telephone (850)245-4161.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver and Variance filed by Leonard D. Pace, M.D., seeking a waiver or variance from Rule 64B8-13.004, F.A.C., with regard to the requirement for taking the SPEX examination. The Petition was filed on June 14,

2005, and the Notice was published in Vol. 31, No. 26, of the July 1, 2005, Florida Administrative Weekly. The Board, at its meeting held on August 6, 2005, denied the Petition for the following reasons: the Petitioner failed to demonstrate a substantial hardship and failed to demonstrate that he meets the purpose of the underlying statute. The Board's Order denying the Petition was filed on August 22, 2005.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has received a petition filed on August 10, 2005, by Suresh Chaudhary, M.D., seeking a variance from Rule 64B8-2.001, F.A.C., with regard to the passing score of the FLEX.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Fish and Wildlife Conservation Commission has received a petition from USA Water Ski, for a temporary variance from a portion of the Broward County manatee protection Rule 68C-22.010, Florida Administrative Code. The petition was received by the Commission on August 17, 2005, and seeks authorization to allow the applicant to operate one or more vessels at speeds greater than allowed by the rule in order to perform a water ski demonstration on the north side of the S. E. 17th Street Bridge in Ft. Lauderdale immediately before the beginning of the Winterfest Boat Parade on December 17, 2005. The petition indicates that the demonstration would last no more than 30 minutes, that the applicant would utilize boat-based manatee observers, and that all high-speed activity would be stopped if any manatees were seen.

Copies of the petition may be received from and written comments submitted to: Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section (Mail Station 6A), 620 South Meridian Street, Tallahassee, FL 32399-1600.

Comments regarding the petition will be accepted for no less than 14 days from the date of publication of this notice.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** will hold telephone conference calls to which all interested persons are invited to participate.

COMMITTEE: Women's Hall of Fame Committee

DATE AND TIME: September 21, 2005, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues, to which all persons are invited.

If you need an accommodation because of disability in order to participate, please notify FCSW at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DEPARTMENT OF EDUCATION

The State of Florida, **Commissioner's Task Force on Holocaust Education** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2005, 8:30 a.m. – 4:00 p.m.

PLACE: Hilton University of Florida, Conference Center, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The ongoing role of the Holocaust Task Force to support Holocaust Education in Florida through the Summer Institutes for teachers, classroom materials and professional development activities.

For additional information, please contact: Michael Olenick, Chairperson, 215 South Monroe Street, Suite 500, Tallahassee, FL 32302-0190.

The public is invited to a meeting of the **State Board of Education**.

DATE AND TIME: September 20, 2005, 8:30 a.m.

PLACE: 301 4th Street, S. W., Pinellas County School Board Office, Largo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes of meeting held August 16, 2005 and updates on various reports and status on education initiatives by the Chairman and Commissioner. Other items to be considered include: Approval of K-20 Public Education Capital Outlay (PECO) Budget, Approval of District Action

Plans for F Schools and F School Improvement Plans, Update on status and approval of Extension of the Palm Beach County School District's Charter Contract, amendment to Rule 6A-4.0282, F.A.C., Specialization Requirements for the Endorsement in Athletic Coaching – Academic Class, appointments to the Center for Nursing Board of Directors, Adoption of Resolutions Authorizing the Issuance and Sale of Not Exceeding \$185,000,000 State of Florida, Full Faith and Credit, State Board of Education Public Education Capital Outlay Refunding Bonds, 2005 Series [to be determined].

A copy of the agenda may be obtained from the Commissioner of Education's website: <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The State of Florida, **Department of Education, Education Practices Commission** announces a Teacher Hearing Panel, Administrator Hearing Panel and Business Meeting; all persons are invited.

DATE AND TIME: September 22, 2005, 2:00 p.m.; Teacher Hearing Panel

DATE AND TIME: September 23, 2005, 8:30 a.m. – Business Meeting; 9:45 a.m. – Administrator Hearing Panel; immediately following the Administrator Hearing Panel – Teacher Hearing Panel

PLACE: Homewood Suites Hotel, 2987 Apalachee Parkway, Tallahassee, Florida 32301, (850)402-9400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System, 711.

The **Florida Covering Kids and Families Coalition** announces a conference call meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, September 27, 2005, 9:30 a.m.

PLACE: Call-in information or a copy of the agenda contact: Jodi Ray, CKF Project Director, (813)974-3143

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of CKF Annual Meeting; Florida KidCare program updates; CKF Local Project updates; Back-to-School updates; CKF sustainability; Medicaid modernization; and Process Improvement Collaborative.

For call-in information or a copy of the agenda contact: Jodi Ray, CKF Project Director, (813)974-3143.

The **Florida Rehabilitation Council** announces the following meetings/conference calls to which all interested persons are invited to participate.

MEETING: Quality Assurance

DATE AND TIME: September 8, 2005, 10:00 a.m. – 12:00 Noon

MEETING: Evaluation

DATE AND TIME: October 6, 2005, 12:00 Noon – 1:00 p.m.

MEETING: Coordination

DATE AND TIME: October 20, 2005, 10:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862 (NOTE: Phone numbers for these meetings may be obtained by contacting Yolanda Manning.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council for the Blind**, gives notice that an Ad Hoc Committee will have a teleconference.

DATE AND TIME: Friday, September 16, 2005, 10:00 a.m. – 11:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of determining discussions and trainings needed at future Council meetings.

Contact person: Phyllis Dill, (850)484-5030

The **Florida Rehabilitation Council** announces the following meetings/conference calls to which all interested persons are invited to participate.

READVERTISEMENT

MEETING: Public Awareness

DATE AND TIME: September 13, 2005, 11:00 a.m. – 4:00 p.m.

MEETING: Coordination

DATE AND TIME: September 30, 2005, 10:00 a.m. – 4:00 p.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862 (NOTE: Phone numbers for these meetings may be obtained by contacting Yolanda Manning.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the

proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following meetings/conference calls to which all interested persons are invited to participate.

READVERTISEMENT

MEETING: Florida Rehabilitation Council Quarterly Meeting
 DATES AND TIME: October 16-17, 2005, 9:00 a.m. – 5:00 p.m.

PLACE: Caribe Royale, 8101 World Center Drive, Orlando, Florida 32821, (407)238-8000 (NOTE: Phone numbers for this meeting may be obtained by contacting Yolanda Manning)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following meetings/conference calls to which all interested persons are invited to participate.

MEETING: 2007 Public Forums CYCLE #1:

DATE AND TIME: November 2, 2005, 11:00 a.m. – 1:00 p.m.

PLACE: Clearwater, FL

DATE AND TIME: November 2, 2005, 5:00 p.m. – 7:00 p.m.

PLACE: Tampa, FL

DATE AND TIME: November 17, 2005, 11:00 a.m. – 1:00 p.m.

PLACE: Gainesville, FL

DATE AND TIME: November 17, 2005, 5:00 p.m. – 7:00 p.m.

PLACE: Lake City, FL

NOTE: You may obtain information regarding these meetings by contacting: DVR Headquarters, ATTN: Vee Rhoden, 2002 A Old St. Augustine Road, Tallahassee, FL 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following meetings/conference calls to which all interested persons are invited to participate.

MEETING: 2007 Public Forums CYCLE #1:

DATE AND TIME: February 1, 2006, 11:00 a.m. – 1:00 p.m.

PLACE: Palm Beach, FL

DATE AND TIME: February 1, 2006, 5:00 p.m. – 7:00 p.m.

PLACE: Immokalee, FL

DATE AND TIME: February 9, 2006, 11:00 a.m. – 1:00 p.m.

PLACE: Marianna, FL

DATE AND TIME: February 9, 2006, 5:00 p.m. – 7:00 p.m.

PLACE: Tallahassee, FL

NOTE: You may obtain information regarding these meetings by contacting: DVR Headquarters, ATTN: Vee Rhoden, 2002 A Old St. Augustine Road, Tallahassee, FL 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

DEPARTMENT OF COMMUNITY AFFAIRS

The **Building Code Education and Outreach Council**, "the Council" announces the following meeting to which all persons are invited to participate.

DATE AND TIME: September 20, 2005, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Room, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nomination of Officers: Chair and Vice-Chair; Review/Discuss Section 553.841, F.S., re: Building Code Education and Outreach Council and develop Mission Statement; Review/Discuss Council Budget and Funding for Future Activities; Discussion of "Advance Course" vs "Technical Course"; Description of Building Code Information System, Accreditation Process and System; Presentation by FSU on development of Online Advance Courses; Review/Discuss Current Florida Building Commission Approved Advance Courses; Summary and Review of Meeting Work Products/Action Items, Assignments, and Next Steps.

This meeting shall be held utilizing communications media technology, specifically, commissioners may participate by conference call.

A copy of the agenda may be obtained by sending a request in writing: Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Barbara Bryant, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: September 22, 2005, during a regular meeting of the Governor and Cabinet which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the adoption of proposed changes to Rule Chapter 12A-19, F.A.C., Communications Services Tax. Notice of these proposed adoptions was published in the Florida Administrative Weekly on July 22, 2005 (Vol. 31, No. 29, pp. 2586-2597).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons who are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

NOTICE OF CANCELLATION – The **Department of Citrus** announces the cancellation of a public meeting of the Inspection Review Committee which was to be held as follows:

DATE AND TIME: Wednesday, August 31, 2005, 2:00 p.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, FL 33801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee was to meet to review the latest Florida Quality Certification Program Draft and possible discussions regarding revisions to FDOC rules as described in the FAW Rulemaking Workshop notice posted September 9, 2005.

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, September 13, 2005, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to receive a status report on mechanical harvesting research for fiscal year 2005-06 and to discuss any other matters which might relate to this committee.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2499.

The **Department of Citrus** announces a public workshop for the purposes of rule development to which all interested persons are invited.

DATE AND TIME: September 13, 2005, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject area to be addressed is the modification of FDOC rules, which could result in significant reduction in regulatory costs to the industry. Rule development could result in future FDOC proposed rules, which will be further noticed. Such proposed rules could modify current rules relating to grading processed citrus products and product standards (Chapter 20-64); use of USDA grade certificates (Chapters 20-69, 20-72, 20-63.001); the establishment of a "Florida Processor Grade" (20-64.001); designation of grade on containers and manifests (Chapters 20-70, 20-71); frequency of and level of inspection of processed products; requirements for use of FDOC trademarked symbols (Chapters 20-97, 20-109); inspection fees; and any other conforming rule amendments determined to be necessary by the agency.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Shelby Coe, P. O. Box 148, Lakeland, Florida 33802-0148.

In accordance with the American Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Bill Jones at the above address or by telephone, (863)499-2500.

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission Inspection Review Committee to which all persons are invited.

DATE AND TIME: Tuesday, September 13, 2005, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the latest Florida Quality Certification Program Draft and possible discussions regarding revisions to FDOC rules as described in the FAW Rulemaking Workshop notice posted September 9, 2005.

If anyone wishes to attend by telephone, please call (850)487-8856.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone, (863)499-2500.

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, September 21, 2005, 9:00 a.m.

PLACE: Quality Inn & Suites Conference Center, 6525 US 27 North, Sebring, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Tampa Juice, et. al. & Graves Brothers, et. al. vs. FDOC and The Lakeland Ledger Publishing Company, Publisher of The Ledger vs. FDOC. The parties attending the closed session will be Benny W. Albritton, Jr., Michael L. Carrere, W. Cody Estes, Sr., Harry H. Falk, William J. Ferrari, George T. Pantuso, Anina C. McSweeney, Virginia S. Pena, Stephen W. Ryan, Steven M. Smith, George H. Streetman, Andrew R. Taylor, Dan Gunter, Hank B. Campbell, Esq., Monterey Campbell, Esq., Barry Richard, Esq., and Kenneth O. Keck, Esq.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2500.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida **Public Service Commission** will conduct a Workshop to address the technical and operational issues associated with the implementation of 811 on Monday.

DATE AND TIME: September 26, 2005, 9:00 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss the implementation of a three-digit toll-free number for Florida's "One Call" notification system for providing advanced notice of excavation activities to underground facility operators as required by the Pipeline Safety Improvement Act of 2002. The Federal Communications Commission (FCC), requires all telecommunications carriers, including wireline, wireless, and payphone service providers to deploy the 811 code for use as a "One call" dig number for excavation work by April 13, 2007. All participants are requested to file an outline of their presentation, the approximate amount of time for the presentation, and the presenter's name with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, by September 12, 2005.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

For additional information, please contact: Jeremy Lawton Susac, Office of General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6236.

NOTICE OF CANCELLATION – The Florida **Public Service Commission** announces the cancellation of the Rule Development Workshop for Docket No. 050438-EU, Rule 25-6.044, Continuity of Service. This workshop was noticed in the Florida Administrative Weekly, Vol. 31, No. 31, August 5, 2005.

DATE AND TIME: September 29, 2005, 9:30 a.m.

PLACE: Betty Easley Conference Center, Rm. 152, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide more advanced notice of scheduled interruptions to electric service.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bill McNulty, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6443, e-mail: bmcnulty@psc.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Ex-offender Task Force** will have a routine business call with staff and a limited number of members to which all interested persons are invited to participate.

DATES AND TIME: Thursday, September 15, 2005; Thursday, September 22, 2005, 4:00 p.m. – 6:00 p.m.

PLACE: The number is (850)921-6599

The **Governor's Office of Tourism, Trade and Economic Development**, together with the Florida Washington Office, will be hosting a meeting in Washington, D.C., of the Governor's Commission on the Future of Space and Aeronautics in Florida to which all interested persons are invited to participate.

DATE AND TIME: Thursday, September 22, 2005, 10:00 a.m. – 4:00 p.m.

PLACE: Rayburn House Office Building, Room 2325, Committee On Science, U.S. House of Representatives, Washington, D.C. 20515

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to learn about federal space programs and the national space industry, as well as examine the status of the Florida space industry within the national context, focusing on business climate, financing alternatives, workforce and education, military, and government. The meeting will include technical briefings, presentations, and discussions.

For more information contact: Richard McAdams or Debra Corkhill, (850)487-2568.

If an accommodation is needed for a disability in order to participate in this activity please notify Richard McAdams, Office of Tourism, Trade and Economic Development, (850)487-2568, at least seven (7) days prior to the meeting. Persons who are hearing or speech impaired, may contact the Office by using the Florida Relay Service, 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, September 19, 2005, 5:00 p.m. A special committee meeting will be held at 4:00 p.m.

PLACE: Niceville City Hall, 208 N. Partin Drive, Niceville, Florida 32578

A copy of the agenda may be obtained by contacting: West Florida Regional Planning Council, P. O. Box 9759, Pensacola, Florida 32513-9759, 1(800)226-8914, Fax (850)595-8967.

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: September 22, 2005, 5:45 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee.

MEETING: Clearinghouse Committee

DATE AND TIME: September 22, 2005, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee.

MEETING: Finance Committee

DATE AND TIME: September 22, 2005, 6:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: September 22, 2005, 7:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Quality Inn and Conference Center, I-75 and U.S. 90, Lake City, Florida

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meetings, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be contacting: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653, e-mailing: ncfrpc@ncfrpc.org.

Persons with disabilities who need assistance may contact, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 21, 2005, 10:00 a.m. Please be advised that committee meetings will begin at 9:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751, Please call (407)623-1075, Ext. 304, to confirm date, time and place

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by writing: Mr. Jeff Jones, Acting Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751, e-mail: www.ecfrpc.org.

The ECFRPC desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Section 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the Council that the physically handicapped person desires to attend the meeting.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 22, 2005, 3:30 p.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Search Committee and The Par Group to discuss updates and future plans concerning the search process for the Executive Director position.

A copy of the agenda may be obtained by writing: Ms. Andrea Fant, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751, website: www.ecfrpc.org.

The ECFRPC desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Section 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the Council that the physically handicapped person desires to attend the meeting.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, October 10, 2005, 8:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, October 10, 2005, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, October 10, 2005, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

DATE AND TIME: Thursday, October 13, 2005, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, October 24, 2005, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 (Please call to confirm date, time and location)

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Southwest Florida Regional Planning Council** announces that its Affordable Housing Committee Symposium will be meeting.

DATE AND TIME: September 15, 2005, 1:00 p.m.

PLACE: SWFRPC Offices, 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, Florida 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFRPC Affordable Housing Symposium.

The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 14, 2005, 9:00 a.m. – 12:30 p.m.

PLACE: NCCI Corporate Training Center, 901 Peninsula Corporate Circle, Boca Raton, FL 33487

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

A copy of the agenda may be obtained by writing: The Broward Workshop, 2601 East Oakland Park Boulevard, Suite 503, Fort Lauderdale, Florida 33306.

The Regional Business Alliance is comprised of business leaders from Monroe, Miami-Dade, Broward, Palm Beach, and Martin Counties, including members of the South Florida Regional Transportation Authority.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the meeting above. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following public hearing to which all interested persons are invited.

DATE AND TIME: Thursday, September 15, 2005, 5:05 p.m. (CDT)

PLACE: DeFuniak Springs City Hall, 71 U.S. Highway 90, West, (Intersection of U.S. Highway 90 West and U.S. Highway 331), DeFuniak Springs, FL 32435

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Adoption of Proposed Millage Rate for FY 2005-2006 and Consideration of Adoption of the District's FY 2005-2006 Tentative Proposed Budget.

A copy of this agenda can be obtained by contacting: Carolyn Wise, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999, Internet: www.nwfwmd.state.fl.us/.

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

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **Northwest Florida Water Management District** announces meetings and public hearings to which all persons are invited.

DATE AND TIME: September 22, 2005, 2:45 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lands Committee meeting – to discuss District land acquisition matters.

DATE AND TIME: September 22, 2005, 3:45 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administration, Budget and Finance Committee – To discuss final current year amendment to budget.

DATE AND TIME: September 22, 2005, 4:00 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of Governing Board – to consider District business.

DATE AND TIME: September 22, 2005, 4:15 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regulatory Public Hearing – to consider regulatory matters.

DATE AND TIME: September 22, 2005, 4:30 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Public Hearing – to consider land acquisition matters.

DATE AND TIME: September 22, 2005, 5:05 p.m. (CDT)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Public Hearing – to consider adoption of FY 2005-2006 Millage Rate and Budget.

PLACE: Panama City, City Hall, 9 Harrison Avenue, Panama City, Florida 32402

A copy of these agendas can be obtained by contacting: Carolyn Wise, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999, internet: www.nwfwmd.state.fl.us.

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

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces a Northern Recreational Public Meeting to which all persons are invited. The meeting is scheduled for:

TOUR: Management Review Team Tour – Newnans Lake Conservation Area

DATE AND TIME: Tuesday, September 20, 2005, 12:00 p.m. – 3:00 p.m.

MEETING: Northern Recreational Public Meeting

DATE AND TIME: Tuesday, September 20, 2005, 6:00 p.m. – 9:00 p.m.

PLACE: Austin Cary Memorial Forest Conference Room, 10625 N. E. Waldo Rd., Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Northern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen, (386)329-4262 or (386)329-4450 (TDD), at least five work days before the date of the meeting.

DEPARTMENT OF ELDER AFFAIRS

NOTICE OF CANCELLATION – The **Department of Elder Affairs** has cancelled the rule hearing scheduled for August 30, 2005, for Rules 58B-1.001, .003, .005, .007, and .009, F.A.C., for Aging Resource Centers, which was noticed in Vol. 31, No. 27, July 8, 2005, Florida Administrative Weekly. The hearing will be re-scheduled at a later date and noticed in the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE HEARING IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Suite 315, Tallahassee, FL 32399-7000, (850)414-2000, e-mail: crocethj@elderaffairs.org.

The Florida **Department of Elder Affairs** announces a telephonic meeting of the Direct Support Organization (DSO) of the Statewide Public Guardianship Office to which all persons are invited.

DATE AND TIME: September 16, 2005, 8:00 a.m. – 10:00 a.m.

PLACE: Callers within Tallahassee (850)414-5575; Callers outside Tallahassee, Toll Free 1(888)461-8118, Suncom 994-5575

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be general business meeting of the DSO.

Any person requiring special accommodations to participate in this meeting is asked to advise the Statewide Public Guardianship Office at least 48 hours before the meeting by contacting: Ms. Linda Pierce, (850)414-2381. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services**, Enterprise Information Technology Services, Wireless 911 Board announces the following meeting schedule information.

Wireless 911 Board Grant Committee

DATE AND TIME: October 11, 2005, 2:00 p.m. – 5:00 p.m.

PLACE: Homewood Suites at Baymeadows, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review applications related to the Rural County Grant/Medium County Loan Program.

Wireless 911 Board Meeting/Wireless 911 Board Grant Committee (following adjournment of regular board meeting)

DATES AND TIME: October 12-13, 2005, 9:00 a.m. – 5:00 p.m.

PLACE: Homewood Suites at Baymeadows, Jacksonville, Florida

Wireless 911 Board Meeting

DATES AND TIME: November 16-17, 2005, 9:00 a.m. – 5:00 p.m.

PLACE: Wyndham Harbour Island, Tampa, Florida

Wireless 911 Board Meeting

DATES AND TIME: December 7-8, 2005, 9:00 a.m. – 5:00 p.m.

PLACE: Walt Disney Dolphin Hotel, Orlando, Florida

If accommodation due to disability is needed in order to participate, please notify the DMS, State Enterprise Information Technology Services Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The **Governor's Accessible Electronic and Information Technology (AeIT) Task Force** announces a meeting of its members, and a public comment period, to which all interested persons are invited.

DATE AND TIMES: September 20, 2005, 9:00 a.m. – 3:00 p.m.; 4:00 p.m. – 5:00 p.m.

PUBLIC COMMENT PERIOD

DATE AND TIME: September 20, 2005, 3:00 p.m. – 4:00 p.m.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coast Drive, Jacksonville, FL 32202, (904)588-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To make recommendations on increasing accessibility to the state's electronic and information technology systems for persons with disabilities.

American Sign Language Interpreters, Certified Real Time Captioning, Audio/Visual Accommodations, and alternative formats will be available on site. If you require a different type of accommodation as mandated by the Americans with Disabilities Act, please contact Stacia Woolverton, (850)922-4103 (Voice/TTY) by September 14, 2005.

The **State of Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: September 19-20, 2005, 8:30 a.m.

PLACE: Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: September 26, 2005, 11:05 a.m. (EST)

PLACE: Access Phone: Direct (850)922-2903, Suncom 292-2903, Toll Free 1(800)416-4254 (outside of Tallahassee, FL)

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: December 1, 2005, 10:00 a.m. (EST)

PLACE: ACCESS PHONE: Direct (850)414-5775, Suncom 994-5775, Toll Free 1(888)461-8118 (outside of Tallahassee, FL)

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Construction Industry Licensing Board** announces a legislative workshop.

DATE AND TIME: September 15, 2005, 6:00 p.m. or soon thereafter

PLACE: The Registry Resort and Club, 475 Seagate Drive, Naples, Florida, 1(800)247-9810

GENERAL SUBJECT MATTER TO BE CONSIDERED: The creation of Section 489.1134, F.S., which provides educational and procedural requirements for mold remediation certification, as proposed in House Bill 315 (2005).

For further information contact: Mr. Tim Vaccaro, Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)922-2701.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these workshops should contact Mr. Tim Vaccaro no later than seven (7) days prior to the workshop at which such special accommodation is required. Mr. Vaccaro may be contacted at the address and phone number listed above.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Friday, September 16, 2005, 8:00 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

The **Florida Real Estate Commission** announces a Budget Committee meeting to which all persons are invited at the time, date, and place shown below:

DATE AND TIME: Thursday, September 15, 2005, 11:30 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Center, Office of the Secretary, Secretary Conference Room, Room N2, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss general state budget process.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Division of Real Estate at (407)481-5632 (between the hours of 9:00 a.m. and 4:00 p.m.) at least three calendar days prior to the workshop. If you are hearing or speech impaired, please call the Florida Real Estate Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

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

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call in which reconsiderations will be heard.

DATE AND TIME: September 23, 2005, 9:00 a.m. – 10:00 a.m.

PLACE: Call (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Probable Cause Panel (North) announces a telephone conference call to be held via meet me number.

DATE AND TIME: September 23, 2005, 2:00 p.m.

PLACE: Meet Me Number (850)922-2903, Suncom 292-2903, Toll Free Number 1(800)416-4254

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted: P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Department of Health, Board of Pharmacy**, Permit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2005, 10:00 a.m.

PLACE: Teleconference Meeting Toll Free 1(877)651-3473

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss the material for the upcoming Permit committee meeting.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Rebecca Poston, R.Ph., Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4292, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Department of Environmental Protection and Department of Community Affairs** announce three workshops to which all persons are invited.

DATE AND TIME: September 27, 2005, 9:00 a.m.

PLACE: City Hall Commission Chambers, 300 South Adams Street, Tallahassee, Florida

DATE AND TIME: September 28, 2005, 9:00 a.m.

PLACE: Lake Receptions, 425 Highway 19A, Mount Dora, Florida

DATE AND TIME: September 29, 2005, 9:00 a.m.

PLACE: Edison College, Corbin Building, J103 Auditorium, 8099 College Parkway, S. W., Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Provide information regarding oversight of decentralized onsite wastewater treatment systems to protect drinking water and recreational waters as growth pressures in Florida increase.

A copy of the agenda may be obtained by contacting: Patti Sanzone, Department of Environmental Protection, Twin Towers Office Building, 2600 Blair Stone Road, Room 196, Tallahassee, Florida 32399-2400.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact Patti Sanzone, (850)245-7511, at least two weeks prior to the meeting.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

Executive Committee

DATE AND TIME: September 14, 2005, 8:00 a.m. – 11:00 a.m.

PLACE: Clem C. Benton Bldg., Room 335, 337 N. US Hwy #1, Ft. Pierce, FL 34950

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4177

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

ALLIANCE MEETING

DATE AND TIME: September 23, 2005, 10:30 a.m. – 12:00 Noon

PLACE: Port St. Lucie Community Center, 2195 S. E. Airoso Blvd., Port St. Lucie, Florida

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4177

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces the final public hearing regarding proposed amendments to the Scope and Purpose Rule 68C-22.001, F.A.C., of the General Provisions rules of Chapter 68C-22, F.A.C.

DATES AND TIME: Wednesday and Thursday, September 21-22, 2005, 8:30 a.m.

PLACE: Trade Winds Island Grand Resort, 5500 Gulf Boulevard, St. Petersburg Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final public hearing on proposed amendments to the Scope and Purpose Rule 68C-22.001, F.A.C. This hearing will be a part of the regular 2-day meeting held by the Commission. The Commission is expected to make a final decision on the rule at the meeting. The agenda for the full 2-day meeting will be available on-line at: <http://myfwc.com/commission/index.html>. For further information, contact: Scott Calleson, 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

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

five calendar days before the meeting by contacting: Cindy Hoffman, Commission's ADA Coordinator, (850)488-6411. Hearing or speech impaired persons can arrange assistance by calling (850)488-9542.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: September 27, 2005, 10:00 a.m.

PLACE: DEP Building, 2nd Floor Conference Room, 400 N. Congress Ave., West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by writing: Terry Hawkins, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3624.

In accordance with the American Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the person listed above no later than 48 hours prior to the meeting or workshop.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATES AND TIME: September 22, 2005, 10:00 a.m. – First hearing session; 6:00 p.m. – Second hearing session

PLACE: The Harborview Center, 300 Cleveland Street, Clearwater, Florida 33755

GENERAL SUBJECT MATTER TO BE CONSIDERED: Auto-Owners Insurance Company has requested a 20% average statewide rate increase for dwelling fire insurance. The requested rate increase was not uniform and some areas are subject to a higher rate increase. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to: Cliff Taylor, e-mail: clifford.taylor@fldfs.com.

CONTACT NAME AND NUMBER: Cliff Taylor, Esquire, (850)413-4142 or Cheryl Jones, (850)413-5272

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone The Harborview Center, (727)462-6778, at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces an annual meeting of the Governor's Continuing Care Advisory Council to which all persons are invited to participate.

DATE AND TIME: Tuesday, October 11, 2005, 1:00 p.m.

PLACE: The Office of Insurance Regulation, Rm. B33, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0331

GENERAL SUBJECT MATTER TO BE CONSIDERED: To appoint a new chairperson and vice chairperson for the Advisory Council and discuss issues currently facing the Continuing Care industry.

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise at least 5 calendar days before the meeting by contacting: Mr. Gary Mills, (850)413-2476.

ST. LUCIE COUNTY

The Treasure Coast Education, Research and Development Authority announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, September 13, 2005, 2:00 p.m.

PLACE: Kight Center for Emerging Technologies, Building "V", Room 116-A (adjacent to the Manufacturing Lab), Indian River Community College Main Campus, 3209 Virginia Avenue, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Authority legal representation, final review of Authority documents, intermodal transportation report, utilities requirements, approval of Authority action prior to official certification, executive director job description, and land lease process.

Those who desire a copy of the agenda or more information should contact: Rick Minton, Chairman, (772)370-7425, or Jane Bachelor, Secretary, (772)468-3922, Ext. 151.

Anyone with a disability requiring accommodation to attend this meeting should contact Erma Thomas, (772)462-7376, at least forty-eight (48) hours prior to the meeting.

FLORIDA PATIENT SAFETY CORPORATION

The **Florida Patient Safety Corporation's Executive Committee** announces a telephone conference call to which all persons are invited to call in.

DATE AND TIME: Wednesday, September 14, 2005, 3:00 p.m. – 4:30 p.m.

PLACE: To access the call, dial 1(866)200-9760, Participant Pin 8938936#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topic: Discussion to include review of Strategic Plan and possible Clinical Director position.

For additional information contact the Florida Patient Safety Corporation, 2722 Waterford Glen Court, Tallahassee, Florida 32312, or call Susan Moore at (850)893-8936, or via e-mail at susan.a.moore@comcast.net

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a Board of Governors Workshop to which all interested persons are invited to participate.

DATE AND TIMES: Friday, September 16, 2005, 8:00 a.m. – 9:30 a.m. (EDT); 10:00 a.m. – 12:30 p.m. (EDT)

PLACE: The Peabody, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, Depopulation Issues and Line of Credit/Financing.

For additional information, please call: 1(800)807-7647, Extension 3744.

PRIDE ENTERPRISES

PRIDE Enterprises, BOD Finance Committee announces a conference call to which all interested persons are invited to participate.

DATE AND TIME: September 16, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Call toll free 1(800)371-8200, code 18329#

For information, contact: www.pride-enterprises.org.

AREA AGENCY ON AGING OF PASCO-PINELLAS

The Area Agency on Aging of Pasco-Pinellas, Inc. (AAAPP) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 19, 2005, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Area Agency on Aging of Pasco-Pinellas, Inc., 9887 4th Street, North, Suite 100, St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Area Agency on Aging of Pasco-Pinellas, Inc. Board Meetings.

Please note that if a person decides to appeal any decision made by AAAPP Board with respect to any matter considered at the above cited meeting or hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 22, 2005, 11:00 a.m.

PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

Joint Meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

DATE AND TIME: September 22, 2005, 1:00 p.m.

PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 22, 2005, 2:00 p.m.

PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

Joint Meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

DATE AND TIME: September 22, 2005, 1:00 p.m.

PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 22, 2005, 2:30 p.m., or immediately upon adjournment of the Florida Municipal Investment Trust FMIvT, which begins at 2:00 p.m.

PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission** announces the following public meetings, where all interested parties are invited.

DATE AND TIME: Thursday, September 22, 2005, 4:00 p.m.

PLACE: Council Chambers, City Hall, City of Boca Raton, 201 West Palmetto Park Road, Boca Raton, Florida

DATE AND TIME: Friday, September 23, 2005, 8:00 a.m.

PLACE: Sugar Sand Park Community Center, 300 South Military Trail, Boca Raton, Florida

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923, (850)878-1874.

FLORIDA ASSOCIATION OF COURT

The Board of Trustees for the **Florida Local Government Investment Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: September 23, 2005, 1:00 p.m.

PLACE: Office of the Orange County Comptroller, 4th Floor Comptroller's Conference Room, 201 S. Rosalind Avenue, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Administrative Operations.

A copy of the agenda may be obtained by contacting: Trust's Administrator, FACC Service Corporation, (850)921-0808.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

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

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued a Declaratory Statement in response to a petition for a declaratory statement from Florida Gaming Centers, d/b/a Ft. Pierce Jai-Alai, Petitioner, in DBPR Case No. DS 2005-016. The Petition lists Sections 550.01215(4), 550.3551 and 550.615(2), F.S., as the statutory provisions upon which a declaratory statement is being sought. The Declaratory Statement advises that: if the reason that Petitioner is unable to meet the requirements of Section 550.615(2), F.S., is the "direct result of fire, strike, war, or other disaster or event beyond the ability of the permitholder to control," then the Petitioner will be permitted to conduct intertrack wagering during the upcoming racing year as provided for by Section 550.615(2), F.S. The Declaratory Statement further advises that Petitioner may only simulcast during their operational meeting.

A copy of the Declaratory Statement may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

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 FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed July 12, 2005, from Mr. Kenneth Perkins, Fire Chief, Escambia County Fire-Rescue, Petitioner. The Petition is seeking the Department's interpretation of the Florida Fire Prevention

Code and, in particular, NFPA 1, Subdivision 13.3.2.23.2, as adopted by Rule 69A-60.003, F.A.C. Specifically, Petitioner asks whether the 12,000 square feet for the storage of combustibles refers to the square footage of the entire constructed area or only to the actual square footage used by the occupant for the storage of combustibles.

A copy of the Petition may be obtained by contacting: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235, e-mail: Gabe.Mazzeo@fldfs.com (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises).

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed July 21, 2005, from Eric A. Neilinger, Petitioner. The Petition is seeking the Department's interpretation of NFPA 72. Specifically, Petitioner asks if a building upgrades its fire alarm system to match what it had previously (i.e., selective voice evacuation and firefighters' phones), does the building also have to comply with the 2 hour survivability requirement in NFPA 72, 2002 edition, a 2 hour rated enclosure, or a 2 hour rated cable system.

A copy of the Petition may be obtained by contacting: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235, e-mail: mazzeog@doi.state.fl.us (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises).

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Eric A. Neilinger on July 21, 2005. An order dismissing the petition was issued to provide petitioner an opportunity to avail himself of the local appeal process as required by Rule 69A-60.007, F.A.C., without prejudice to refile the petition if an adverse ruling is received.

A copy of the order may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235.

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation has issued an order that disposes of the petition for declaratory statement that was received on May 26, 2005. The petition was filed, through counsel, by Britt-Carmichael Billing, Inc., and sought the Office's opinion as to whether Part V, of Chapter 559, F.S. (2004) applied to the business model described in the petition, which involved the provision of billing services for medical providers.

The Office determined that Part V, of Chapter 559, F.S. (2004) did not apply to the business method described in the petition, because it did not involve the collection of a “commercial claim” as that term is defined in Chapter 559, F.S. The Office took no position on whether Part VI, of Chapter 559 or Chapter 560, F.S., applied to the business method described in the petition.

A copy of the order may be obtained from: Gregg Morton, Assistant General Counsel, Office of Financial Regulation, Office of General Counsel, Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399-0379.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Civil Consultant

The consultant will provide civil, environmental and structural engineering design and evaluating services for educational (University) facilities, design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

Projects included in the scope of this agreement will be specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultants will be available on an as-needed basis for this fiscal year, ending June 30, 2006. The consultant receiving the award may not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

INSTRUCTIONS:

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The Florida Board of Education “Professional Qualifications Supplement” (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form or use any other version of the PQS form.
2. A copy of the applicant’s current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600. Telephone: (407)823-2058, Fax: (407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website: www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. local time, on October 11, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Architectural Consultant

The consultant will provide architectural design and evaluating services for educational (University) facilities, design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

Projects included in the scope of this agreement will be specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultants will be available on an as-needed basis for this fiscal year, ending June 30, 2006. The consultant receiving the award may not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

INSTRUCTIONS:

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form or use any other version of the PQS form.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600, (407)823-2058, Fax: (407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website: www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. local time, on October 11, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Geotechnical Consultant.

The consultant will provide Geotechnical, land surveying, threshold inspections and materials testing services for educational (University) facilities, geotechnical design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

Projects included in the scope of this agreement will be specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultants will be available on an as-needed basis for this fiscal year, ending June 30, 2006. The consultant receiving the award may not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

INSTRUCTIONS

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form or use any other version of the PQS form.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600. Telephone: (407)823-2058, Fax: (407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website: www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. local time, on October 11, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Mechanical/Electrical Consultant

The consultant will provide mechanical and electrical engineering design services for educational (University) facilities, mechanical and electrical design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

Projects included in the scope of this agreement will be specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultants will be available on an as-needed basis for this fiscal year, ending June 30. The consultant receiving the award may not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

INSTRUCTIONS:

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form or use any other version of the PQS form.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section

287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600. Telephone: (407)823-2058, Fax: (407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website: www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. local time, on October 11, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida, on behalf of the State of Florida, Divisions of Colleges and Universities, announces that continuing professional services for minor projects are required in the following discipline(s): Roofing Consultant

The consultant will provide roofing design services for educational (University) facilities, roofing design services for small remodeling or maintenance type projects that are typically less than \$1,000,000 and will work with Architects and Engineers on design projects to ensure campus architectural design standards are followed.

Projects included in the scope of this agreement will be specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultants will be available on an as-needed basis for this fiscal year, ending June 30, 2006. The consultant receiving the award may not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

INSTRUCTIONS:

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form or use any other version of the PQS form.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit three (3) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A&I Manager, Physical Plant Building, Orlando, FL 32816-3600. Telephone: (407)823-2058, Fax: (407)823-4499, e-mail: ccolvin@mail.ucf.edu or accessing the University of Central Florida, Facilities Planning website: www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. local time, on October 11, 2005. Facsimile (FAX) submittals are not acceptable and will not be considered.

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."

EXECUTIVE OFFICE OF THE GOVERNOR

Volunteer Florida, the Governor's Commission on Volunteerism and Community Service, is pleased to announce a Request for Concept Papers for 2006-2007 AmeriCorps programs. Eligibility, Concept paper guidance and application forms will be available at www.volunteerflorida.org beginning no later than September 16, 2005. Concept papers should be submitted by Monday, October 17, 2005.

County: Highlands Service District: 6
 CON # 9854 Decision Date: 8/26/2005 Decision: D
 Facility/Project: Hospice of Okeechobee, Inc.
 Applicant: Hospice of Okeechobee, Inc.
 Project Description: Establish a hospice program
 Approved Cost: \$0

County: Polk Service District: 6
 CON # 9855 Decision Date: 8/26/2005 Decision: D
 Facility/Project: Hospice of the Palm Coast, Inc.
 Applicant: Hospice of the Palm Coast, Inc.
 Project Description: Establish a hospice program
 Approved Cost: \$0

County: Polk Service District: 6
 CON # 9856 Decision Date: 8/26/2005 Decision: D
 Facility/Project: VITAS Healthcare Corporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a hospice program
 Approved Cost: \$0

County: Polk Service District: 6
 CON # 9857 Decision Date: 8/26/2005 Decision: D
 Facility/Project: Heartland Services of Florida, Inc.
 Applicant: Heartland Services of Florida, Inc.
 Project Description: Establish a hospice program
 Approved Cost: \$0

County: Orange Service District: 7
 CON # 9858 Decision Date: 8/26/2005 Decision: D
 Facility/Project: Heartland Services of Florida, Inc.
 Applicant: Heartland Services of Florida, Inc.
 Project Description: Establish a hospice program
 Approved Cost: \$0

County: Seminole Service District: 7
 CON # 9859 Decision Date: 8/26/2005 Decision: A
 Facility/Project: Hospice of the Comforter, Inc.
 Applicant: Hospice of the Comforter, Inc.
 Project Description: Establish a 16-bed freestanding inpatient hospice facility
 Approved Cost: \$6,766,665

County: Collier Service District: 8
 CON # 9860 Decision Date: 8/26/2005 Decision: D
 Facility/Project: Cleveland Clinic Florida Hospital Naples
 Applicant: Cleveland Clinic Florida Hospital Naples
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$0

County: Sarasota Service District: 8
 CON # 9861 Decision Date: 8/26/2005 Decision: D
 Facility/Project: SARVOP, L.L.C.
 Applicant: SARVOP, L.L.C.
 Project Description: Establish a 178-bed community nursing home through the delicensure of 178 beds from Venice Rehab & Health Center
 Approved Cost: \$0

County: Palm Beach Service District: 9
 CON # 9862 Decision Date: 8/26/2005 Decision: D
 Facility/Project: Heartland Services of Florida, Inc.
 Applicant: Heartland Services of Florida, Inc.
 Project Description: Establish a hospice program
 Approved Cost: \$0

County: Dade Service District: 11
 CON # 9863 Decision Date: 8/30/2005 Decision: D
 Facility/Project: Catholic Hospice, Inc.
 Applicant: Catholic Hospice, Inc.
 Project Description: Establish a freestanding inpatient hospice facility of up to 13 beds
 Approved Cost: \$0

County: Dade Service District: 11
 CON # 9864 Decision Date: 8/26/2005 Decision: A
 Facility/Project: Coral Reef Nursing & Rehab Center
 Applicant: Coral Reef Operating, L.L.C.
 Project Description: Add 60 community skilled nursing beds through the delicensure of 60 skilled nursing beds at Greynolds Park Manor Rehab Center
 Approved Cost: \$5,053,422

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

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

On August 24, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Isaac Nosovsky, M.D., license number ME 29814. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 25, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Mark Schindler, R.N., license number RN 1377412. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 25, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the certificate of Dennis Hartley, C.N.A. certificate number C.N.A. 7*****2832. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 30, 2005):

Name and Address of Applicant: Bay Gulf Credit Union, Post Office Box 271990, Tampa, Florida 33688-1990

Expansion Includes: Geographic area

Received: August 30, 2005

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN August 22, 2005
 and August 26, 2005

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF CORRECTIONS

33-208.403	8/22/05	9/11/05	31/21	31/29
------------	---------	---------	-------	-------

WATER MANAGEMENT DISTRICTS
Suwannee River Water Management District

40B-8.011	8/26/05	9/15/05	31/22	
40B-8.021	8/26/05	9/15/05	31/22	
40B-8.031	8/26/05	9/15/05	31/22	

LAND AND WATER ADJUDICATORY COMMISSION
Palm Coast Park Community Development District

42AAA-1.001	8/24/05	9/13/05	31/21	
42AAA-1.002	8/24/05	9/13/05	31/21	
42AAA-1.003	8/24/05	9/13/05	31/21	

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Care Cost Containment Board

59E-5.102	8/23/05	9/12/05	31/26	
59E-5.201	8/23/05	9/12/05	31/26	
59E-5.205	8/23/05	9/12/05	31/26	
59E-5.206	8/23/05	9/12/05	31/26	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

61G14-20.001	8/23/05	9/12/05	31/18	31/28
--------------	---------	---------	-------	-------

Board of Professional Engineers

61G15-24.002	8/23/05	9/12/05	31/21	
--------------	---------	---------	-------	--

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of the Secretary

62S-4.001	8/22/05	9/11/05	31/24	31/30
62S-4.004	8/22/05	9/11/05	31/24	31/30
62S-4.0045	8/22/05	9/11/05	31/24	31/30
62S-4.005	8/22/05	9/11/05	31/24	31/30
62S-4.0055	8/22/05	9/11/05	31/24	31/30
62S-4.007	8/22/05	9/11/05	31/24	31/30

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-16.003	8/26/05	9/15/05	31/29	
-------------	---------	---------	-------	--

Board of Clinical Laboratory Personnel

64B3-9.001	8/26/05	9/15/05	31/29	
64B3-11.005	8/26/05	9/15/05	31/29	

Board of Dentistry

64B5-14.008	8/25/05	9/14/05	31/28	
-------------	---------	---------	-------	--

Board of Respiratory Care

64B32-3.001	8/25/05	9/14/05	31/23	
64B32-3.002	8/25/05	9/14/05	31/23	
64B32-3.003	8/25/05	9/14/05	31/23	
64B32-3.005	8/25/05	9/14/05	31/23	

DEPARTMENT OF FINANCIAL SERVICES

OIR Insurance Regulation

690-137.001	8/26/05	9/15/05	31/16	
690-137.004	8/26/05	9/15/05	31/15	31/26
690-138.001	8/26/05	9/15/05	31/16	
690-149.038	8/26/05	9/15/05	31/15	
690-149.044	8/26/05	9/15/05	31/15	
690-154.112	8/26/05	9/15/05	31/15	
690-156.002	8/26/05	9/15/05	31/13	
690-156.003	8/26/05	9/15/05	31/13	
690-156.004	8/26/05	9/15/05	31/13	
690-156.005	8/26/05	9/15/05	31/13	
690-156.006	8/26/05	9/15/05	31/13	
690-156.007	8/26/05	9/15/05	31/13	
690-156.008	8/26/05	9/15/05	31/13	
690-156.0095	8/26/05	9/15/05	31/13	
690-156.011	8/26/05	9/15/05	31/13	
690-156.012	8/26/05	9/15/05	31/13	
690-156.014	8/26/05	9/15/05	31/13	
690-156.015	8/26/05	9/15/05	31/13	
690-156.017	8/26/05	9/15/05	31/13	
690-156.018	8/26/05	9/15/05	31/13	
690-156.030	8/26/05	9/15/05	31/13	
690-167.009	8/26/05	9/15/05	31/21	
690-171.002	8/26/05	9/15/05	31/14	
690-171.008	8/26/05	9/15/05	31/14	
690-191.066	8/26/05	9/15/05	31/19	
690-193.023	8/26/05	9/15/05	31/15	