

Section III Notices of Changes, Corrections and Withdrawals

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Construction Industry Licensing Board

RULE NO.:	RULE TITLE:
61G4-15.032	Certification of Swimming Pool Specialty Contractors

NOTICE OF CHANGE

Notice is hereby given that changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 18, of the May 6, 2005, issue of the Florida Administrative Weekly. The Construction Industry Licensing Board held a hearing on the rule at its meeting on July 14 and 15, 2005, and made changes to the rule to address written comments submitted by the staff of the Joint Administrative Procedures Committee.

When changed the rule shall read as follows:

61G4-15.032 Certification of Swimming Pool Specialty Contractors.

(1) Scope of Rule. The scope of this rule is to provide for the voluntary certification of swimming pool specialty contractors.

(a) Swimming pool specialty contractors may only perform the services within the scope of work defined for that particular category swimming pool specialty contractor.

(b) Swimming pool specialty contractors must work under contract, under the supervision, and within the scope of work of a contractor licensed pursuant to Section 489.105(3)(j)-(l), F.S.

(c) Each category of swimming pool specialty contractor contained in this rule constitutes a separate license and obtaining licensure in all swimming pool specialty contractor categories shall not entitle a person to licensure as a contractor as defined in Section 489.105(3)(j)-(l), F.S.

(2) Definition.

(a) A “Swimming Pool Layout Specialty Contractor” means a swimming pool specialty contractor whose scope of work is limited to the layout, shaping, steel installation, and rough piping of pools, spas, and hot tub shells.

(b) A “Swimming Pool Structural Specialty Contractor” means a swimming pool specialty contractor whose scope of work is limited to the shaping and shooting of gunite, shotcrete, concrete, or similar product mix used in the construction of swimming pools and spas. This scope of work includes the installation of fiberglass shells and vinyl liners.

(c) A “Swimming Pool Excavation Specialty Contractor” means a swimming pool specialty contractor whose scope of work is limited to the excavation and earthmoving required for the installation of pools, spas, and hot tub shells.

(d) A “Swimming Pool Trim Specialty Contractor” means a swimming pool specialty contractor whose scope of work is limited to the installation of tile and coping for pools, spas, and hot tub shells. Decorative or interactive water displays or areas that use recirculated water, including waterfalls and spray nozzles, are also included in this rule within this scope of work.

(e) A “Swimming Pool Decking Specialty Contractor” means a swimming pool specialty contractor whose scope of work is limited to the construction and installation of concrete flatwork, pavers and bricks, retaining walls, and footings associated with the construction of pools, spas, and hot tub shells.

(f) A “Swimming Pool Piping Specialty Contractor” means a swimming pool specialty contractor whose scope of work is limited to the installation of piping or the installation of circulating, filtering, disinfecting, controlling, or monitoring equipment and devices used in the construction of pools, spas, hot tubs, and decorative or interactive water displays or areas.

(g) A “Swimming Pool Finishes Specialty Contractor” means a swimming pool specialty contractor whose scope of work is limited to the coating or plastering of the interior surfaces of pools, spas, or hot tub shells.

(3) Certification Procedures.

(a) Qualifications.

1. Any person who desires to become a swimming pool specialty contractor shall apply to the Construction Industry Licensing Board of the Department of Business and Professional Regulation in writing on a form provided by the Department.

2. A person shall be certified as a swimming pool specialty contractor if said person:

a. Is at least eighteen (18) years of age;

b. Is of good moral character;

c. Submits affidavit(s) signed by a Florida licensed registered or certified commercial or residential pool/spa contractor, in good standing, that demonstrates four years of experience in the swimming pool specialty contractor category for which the person applied; and

d. I. Takes and successfully completes a written examination for certification in the category of swimming pool specialty contractor applied for; or

II. Until January 1, 2008, an applicant who completes three (3) hours of board-approved continuing education, consisting of one hour of workplace safety, one hour of business practices, and one hour of workers' compensation, may qualify, if the applicant successfully passes a practical examination for certification in the category of swimming pool specialty contractor applied for in lieu of a written examination for licensure.

(b) Other Certification Procedures and Fees. Other certification procedures and fees for certified swimming pool specialty contractors shall be the same as those provided for the certification of other contractors as set forth in Sections 489.109, 489.111(3), 489.113, F.S. and Rules 61G4-12.009 and 61G4-15.005, F.A.C. Applicants must also submit evidence of having met the requirements in paragraphs 61G4-15.003(2)(h) and 61G4-15.005(3)(a), F.A.C. for any of these specialties.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATON

Construction Industry Licensing Board

RULE NOS.:	RULE TITLES:
61G4-15.033	Certification of Pool Trim, Deck, and Piping Specialty Contractors
61G4-15.034	Certification of Swimming Pool Finishes Specialty Contractors

NOTICE OF WITHDRAWAL

Notice is hereby given that the above-referenced proposed rules, as published in Vol. 31, No. 18, of the Florida Administrative Weekly on May 6, 2005, have been withdrawn. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tim Vaccaro, Executive Director, Construction Industry 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

Board of Medicine

RULE NO.:	RULE TITLE:
64B8-1.007	List of Approved Forms; Incorporation

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. 18, of the May 6, 2005, issue of the Florida Administrative Weekly. The changes are in response to written comment submitted by the staff of the Joint Administrative Procedures Committee. The Council on Physician Assistants, following its meeting held on July 15, 2005, recommended to the Board that changes be made to the application. The Board, at its meeting held on July 16-17, 2005, voted to change objectionable language in the revised form to be incorporated by reference in the rule. The change deletes language in the instructions with regard to NCCPA examination remedial education. In addition the Board voted to clarify in the application that the requirement for the sworn statement applies only to the questions with regard to felony convictions and licensure denials or revocations.

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

DEPARTMENT OF HEALTH

Division of Children's Medical Services Network

RULE NO.:	RULE TITLE:
64C-4.003	Diagnostic and Treatment Facilities or Services – Specific

NOTICE OF PUBLIC HEARING

The Department of Health hereby gives notice of a public hearing on the above-referenced rule to be held on August 31, 2005, at 10:00 a.m. – 11:00 a.m., 4025 Esplanade Way, Room 301, Tallahassee, Florida. This hearing follows from the conclusion of a challenge to the proposed rule. The rule was originally published in Vol. 30, No. 29, July 16, 2004 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tobi Goodman, Government Analyst II, Children's Medical Services Network, 4052 Bald Cypress Way, Bin #A06, Tallahassee, Florida 32399-1707, (850)245-4444, Ext. 2226, Fax (850)488-3813

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the above at least five calendar days prior to the hearing. If you are hearing or speech impaired; please contact the above using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the department with respect to any matter considered at this hearing, they will need a record of proceedings, and for such purposes, they 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.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
69A-58	Firesafety in Educational Facilities
RULE TITLES:	RULE NOS.:
69A-58.001	Administration
69A-58.002	Scope: Existing Facilities
69A-58.003	Definitions
69A-58.004	Firesafety Inspections
69A-58.005	Serious Life Safety Hazards
69A-58.006	Inspections In General
69A-58.007	Counties, Municipalities, and Special Districts Having Firesafety Responsibilities, Without Firesafety Inspectors
69A-58.008	Standards and Requirements for Buildings
69A-58.009	Florida Firesafety School Evaluation System
69A-58.010	Other Applicable Codes and Standards

NOTICE OF WITHDRAWAL

Pursuant to Section 120.54(3)(d)1., Florida Statutes, notice is hereby given that the above proposed rule chapter, as noticed in Vol. 31, No. 18, May 6, 2005, issue of the Florida Administrative Weekly, has been withdrawn.

**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 THE LOTTERY

RULE TITLE: Payment of Prizes
 RULE NO.: 53ER05-60
 SUMMARY OF THE RULE: This emergency rule replaces Emergency Rule 53ER05-27 and sets forth the procedures that the Florida Lottery shall apply to awarding prizes.
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER05-60 Payment of Prizes.

(1) Claiming Prizes.

For purposes of this rule, the provisions for claiming a prize as set forth in paragraph 24.115(1)(f), Florida Statutes, will be deemed satisfied upon the claimant meeting the following requirements:

(a) On-line Game Prizes.

1. For on-line game prizes, the claimant must submit the winning on-line ticket for validation at a Lottery office or retailer on or before the 180th day after the winning drawing. Winning on-line tickets submitted to the Lottery by mail for validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 180th day after the winning drawing.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated on-line winning ticket for prize payment at a Lottery office on or before the 210th day after the winning drawing. If the claimant chooses to submit the validated on-line winning ticket for prize payment by mail, it must be sent to the Lottery's prize payment address and received by the Lottery on or before the 210th day after the winning drawing.

(b) Instant Game Prizes.

1. For instant game prizes, the claimant must submit the winning instant ticket for validation at a Lottery office or retailer on or before the 60th day after the official end of the game. Winning instant tickets submitted to the Lottery by mail for validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 60th day after the official end of the game.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated instant winning ticket for prize payment at a Lottery office on or before the 90th day after the official end of game. If the claimant chooses to submit the validated instant winning ticket for prize payment by mail, it must be sent to the Lottery's prize payment address and received by the Lottery on or before the 90th day after the official end of the game.

(2) Prize Payment Address. The Lottery's prize payment address is: Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-9939.

(3) Risk of Mailing Tickets. A person who mails a winning ticket shall bear the risk that the U.S. Postal Service or other carrier may fail to timely postmark or deliver the ticket to the Lottery, or both.

(4) Winning Tickets Submitted to the Address for a Drawing. Winning tickets submitted to the address for a drawing for a game or promotion will not be paid or honored unless selected during the drawing. The time periods provided in subparagraphs (1)(a)1. and 2. and (1)(b)1. and 2. shall also apply to this subsection.