

representatives must refrain from turning the conference into an adversarial process. Both parties must negotiate in good faith. A party will be determined to have not negotiated in good faith if the party, or a person participating on the party's behalf, continuously disrupts, becomes unduly argumentative or adversarial, or otherwise inhibits the negotiations as determined by the mediator. The mediator shall terminate the conference if the mediator determines that either party is not negotiating in good faith or if the mediator determines that the conference should be terminated under the provisions of Rule 10.420(b) of the Florida Rules for Certified and Court-Appointed Mediators. The party responsible for causing termination shall be responsible for paying the mediator's fee and the administrative fee for any rescheduled mediation.

(b) through (f) No change.

(8) Guidelines for the Quality Repair of Residential Property at a Reasonable and Fair Price.

(a) The provisions of insurance policies and applicable statutes require claims payments made by insurers to be sufficient to effectuate required repairs. Further, misrepresentation by any person regarding the cost of repairs is also prohibited. ~~The Department of Financial Services has developed construction pricing guidelines based upon information provided by the construction industry, the insurance industry and nationally recognized vendors that compile and sell construction pricing guidelines. Insurers and policyholders participating in mediations conducted pursuant to this rule shall use Form DFS-II-1610 Guidelines for Quality Repair Of Residential Property At A Reasonable and Fair Price, rev. 12/04, hereby incorporated and adopted by reference, as guidelines for repairs to residential property arising in any county of this state in which a state of emergency was declared as a result of a hurricane or tropical storm in 2004. These guidelines are not intended to be used in the context of civil litigation. The guidelines reflect data from both the construction and insurance industries and the ranges take into consideration price differentials between geographic areas of the state.~~

(b) Due to the disparity between the contractor's estimates and the insurer's estimates for the repair or replacement of damaged property, the Department collected construction pricing information from the insurance and construction industries to provide some guidelines on the fair market value of construction materials and labor costs taking into consideration price differentials between the geographic areas of the state. These construction pricing guidelines are set forth in Form DFS-II-1610, Guidelines for Quality Repair of Residential Property at a Reasonable and Fair Price, revised 12/04, which are hereby incorporated and adopted by reference. These construction pricing guidelines may be used by the parties and mediators at the mediation conferences to resolve the disparities in repair and replacement cost estimates

and to assist in arriving at a mediated settlement of the claim. The construction pricing guidelines are not intended to be used outside of the mediation conferences taking place as a result of the 2004 hurricanes.

~~(c)(b)~~ The guidelines adopted herein do not apply to any portion of repairs necessary to fulfill the insurer's contractual obligation to restore the insured residence to pre-hurricane condition where, as of the effective date of this rule, there is an executed repair contract to effectuate such repairs for an agreed price and the insurer has tendered full payment for the repair contract amount for those repairs.

(9) through (15) No change.

Specific Authority 624.308, 626.9611, 627.7015(4) FS. Law Implemented 624.307(1),(2),(4),(5), 624.316, 624.3161, 624.317, 624.318, 624.320, 624.324, 624.418(2)(a), 624.4211, 626.859, 626.874, 626.877, 626.9541(1)(a),(e),(i),(u), 626.9561, 626.9641(1)(g), 627.7015 FS. History--New 5-18-05, Amended _____.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE:

RULE NO.:

Specialization Requirements for the

Endorsement in Athletic

Coaching – Academic Class

6A-4.0282

PURPOSE AND EFFECT: The purpose of the rule amendment is to add requirements for certification in the endorsement for athletic coaches to include the study of the dangers and effects of performance enhancing drugs and to require coaches to hold a valid cardiopulmonary resuscitation certificate (CPR). The effect is a rule that includes requirements for coaches that will improve drug information and safety for student athletes.

SUMMARY: The rule amendment will include new requirements for athletic coaches so that student athletes will be provided pertinent, important information regarding the effects and dangers of performance enhancing drugs. The new requirement for a valid CPR certificate will also increase the level of safety and provide for immediate response in certain critical situations for students during athletic activities.

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, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., September 20, 2005

PLACE: Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0282 Specialization Requirements for the Endorsement in Athletic Coaching – Academic Class.

(1) Certification in another subject, and

(2) Nine (9) semester hours in athletic coaching to include the areas specified below:

(a) Three (3) semester hours in care and prevention of athletic injuries; and the effects and dangers of drug use including performance enhancing drugs.

(b) Three (3) semester hours in coaching theory, ~~and~~

(c) A course in theory and practice of coaching a specific sport; and

(3) A valid cardiopulmonary resuscitation certificate issued by the American Heart Association or the American Red Cross.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—New 12-4-89, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Stewart, Deputy Chancellor, Educator Quality, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jim Warford, K-12 Chancellor, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 24, 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."

ADMINISTRATION COMMISSION

RULE CHAPTER TITLE: Land Planning Regulations for the
Florida Keys Area of Critical

RULE CHAPTER NO.: 28-18

State Concern – City of Marathon

RULE TITLES: Purpose and Effect

RULE NOS.: 28-18.100

Comprehensive Plan

28-18.200

PURPOSE AND EFFECT: The purpose and effect is to repeal certain rules. The rules identified for repeal relate to the Land Planning Regulations for the Florida Keys Area of Critical State Concern – City of Marathon. In 2004, the Administration Commission adopted amendments to the Transitional Comprehensive Plan and Land Development Regulations for the City of Marathon within the Florida Keys Area of Critical State Concern pursuant to Section 380.0552(9), F.S. As set forth in subject rules, the rules were to be superseded by the new City of Marathon Comprehensive Plan upon approval by the Department of Community Affairs pursuant to Section 380.05(6) and 380.0552(9), F.S. The Department of Community Affairs issued a Notice of Intent to Find the City of Marathon Comprehensive Plan and Remedial Comprehensive Plan Amendment in compliance in May, 2005, and the comprehensive plan is effective. The specific rules that were adopted by the Administration Commission setting forth the transitional land planning regulations are obsolete and no longer necessary.

SUMMARY: Repeals Rules 28-18.100 and 28-18.200, F.A.C., that are obsolete.

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: 380.0552(9) FS.

LAW IMPLEMENTED: 380.0552 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., Friday, September 16, 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)488-7793, 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, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)488-7793

THE FULL TEXT OF THE PROPOSED RULES IS:

28-18.100 Purpose and Effect.

Specific Authority 380.0552(9) FS. Law Implemented 380.0552 FS. History--New 10-29-02, Repealed.

28-18.200 Comprehensive Plan.

Specific Authority 380.0552(9) FS. Law Implemented 380.0552 FS. History--New 10-29-02, 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 8, 2005

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Grievances – Training Requirements
RULE NO.: 33-103.003

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete obsolete language and clarify the process for development of a staff training plan.

SUMMARY: The proposed rule provides for a standardized inmate grievance procedure training plan to be developed by the Bureau of Inmate Grievance Appeals and to be implemented by the Bureau of Staff Development. Reference to a repealed section of the Florida Administrative Code, 33-209, is being deleted.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Perri King Dale, Office of the General
Counsel, Department of Corrections, 2601 Blair Stone Road,
Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.003 Inmate Grievances – Training Requirements.

(1) Staff Training. The ~~staff development section within the Bureau of Inmate Grievance Appeals Human Resources~~ shall develop and implement a standardized plan to be implemented by the Bureau of Staff Development in order to train staff in the use of the inmate grievance procedure. The training shall be designed to familiarize staff with the

provisions of Chapter 33-103, F.A.C., and the standardized forms utilized in the grievance procedure. ~~Staff training is governed by Chapter 33-209, F.A.C.~~

(a) through (c) No change.

(2) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History--New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.003, Amended 8-1-00, 10-11-00, 2-13-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Celeste Kemp, Chief, Bureau of Inmate Grievances

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Tina Hayes, Assistant Secretary of
Research, Planning and Support Services

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 13, 2005

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Disciplinary Hearings
RULE NO.: 33-601.307

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the requirement of documentation of a disciplinary team's refusal to reveal evidence to an inmate.

SUMMARY: The proposed rule requires that a disciplinary team's refusal to reveal evidence to an inmate must be documented on Form DC6-151, Documentary or Physical Evidence Form as well as on the forms already listed in the rule.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 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 RULE IS: Perri King Dale, Office of the General
Counsel, Department of Corrections, 2601 Blair Stone Road,
Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.307 Disciplinary Hearings.

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

(g) If the inmate pleads "guilty," no further evidence needs to be heard. If the inmate pleads "not guilty," evidence is to be presented, including witness statement forms obtained from witnesses. If evidence is not revealed to the inmate, the

reason(s) shall be documented in the comment section of the Witness Disposition Form, DC6-112B, the comment section of the Documentary or Physical Evidence Form, DC6-151, or the comments section of the Disposition of Videotape/Audiotape Evidence, Form DC6-2028, depending on the nature of the evidence, and in the witness comments section in the department's automated database. The inmate may make only an oral closing statement concerning the infraction for consideration by the hearing officer or disciplinary team. In the event the inmate refuses to enter a plea, it shall be treated as a "not guilty" plea insofar as hearing procedures are concerned. A "no contest" plea shall be handled as a guilty plea.

(h) through (5) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History--New 3-12-84, Formerly 33-22.06, Amended 12-30-86, 10-01-95, 12-10-97, 5-19-98, Formerly 33-22.006, Amended 5-21-00, 2-11-01, 3-22-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Franchatta Barber, Deputy Assistant Secretary – Programs
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 13, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 29, 2005

DEPARTMENT OF CORRECTIONS

RULE TITLE: Visiting Schedule
RULE NO.: 33-601.722

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to facilitate the visitor registration process by eliminating the problem of early arrivals blocking the entranceways to visitor parking areas.

SUMMARY: The proposed rule provides that regular inmate visitors will be allowed to park in designated spaces no earlier than 45 minutes prior to registration time.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.722 Visiting Schedule.

(1) Regular visitors shall be allowed to visit between 9:00 a.m. and 3:00 p.m. Eastern Standard Time (EST) – 8:00 a.m. and 2:00 p.m. Central Standard Time (CST) each Saturday and Sunday.

(a) Institutions shall initiate the visiting registration process at 8:15 a.m. (EST) and 7:15 a.m. (CST). To better facilitate the registration process, visitors will be allowed to park in designated spaces no earlier than 7:30 a.m. (EST) and 6:30 a.m. (CST).

(b) through (3) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.708, Amended 5-5-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Franchatta Berber, Deputy Assistant Secretary – Programs
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 6, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 22, 2005

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play FLORIDA LOTTO	53-28.001
FLORIDA LOTTO Drawings	53-28.002
FLORIDA LOTTO Prize Divisions	53-28.003
Determination of Prize Winners	53-28.0035
FLORIDA LOTTO Odds of Winning	53-28.004
FLORIDA LOTTO Rules and Prohibitions	53-28.005
FLORIDA LOTTO Estimated Jackpot	53-28.006
FLORIDA LOTTO Payment Options	53-28.007

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-28, FLORIDA LOTTO™, are being repealed as they have been superseded by emergency Rule 53ER05-26, F.A.C.

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

SPECIFIC AUTHORITY: 24.105(9), 24.115(1) FS.

LAW IMPLEMENTED: 24.105(9), 24.115(1), 24.116(1), 24.117(2), 24.124(1) 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: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-28.001 How to Play FLORIDA LOTTO.

Specific Authority 24.105(9)(a),(b),(h) FS. Law Implemented 24.105(9)(a),(b),(h) FS. History—New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.002 FLORIDA LOTTO Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History—New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.003 FLORIDA LOTTO Prize Divisions.

Specific Authority 24.105(9)(c), 24.115(1) FS. Law Implemented 24.105(9)(c), 24.115(1) FS. History—New 11-22-93, Amended 7-31-95, 11-30-99, 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.0035 Determination of Prize Winners.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History—New 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.004 FLORIDA LOTTO Odds of Winning.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History—New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.005 FLORIDA LOTTO Rules and Prohibitions.

Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(9)(j), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 11-22-93, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.006 FLORIDA LOTTO Estimated Jackpot.

Specific Authority 24.115(9)(c) FS. Law Implemented 24.105(9)(c), 24.115(1)(f) FS. History—New 11-22-93, Amended 6-21-99, 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

53-28.007 FLORIDA LOTTO Payment Options.

Specific Authority 24.105(9)(e), 24.115(1) FS. Law Implemented 24.105(9)(e), 24.115(1) FS. History—New 6-21-99, Amended 5-29-02, superseded by 53ER05-26, F.A.C., Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr., General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2005

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play FANTASY 5	53-29.001
FANTASY 5 Drawings	53-29.002
FANTASY 5 Prize Divisions	53-29.003
Determination of Prize Winners	53-29.0035
FANTASY 5 Odds of Winning	53-29.004
FANTASY 5 Rules and Prohibitions	53-29.005
PURPOSE AND EFFECT: To repeal obsolete rules.	

SUMMARY: All rules in Chapter 53-31, FANTASY 5[®], are being repealed as they have been superseded by emergency Rule 53ER05-24, F.A.C.

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

SPECIFIC AUTHORITY: 24.105(9), 24.115(1) FS.

LAW IMPLEMENTED: 24.105(9), 24.115(1), 24.116(1), 24.117(2), 24.124(1) 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: Faith L. Schneider, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-29.001 How to Play FANTASY 5.

Specific Authority 24.105(9)(a),(b),(h) FS. Law Implemented 24.105(9)(a),(b),(h) FS. History—New 11-22-93, Amended 5-29-02, Repealed.

53-29.002 FANTASY 5 Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History—New 11-22-93, Amended 6-21-99, 8-31-99, 5-29-02, Repealed.

53-29.003 FANTASY 5 Prize Divisions.

Specific Authority 24.105(9)(c), 24.115(1) FS. Law Implemented 24.105(9)(c), 24.115(1) FS. History—New 11-22-93, Amended 8-27-95, 11-30-99, 5-29-02, Repealed.

53-29.0035 Determination of Prize Winners.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History—New 5-29-02, Repealed.

53-29.004 FANTASY 5 Odds of Winning.

Specific Authority 24.105(9) FS. Law Implemented 24.105(9) FS. History—New 11-22-93, Amended 5-29-02, Repealed.

53-29.005 FANTASY 5 Rules and Prohibitions.

Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(9)(j), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 11-22-93, Amended 5-29-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth H. Hart, Jr., General
Counsel

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 10, 2005

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play CASH 3	53-30.001
CASH 3 Drawings	53-30.002
CASH 3 Odds of Winning	53-30.003
CASH 3 Rules and Prohibitions	53-30.004

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-30, CASH 3TM, are being repealed as they have been superseded by emergency Rule 53ER05-22, F.A.C.

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

SPECIFIC AUTHORITY: 24.105(9) FS.

LAW IMPLEMENTED: 24.105(9), 24.116(1), 24.117(2) 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: Faith L. Schneider, Office of the
General Counsel, Florida Lottery, 250 Marriott Drive,
Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-30.001 How to Play CASH 3.

Specific Authority 24.105(9)(a),(b),(c),(h),(j) FS. Law Implemented 24.105(9)(a),(b),(c),(h),(j) FS. History—New 11-22-93, Amended 9-12-01, 5-29-02, superseded by 53ER05-22, F.A.C., Repealed.

53-30.002 CASH 3 Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History—New 11-22-93, Amended 5-29-02, superseded by 53ER05-22, F.A.C., Repealed.

53-30.003 CASH 3 Odds of Winning.

Specific Authority 24.105(10)(a) FS. Law Implemented 24.105(10)(c) FS. History—New 11-22-93, superseded by 53ER05-22, F.A.C., Repealed.

53-30.004 CASH 3 Rules and Prohibitions.

Specific Authority 24.105(2),(10) FS. Law Implemented 24.105(2),(10), 24.117(2) FS. History—New 11-22-93, Amended 9-12-01, superseded by 53ER05-22, F.A.C., Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth H. Hart, Jr., General
Counsel

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 10, 2005

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play PLAY 4	53-31.001
PLAY 4 Drawings	53-31.002
PLAY 4 Odds of Winning	53-31.003
PLAY 4 Rules and Prohibitions	53-31.004

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-31, PLAY 4TM, are being repealed as they have been superseded by emergency Rule 53ER05-23, F.A.C.

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

SPECIFIC AUTHORITY: 24.105(9) FS.

LAW IMPLEMENTED: 24.105(9), 24.116(1), 24.117(2) 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: Faith L. Schneider, Office of the
General Counsel, Florida Lottery, 250 Marriott Drive,
Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-31.001 How to Play PLAY 4.

Specific Authority 24.105(9)(a),(b),(c),(h),(j) FS. Law Implemented 24.105(9)(a),(b),(c),(h),(j) FS. History—New 11-22-93, Amended 9-12-01, 5-29-02, Repealed.

53-31.002 PLAY 4 Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History—New 11-22-93, Amended 5-29-02, Repealed.

53-31.003 PLAY 4 Odds of Winning.

Specific Authority 24.105(10)(a) FS. Law Implemented 24.105(10)(c) FS. History—New 11-22-93, Repealed.

53-31.004 PLAY 4 Rules and Prohibitions.

Specific Authority 24.105(2), 24.105(10) FS. Law Implemented 24.105(2), 24.117(2), 24.105(10) FS. History--New 11-22-93, Amended 9-12-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth H. Hart, Jr., General
Counsel

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 10, 2005

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play MEGA MONEY	53-32.001
MEGA MONEY Drawings	53-32.002
MEGA MONEY Prize Divisions	53-32.003
Determination of Prize Winners	53-32.004
MEGA MONEY Odds of Winning	53-32.005
MEGA MONEY Rules and Prohibitions	53-32.006

PURPOSE AND EFFECT: To repeal obsolete rules.

SUMMARY: All rules in Chapter 53-32, MEGA MONEY™, are being repealed as they have been superseded by emergency Rule 53ER05-25, F.A.C.

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

SPECIFIC AUTHORITY: 24.105(9), 24.115 FS.

LAW IMPLEMENTED: 24.105(9), 24.115, 24.116(1), 24.117(2) 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: Faith L. Schneider, Office of the
General Counsel, Florida Lottery, 250 Marriott Drive,
Tallahassee, FL 32301, (850)487-7777

THE FULL TEXT OF THE PROPOSED RULES IS:

53-32.001 How to Play MEGA MONEY.

Specific Authority 24.105(9)(a),(b),(h) FS. Law Implemented 24.105(9)(a),(b),(h) FS. History--New 2-20-00, Amended 5-29-02, Repealed.

53-32.002 MEGA MONEY Drawings.

Specific Authority 24.105(9)(d),(f) FS. Law Implemented 24.105(9)(d),(f) FS. History--New 2-20-00, Amended 5-29-02, Repealed.

53-32.003 MEGA MONEY Prize Divisions.

Specific Authority 24.105(10)(a),(c),(e), 24.115(1) FS. Law Implemented 24.105(10)(a),(c),(e), 24.115(1) FS. History--New 2-20-00, Repealed.

53-32.004 Determination of Prize Winners.

Specific Authority 24.105(10)(a),(c) FS. Law Implemented 24.105(10)(a),(c) FS. History--New 2-20-00, Repealed.

53-32.005 MEGA MONEY Odds of Winning.

Specific Authority 24.105(10)(a),(c) FS. Law Implemented 24.105(10)(a),(c) FS. History--New 2-20-00, Repealed.

53-32.006 MEGA MONEY Rules and Prohibitions.

Specific Authority 24.105(2), 24.105(10) FS. Law Implemented 24.105(2), 24.105(10), 24.117(2) FS. History--New 2-20-00, Amended 9-12-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Department of the Lottery

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth H. Hart, Jr., General
Counsel

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 10, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Electrical Contractors' Licensing Board

RULE TITLE:	RULE NO.:
Approval of Continuing Education Courses	61G6-9.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to add that a licensee can obtain business continuing education credit for attending an Electrical Contractors' Licensing Board meeting for at least three hours.

SUMMARY: Business continuing education credit can be earned by attending a board meeting for at least three hours.

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

SPECIFIC AUTHORITY: 489.507(3), 489.517(3) FS.

LAW IMPLEMENTED: 489.517(3) 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: Anthony Spivey, Executive Director,
Electrical Contractors' Licensing Board, 1940 North Monroe
Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.006 Approval of Continuing Education Courses.

(1) through (10) No change.

(11) Of the required 14 continuing education hours, a licensee may earn up to three business hours credit may be earned by attending, for at least three hours, a meeting of the Board wherein disciplinary cases are considered. Licensees must attend the complete agenda of disciplinary cases to receive the continuing education hours. At least 7 days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the licensee must check in with the Clerk of the Board prior to the beginning of disciplinary proceedings. ~~A maximum of 3 hours will be allowed during a renewal cycle.~~ Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action.

(12) through (14) No change.

Specific Authority 489.507(3), 489.517(3) FS. Law Implemented 489.517(3) FS. History—New 11-30-94, Amended 6-13-96, 10-20-96, 12-25-96, 10-6-97, 3-24-99, 5-6-99, 11-2-00, 9-4-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Electrical Contractors' Licensing
Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 1, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION****Board of Employee Leasing Companies**

RULE TITLE: RULE NO.:
Reporting of Change of Status Required;
Effect on Licensees; Change of
Licensee Name 61G7-10.002

PURPOSE AND EFFECT: The Board has proposed to amend this rule to add that a company that is changing its name, must provide evidence of workers' compensation coverage in the new company name.

SUMMARY: Evidence of workers' compensation coverage must be provided in the new company name.

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

SPECIFIC AUTHORITY: 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS.

LAW IMPLEMENTED: 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 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: John Knap, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-10.002 Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name.

(1) through (3) No change.

(4) In the event a licensed employee leasing company or employee leasing company group changes their licensed business name, the Board office must be noticed within 30 days.

(a) Such notification shall include copies of the filed articles of incorporation, articles of amendment, articles of merger, or fictitious name registration, as filed with the Florida Secretary of State's Office.

(b) A fee of \$50 will be required, together with the original license. A duplicate license reflecting the new licensed business name will be generated, upon receipt of prior license and completion of these requirements.

(c) The company will be required to provide evidence of workers' compensation coverage in the new company name.

(5) through (7) No change.

Specific Authority 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. Law Implemented 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. History—New 1-27-93, Amended 5-20-93, Formerly 21EE-10.002, Amended 10-24-93, 8-17-94, 11-9-95, 5-21-96, 11-24-96, 3-18-97, 3-1-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Employee Leasing Companies

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Employee Leasing
Companies

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 15, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 13, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION****Board of Pilot Commissioners**

RULE TITLE: RULE NO.:
Qualifications of Applicants for a
Certificate as a Deputy Pilot 61G14-11.002

PURPOSE AND EFFECT: The proposed rule amendment specifies that the credit for service as an unlimited First Class Pilot must be provided under the authority of the duly constituted governmental regulatory entity under which the applicant was licensed.

SUMMARY: To obtain credit for service as an unlimited First Class Pilot, it must be provided under the authority of the duly constituted governmental regulatory entity under which the applicant was licensed.

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

SPECIFIC AUTHORITY: 310.071(2), 310.185 FS.

LAW IMPLEMENTED: 310.071(2), 310.073 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-11.002 Qualification of Applicants for a Certificate as a Deputy Pilot.

(1) No change.

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

(g) Service as an unlimited First Class Pilot in deep water U.S. port will be accepted on a day for day basis towards the service required with credit being given for each day upon which the applicant provided pilot service to a vessel which legally required such service and such service was provided upon the authority of the a duly constituted governmental regulatory entity under which the applicant was licensed.

(3) through (4) No change.

Specific Authority 310.071(2), 310.185 FS. Law Implemented 310.071(2), 310.073 FS. History—New 3-13-85, Formerly 21SS-5.125, Amended 5-4-86, 11-19-86, 1-8-87, 12-11-88, 6-20-89, 4-21-91, 12-8-92, Formerly 21SS-5.0125, 21SS-11.002, Amended 9-27-94, 6-11-95, 10-30-95, 10-5-97.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 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 FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: Non-Construction Limited Liability

RULE NO.:

Company Members

69L-6.023

PURPOSE AND EFFECT: To classify a member of a non-construction limited liability company as not being an employee as defined in Section 440.02(15), Florida Statutes. The effect is to exclude members of non-construction limited liability companies from the definition of employee unless the employer elects a waiver.

SUMMARY: A non-construction limited liability company member is not an employee for purposes of Chapter 440, Florida Statutes, unless the employer elects a waiver.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 440.591 FS.

LAW IMPLEMENTED: 440.02(9), 440.02(15)(c) FS.

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

TIME AND DATE: 1:30 p.m., September 13, 2005

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.023 Non-Construction Limited Liability Company Members.

(1) A member of a limited liability company created and approved under Chapter 608, Florida Statutes, that is not engaged in the construction industry is not an "employee" of the limited liability company, for purposes of Chapter 440, Florida Statutes.

(2) The liability for compensation imposed by Section 440.10, Florida Statutes, does not apply as to a member of a limited liability company created and approved under Chapter 608, Florida Statutes, that is not engaged in the construction industry, unless the employer elects a waiver pursuant to Section 440.04, Florida Statutes.

Specific Authority 440.591 FS. Law Implemented 440.02(9), 440.02(15) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dan Sumner, Deputy Director of Workers' Compensation,
Division of Workers' Compensation, Department of Financial
Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Tanner Holloman, Director of
Workers' Compensation, Division of Workers' Compensation,
Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 17, 2005

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-87	Assessment of Penalties for Violations Found During Compliance Reviews and Payment of Penalties

RULE NOS.:	RULE TITLES:
14-87.001	Scope
14-87.0011	Scope and Definitions
14-87.0012	Assessment of Penalties for Violations Found During Compliance Reviews
14-87.002	Payment of Penalties; Detaining and Impounding Motor Vehicles

NOTICE OF CHANGE

SUMMARY OF CHANGE: The following changes are being made in response to a review by the Joint Administrative Procedures Committee attorney:

1. 14-87.0011(2)(c): Remove the colon after the word "including" and then add a comma after the word "records" in the next line so that the sentence reads as follows:

"(c) "Compliance Review" means an onsite review of documents at a motor carrier's or shipper of hazardous materials' terminal or office, including: property carrier, passenger carrier, or shipper of hazardous materials records, such as driver's hours of service, maintenance and inspection, driver qualification, commercial driver's license requirements, financial responsibility, and accident and other safety and business records which will enable the investigators to establish compliance with safety laws and regulations."

2. 14-87.002(3): Remove the word "approved" in reference to credit cards so that the section reads as follows:

"(3) Payment methods for citations include cash, money orders, certified funds from a financial institution, ~~approved~~ credit cards, and company checks."

Notice was published in Florida Administrative Weekly, Vol. 31, No. 24, June 17, 2005.

NOTE: The delete/add coding used in this notice is to show the changes from originally proposed language, not changes from the current Florida Administrative Code.

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."

ADMINISTRATION COMMISSION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
28-18	Land Planning Regulations for the Florida Keys Area of Critical State Concern – City of Marathon

RULE NO.:	RULE TITLE:
28-18.210	Comprehensive Plan

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule as noticed in Vol. 30, No. 29, July 16, 2004, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.:	RULE TITLE:
61J2-2.027	Applications by Individuals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 35, August 27, 2004, Florida Administrative Weekly has been withdrawn.