

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

TIME AND DATE: 9:00 a.m., October 24, 2005

PLACE: Building 4, 1317 Winewood Blvd., Tallahassee, FL
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Nelson Simmons, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)922-0375

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE AFTER FRIDAY, OCTOBER 14, 2005.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE CHAPTER TITLE: Parent Education and Family Stabilization

RULE CHAPTER NO.: 65C-32

PURPOSE AND EFFECT: The purpose of this rule development is to provide appropriate and effective parameters for the classes mandated by statute for parents currently in the marriage dissolution process.

SUBJECT AREA TO BE ADDRESSED: This rule draft will include the requirements to obtain Department of Children and Family Services approval to provide a Parent Education and Family Stabilization class and the procedures that the Department shall take to revoke such approval.

SPECIFIC AUTHORITY: 61.21(3)(e) FS.

LAW IMPLEMENTED: 61.21 FS.

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

TIME AND DATE: 9:00 a.m., October 24, 2005

PLACE: Building 4, 1317 Winewood Blvd., Tallahassee, FL
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Badland, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)922-2298

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE AFTER FRIDAY, OCTOBER 14, 2005.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE CHAPTER TITLE: Dealers in Agricultural Products

RULE CHAPTER NO.: 5H-1

RULE TITLES: Bond and/or Certificate of Deposit Required;

RULE NOS.: 5H-1.001

Agricultural Products 5H-1.001

License Fee to be Paid 5H-1.003

Certificates of Deposit in Lieu of Surety Bonds 5H-1.004

PURPOSE AND EFFECT: The purpose and effect of this rule is to specify, detail, and clarify the surety bond and/or certificate of deposit requirements and license fees for issuance of an agricultural dealers license.

SUMMARY: This rule proposes modifications and updates in the requirements for surety bonds and/or certificates of deposit and license fees in response to changes to the Florida License and Bond Law as amended by Chapters 570-604, F.S., enacted by the 2005 Florida Legislature.

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

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

SPECIFIC AUTHORITY: 604.27 FS.

LAW IMPLEMENTED: 604.19, 604.20, 604.21(1),(2),(8) FS., as amended by Chapters 570-604 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: Friday, 3:00 p.m., October 28, 2005

PLACE: The Mayo Building, Training Room, Room 306, 407 S. Calhoun St., Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Christopher E. Green, Management Review Specialist, Bureau of License and Bond, Division of Marketing and Development, Rm. 208, 407 S. Calhoun St., Tallahassee, FL 32399-0800, (850)488-4101, Fax (850)921-8312

THE FULL TEXT OF THE PROPOSED RULES IS:

5H-1.001 Bond and/or Certificate of Deposit Required; Agricultural Products.

~~(1) The penal sum of the surety bond to be furnished to the department by an applicant for license as a dealer in agricultural products shall be in an amount equal to the dollar value of agricultural products handled for Florida producers, their agents, or representatives, by purchase or otherwise, during the month of maximum transaction in such products during the preceding twelve (12) month period.~~

~~(2) An applicant for license who has not handled agricultural products for a Florida producer, his agents or representatives, during the previous year shall furnish a bond in an amount equal to the estimated dollar value of such agricultural products to be handled during the next immediate twelve (12) months.~~

~~(1)(3) No dealer shall be required to furnish a bond and/or certificate of deposit in an amount greater than one hundred thousand dollars (\$100,000).~~

~~(2)(4) The maximum amount of bond and/or certificate of deposit required of a dealer shall be no prohibition to a dealer furnishing a bond and/or certificate of deposit in an amount greater than the maximum required.~~

~~(5) No bond may be in an amount less than three thousand dollars (\$3,000).~~

~~(3)(6) A separate bond and/or certificate of deposit shall be required to cover each one-year license period.~~

Specific Authority 604.27 FS. Law Implemented 604.19, 604.20(1) FS. History—New 9-12-79, Amended 1-11-81, 5-2-82, Formerly 5H-1.01, Amended 5-3-90, 7-7-92, 2-26-96, 8-11-96, _____.

5H-1.003 License Fee to be Paid.

The license fee for the principal place of business for a dealer in agricultural products shall be based upon the amount of agricultural dealer's surety bond and/or certificate of deposit furnished by each dealer under the provisions of Section 604.20, Florida Statutes, as follows: ~~For bonds in the amount of \$3,000 to \$4,999, the license fee is \$65.~~ For bonds and/or certificates of deposit in the amount of \$5,000 to \$9,999, the license fee is \$170 ~~\$135~~. For bonds and/or certificates of deposit in the amount of \$10,000 to \$14,999, the license fee is \$230 ~~\$195~~. For bonds and/or certificates of deposit in the amount of \$15,000 or more, the license fee is \$300 ~~\$265~~. For each additional place of business which the applicant desires to conduct and names in the application, the additional license fee shall be \$100 ~~\$50~~ annually. Should any dealer in agricultural products fail, refuse, or neglect to apply and qualify for the renewal of a license on or before the date of expiration thereof, a penalty of \$100 ~~\$35~~ shall apply to and be added to the original license fee and shall be paid by the applicant before the renewal license may be issued.

Specific Authority 604.27 FS. Law Implemented 604.19 FS., as amended by Chapter 90-161, Laws of Florida. History—New 9-12-79, Amended 1-11-81, 10-30-85, Formerly 5H-1.03, Amended 12-5-90, _____.

5H-1.004 Certificates of Deposit in Lieu of Surety Bonds.

Specific Authority 604.27 FS. Law Implemented 604.19, 604.20, 604.21(1),(2),(8) FS. History—New 11-16-83, Amended 9-2-84, Formerly 5H-1.04, Amended 3-27-86, 6-24-90, 12-10-92, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christopher E. Green, Management Review Specialist, Bureau of License and Bond, Division of Marketing and Development, Rm. 208, 407 S. Calhoun St., Tallahassee, FL 32399-0800, (850)488-4101, Fax (850)921-8312

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Nelson Mongiovi, Director, Division of Marketing & Development, Florida Department of Agriculture and Consumer Services, Rm. 439, 407 S. Calhoun St., Tallahassee, FL 32399-0800, (850)488-4032, Fax (850)922-2861

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 19, 2005

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE CHAPTER TITLE: Certification of Agriculture Education and Promotion Facility

RULE CHAPTER NO.: 5H-25

RULE TITLES: Application

RULE NOS.: 5H-25.001

Certification of an Agriculture Education and Promotion Facility 5H-25.002
Evaluation and Ranking 5H-25.003
Submission of Proposals 5H-25.004

PURPOSE AND EFFECT: This rule provides the procedures for the receipt and processing of applications for funding of projects according to Section 288.1175, F.S.

SUBJECT AREA TO BE ADDRESSED: This rule provides the procedure for submission and processing of applications to the department for certification, evaluation and ranking and the criteria to be used by the department to certify, evaluate and rank the submissions.

SPECIFIC AUTHORITY: 288.1175(2),(4),(5),(8) FS.

LAW IMPLEMENTED: 288.1175 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: Construction Project Consultant I, Bureau of State Farmers' Markets, Division of Marketing and Development, Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Suite 209, Tallahassee, Florida 32399-0800, (850)487-4322, Fax (850)488-9006

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) or 1(800)955-9771 (TDD).

THE FULL TEXT OF THE PROPOSED RULES IS:

5H-25.001 Application.

The application is incorporated by reference and may be obtained by contacting the Construction Project Consultant I, Division of Marketing and Development, Bureau of State Farmers' Markets, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800, Phone: (850)921-1992, Fax: (850)488-9006.

Specific Authority 288.1175(2) FS. Law Implemented 288.1175 FS. History--New _____.

5H-25.002 Certification of an Agriculture Education and Promotion Facility.

The Department will apply the following criteria, in descending order:

(1) Applications for funding must be received by the Department of Agriculture and Consumer Services by close of business on October 1 of each year in order to be eligible to be certified, evaluated and ranked for submission to the Legislature. All required information must be sent by certified or registered mail, or any other delivery service which will require a signature, and received by the deadline.

(2) An eligible unit of local government must have the authority to issue General Obligation or Revenue Bonds, which includes power to levy special assessments (as defined in Section, 218.369, F.S.). A fair association must meet the definition as in Section 616.001(9), F.S. Fair Associations must supply documentation verifying ownership of the property or a minimum 10-year lease for the property upon which the facility is to be constructed.

(3) Applicants must demonstrate, by sworn affidavit, that the agriculture education and promotion facility shall serve more than 25,000 visitors annually.

(4) Applicant shall submit a certified copy of the resolution of support and evidence of a public hearing that the proposed facility serves a public purpose.

(5) Documentation must be provided to verify the required 40% matching amount by copy of a resolution, budget item, permit waiver(s), in-kind services or cash donation(s). If the applicant is using the value of the land, or any improvements to the land as part or all of the matching requirement, this must be documented by providing a copy of a certified appraisal, tax assessors report or copies of paid invoices for land improvements.

(6) In order to be evaluated and ranked, an application must be certified as an Agriculture Education and Promotion Facility.

Specific Authority 288.1175(4) FS. Law Implemented 288.1175 FS. History--New _____.

5H-25.003 Evaluation and Ranking.

The project ranking criteria will be applied as follows, in descending order:

(1) Construction of a new facility will be ranked higher than renovations to an existing facility.

(2) Matching percentage shall be calculated by dividing the local contribution by the requested amount, times 100.

(3) Applicants must submit documentation that certifies that the project facility is located in a brownfield site as defined in Section 376.79(3), F.S., a rural enterprise zone as defined in Section 290.004(8), F.S., an agriculturally depressed area as defined in Section 570.242(1), F.S., a redevelopment area established pursuant to Section 373.461(5)(g), F.S., or a county that has lost its agricultural land to environmental restoration projects.

(4) Total available exhibition or civic center space means only that space which is available for public rental.

(5) The longest history of promoting agriculture will be based on archival documentation. Archival documentation includes, but is not limited to: Advertisements, Brochures, Awards, etc. For fair associations, the longest history of promoting agriculture will be based upon the date of initial fair charter issuance.

(6) Paid attendance is the projected number of event tickets sold.

(7) In evaluating the distance from the nearest Institute of Food and Agricultural Sciences facility, applicant must submit distance in feet if less than one mile, and in tenths of a mile increments if more than one mile.

(8) In case of a tie, the tied project proposals shall be listed in alphabetical order.

Specific Authority 288.1175(5) FS. Law Implemented 288.1175 FS. History--New _____.

5H-25.004 Submission of Proposals.

Upon the completion of the certification, evaluation and ranking, the project proposals shall be submitted to the Executive Office of the Governor, the President of the Senate and the Speaker of the House for consideration of funding.

Specific Authority 288.1175(8) FS. Law Implemented 288.1175 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Craig Christ, Construction Project Consultant I

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Nelson Mongiovi, Director, Division of Marketing and Development

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 8, 2005

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Assessment of Penalties for Violations

Found During Terminal Audits
(Compliance Reviews)

14-108

RULE TITLES: RULE NOS.:
Scope 14-108.001
Definitions 14-108.002
Applicability; Compliance Required 14-108.003
Administration; Enforcement 14-108.004
Penalties 14-108.005

PURPOSE AND EFFECT: These five rules were superseded by an amendment to Rule Chapter 14-87, F.A.C. Repeal of these rules 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: Five rules are being repealed as they have been superseded by the amended Rule Chapter 14-87, F.A.C. Repeal of these rules 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.

SPECIFIC AUTHORITY: 316.302, 316.70 FS.

LAW IMPLEMENTED: 316.302, 316.3025, 316.70 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:

14-108.001 Scope.

Specific Authority 316.302, 316.3025, 316.70, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.70 FS. History--New 2-16-93, Repealed.

14-108.002 Definitions.

Specific Authority 316.302, 316.3025, 316.70, 320.01(33), 334.044(2) FS. Law Implemented 316.003, 316.302, 316.3025, 316.70, 320.01(33) FS. History--New 2-16-93, Amended 9-17-96, Repealed.

14-108.003 Applicability; Compliance Required.

Specific Authority 316.302, 316.70, 334.044(2) FS. Law Implemented 316.302, 316.3025, 316.70 FS. History--New 2-16-93, Amended 9-17-96, Repealed.

14-108.004 Administration; Enforcement.

Specific Authority 316.302, 316.3025, 334.044(2) FS. Law Implemented 316.302, 316.3025 FS. History--New 2-16-93, Amended 9-17-96, Repealed.

14-108.005 Penalties.

Specific Authority 316.302, 316.3025, 316.70, 334.044(2) FS. Law Implemented 316.3025, 316.70 FS. History--New 2-16-93, Amended 9-17-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Graham Fountain, Director, Office of Motor Carrier Compliance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Denver J. Stutler, Jr., P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 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."

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: RULE NO.:
Agreements 40C-3.035

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to incorporate by reference the water well permitting delegation agreement between St. Johns River Water Management District and the Florida Department of Health, Baker County Health Department.

SUMMARY: The proposed rule amendment would incorporate by reference the District's water well permitting delegation agreement with the Florida Department of Health, Baker County Health Department allowing for regulation of water well construction standards for wells less than six inches in diameter, unless these wells are in a Chapter 62-524, F.A.C., delineated area.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.046, 373.083, 373.309 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board Meeting which begins at 1:00 p.m., November 8, 2005

PLACE: St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

If any person decides to appeal any decision with respect to any matter considered at the above listed public hearing, 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.

Anyone requiring special accommodation to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting: Ann Freeman, (386)329-4101 or (386)329-4450 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, Suncom 860-4459, e-mail: nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents:

(1) through (14) No change.

(15) An agreement between Florida Department of Health, Baker County Health Department and St. Johns River Water Management District regarding water well permitting dated (effective date).

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.046, 373.083, 373.309 FS. History—New 10-14-84, Amended 12-5-85, Formerly 40C-3.035, 40C-3.0035. Amended 1-8-96, 4-21-96, 7-21-96, 12-22-96, 3-10-97, 1-3-00, 9-6-01, 6-25-02, 7-25-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice McLean, Asst. General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4154

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 23, 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 Massage Therapy

RULE TITLES:

RULE NOS.:

Fee for Retired Status License

64B7-27.018

Fee for Reactivation of Retired

Status License

64B7-27.019

PURPOSE AND EFFECT: The Board proposes to create these rules to provide a fee for a retired status license and a fee for reactivation of a retired status license.

SUMMARY: The fee for a retired status license will be \$50.00. The fee for reactivation of a retired status license shall be the fee that an active status licensee would have paid to renew an active status license for each biennium in which the license was in retired status.

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: 456.036 FS.

LAW IMPLEMENTED: 456.036 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: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B7-27.018 Fee for Retired Status License.

The fee for placing a license in retired status shall be \$50.00.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History—New

64B7-27.019 Fee for Reactivation of Retired Status License.

The fee for reactivation of a retired status license shall be the same renewal fee that would be imposed on an active status licensee for all biennial licensure periods during which the licensee was on retired status.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 9, 2005

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE:

RULE NO.:

Requirements for Board Approval of

Continuing Education Programs

64B7-28.010

PURPOSE AND EFFECT: The Board proposes to clarify the point that it reviews and approves the criteria for continuing education programs instead of providers. The Board also proposes to establish the biennial fee for renewal of providership of continuing education programs and setting forth the names of massage related associations and institutions whose programs will be approved, conditioned on meeting the program approval criteria set forth in the rule and in Rule 64B7-28.009, F.A.C. The rule also updates and incorporates the forms used by the Board in reviewing programs.

SUMMARY: The rule updates the forms used for continuing education program review, imposes a biennial renewal fee for providership of programs, provides for approval of certain institutional and association providers whose programs meet the Board's criteria, and clarifies the point that the Board reviews and approves continuing education programs, and only requires providers to be registered for tracking and fee collection purposes.

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: 456.013(8),(9), 456.025(7), 456.036, 480.0415 FS.

LAW IMPLEMENTED: 456.013(8),(9), 456.025(7), 456.036, 480.0415 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 E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.010 Requirements for Board Approval of Continuing Education Programs.

(1) For the purpose of renewing or reactivation a license credit will be approved for programs which are offered by providers whose programs are approved by the Board. In order to receive Board approval to provide one or more programs as ~~a provider~~, an applicant shall:

(a) Submit a completed Massage Continuing Education Programs Provider Registration Application, BMT-B 5, and ~~Approved—Provider~~ Supplemental Program/Instructor Information, Form BMT-C 6, incorporated herein by reference, and a non-refundable application fee of \$250.00 The forms will be effective 2-18-98, copies of which may be obtained from the Board office at: 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256.

(b) Sign and abide by written agreement to:

1. Provide an identifiable person to be responsible for ensuring that each program presented under their Board of Massage Therapy provider registration number meets program requirements set forth in subsection (2) below.

2. Retain a "sign-in-sheet" with the signature of participants and copies of any promotional materials for at least 4 years following the course.

3. Provide each participant with the certificate of attendance verifying the program has been completed. The certificate shall not be issued until completion of the program and shall contain the provider's name and registration number, title of program and program number, instructor, date, number of contact hours of credit, the licensee's name and license number.

4. Notify the Board of any significant changes relative to the maintenance of standards as set forth in these rules.

(2) Each continuing education program presented for license renewal credit or to satisfy initial licensure requirements ~~by a Board approved provider~~ shall:

(a) Meet the standards of subsection 64B7-28.009(2), paragraph (3)(a), (b), or (c), F.A.C.;

(b) Have stated learning objectives;

(c) Be instructed by a person who meets at least one of the following criteria:

1. Holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the program to be offered, or

2. Has graduated from a school of massage or apprenticeship program which has a curriculum equivalent to requirements in this state and was approved by a state licensing authority, a nationally recognized massage therapy association, or a substantially equivalent accrediting body, or the Board, and has completed three years of professional experience in the practice of massage, and

a. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

b. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group or at a massage therapy school, or

c. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject, or

3. Is licensed as a massage therapist in another state or foreign sovereign state having standards of education or apprenticeship training substantially similar to or more stringent than those required for licensure in Florida and has practiced massage therapy for a minimum of 10 years, and

a. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

b. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group or at a massage therapy school, or

c. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject, or

4. Has taught at a school of massage which has a curriculum equivalent to requirements in this state and was approved by a state licensing authority, a nationally recognized massage therapy association, or a substantially equivalent accrediting body, or the Board for a minimum of two years, and

a. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

b. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group or at a massage therapy school, or

c. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject.

(d) Provided, however, that approved courses in areas other than massage theory, history, and techniques may be instructed by a person who meets at least one of the following criteria:

1. Holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the program to be offered, or

2. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

3. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group, or at a massage therapy school, or

4. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject.

(3) The Board retains the right and authority to audit and/or monitor programs given by any provider. The Board will ~~rescind provider status or~~ reject individual programs given by a provider if the provider has disseminated any false or misleading information in connection with the continuing education program, or if the program provider has failed to conform to and abide by the written agreement and rules of the Board.

(4) One hour of continuing education is defined as no less than 50 uninterrupted minutes of learning.

(5) Presenters/moderators/instructors of courses shall not receive credit for courses they present.

(6) A provider of Board approved programs ~~provider~~ must submit a completed application for supplemental courses, form # BMT-B and C 6, to the Board office prior to offering such courses for credit. The submitted information must also identify any new continuing education instructor and show that such instructor meets the criteria set forth in this rule. Whenever an instructor and his/her course have obtained approval by the Board, the instructor may teach the course at any time, in whole or in part, so long as the materials being taught do not deviate from the course materials originally approved, there is no change of instructor, and the documentation of attendance clearly indicates the original course approval number and the hours of credit given for this version of the course. Therefore, the number of continuing education hours awarded for the course may be the original number of hours approved, or less. An increase of the number of continuing education hours awarded will require submission of form # BMT-B 6 for approval of a course.

(7) A provider of Board approved programs ~~provider~~ must revise and update all course materials that are affected by changes occurring during the biennial renewal period. The Board will rescind approval of any program ~~provider or course~~ that is found to be obsolete, erroneous, and/or outside the scope of practice, or if the Board determines the program provider has violated the Board's rules or Chapter 456 or 480, F.S. The revised course materials must be submitted with the biennial renewal form and renewal fee.

(8) Provider registration numbers must be renewed biennially on or before August 31 of the biennial renewal year. The provider must return the renewal form provided by the department together with a renewal fee of \$250.00 If the renewal form and renewal fee are not received by the department on or before August 31 of the biennial year, the provider must submit a new application for approval of any continuing education programs offered for license renewal or initial licensure requirements, and, if any programs are approved, receive a new provider registration number.

(9) The following courses, that meet the criteria for approval under this section, are approved by the Board:

(a) Organized courses of study sponsored by the American Massage Therapy Association; or any of their divisional societies;

(b) Organized courses of study sponsored by the Florida State Massage Therapy Association, or any of their divisional societies;

(c) Organized courses of study approved by the National Certification Board for Therapeutic Massage and Bodywork;

(d) Organized courses sponsored by a Board Approved Massage School.

Specific Authority 456.013(8),(9), 456.025(7), 456.036, 480.0415 FS. Law Implemented 456.013(8),(9), 456.025(7), 456.036, 480.0415 FS. History--New 4-21-86, Amended 9-14-87, 8-29-88, 2-8-89, 3-12-90, 1-31-91, Formerly 21L-28.010, Amended 9-30-93, 8-16-94, 6-12-95, 2-12-97, Formerly 61G11-28.010, Amended 2-18-98, 10-26-98, 9-20-99, 11-4-99, 11-21-02, 10-12-03, _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2005

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

PURPOSE AND EFFECT: The Board proposes to amend this rule to add another violation and to clarify the authority of the Board to impose costs.

SUMMARY: The rule amendment adds another violation and circumstances. Also authorizes Board to impose costs of investigation and prosecution of a disciplinary action.

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

LAW IMPLEMENTED: 456.072(4), 456.073(4), 456.079(1),(3),(4), 480.046, 480.047 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 E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-30.002 Disciplinary Guidelines.

(1) When the Board finds that an applicant, apprentice, or licensee whom it regulates under Chapter 480, F.S., has committed any of the acts set forth in Sections 480.0485, 480.046, 480.047 and 456.072, F.S., it shall issue a final order imposing appropriate penalties within the ranges recommended in the following disciplinary guidelines after consideration of the aggravating and mitigating factors set forth in subsection (3) of this rule:

(a) through (z) No change.

(aa) 456.072(1), (gg) F.S.

First Offense: Suspension until compliant up to Suspension until compliant with program followed by up to 5 years probation with conditions. Second or Subsequent offense: Suspension until compliant with program and up to five years probation with conditions, or revocation, and up to \$2,000.00 fine.

(2) through (4) No change.

(5) The provisions of subsections (1) through (4) above are not intended and shall not be construed to limit the ability of the Board to informally dispose of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S.

(6) The provisions of subsections (1) through (4) above are not intended and shall not be construed to limit the ability of the Board to pursue or recommend the Department pursue collateral, civil or criminal actions when appropriate.

(7) In any proceeding where the Board is authorized to take disciplinary action, the Board will also impose costs of investigation and prosecution as authorized by Section 456.072(4), F.S.

~~(8)(7)~~ Whenever the Board, in accordance with this rule, imposes a monetary fine against a respondent in an Administrative Complaint, it shall also impose a suspension of the respondent's license until the fine is paid. However, to enable the respondent to pay the monies fine, the Board shall stay the imposition of the suspension for the same time period as specified, in accordance with Rule 64B7-24.016, F.A.C., for payment of the monies fine. If the fine is paid within the

specified time, then the order of suspension shall not take effect; if the fine is paid after the order of suspension has taken effect, then the suspension shall be lifted.

~~(9)(8)~~ For the purposes of Sections 480.033(4) and 480.047(1)(a), F.S., "Compensation" is defined as the payment of money or its equivalent; the receipt or delivery of property; the performance of a service; or the receipt or delivery of anything of value, to the person giving a massage in exchange for massage services.

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. History--New 3-26-87, Formerly 21L-30.002, Amended 9-30-93, 12-12-93, 8-16-94, 10-1-95, 2-5-96, 5-12-96, 5-29-97, Formerly 61G11-30.002, Amended 2-18-98, 11-4-98, 1-26-00, 10-7-02, 10-12-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 9, 2005

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: _____ RULE NO.: _____
Advertisement 64B7-33.001
PURPOSE AND EFFECT: The Board proposes to amend this rule to add that none of the provisions provided in the rule prohibit the use of a properly registered corporate or fictitious name.

SUMMARY: If registered according to Florida Law, the use of a properly registered corporate or fictitious name will not be prohibited by the provisions provided in 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 cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.046(1)(d),(f), 480.0465 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 E. King, Executive Director,
Board of Massage Therapy, 4052 Bald Cypress Way, Bin
#C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-33.001 Advertisement.

(1) Each massage therapist or massage establishment licensed under the provisions of this act shall include the number of the license in any advertisement of massage services.

~~(2)(1)~~ Any advertisement of massage services in any advertising medium as defined herein shall include the license number of each licensed massage therapist and each licensed massage establishment whose name appears in the advertisement. ~~The license numbers and names shall be legible and shall appear in the advertisement exactly as they appear on the license of the therapist or establishment.~~

~~(3)(2)~~ For purposes of this rule, "advertising medium" means: any newspaper, airwave or computer transmission, telephone directory listing other than a listing for which no additional advertising charge is made, business card, handbill, flier, sign other than a building directory listing all building tenants and their room or suite numbers, or other form of written advertising.

(4) No provision herein shall be construed to prohibit the use of a properly registered corporate or fictitious name, if registered according to Florida Law.

Specific Authority 480.035(7) FS. Law Implemented 480.046(1)(d),(f), 480.0465 FS. History--New 12-7-92, Formerly 21L-33.001, Amended 2-13-95, 7-13-97, Formerly 61G11-33.001, Amended 11-21-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 9, 2005

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: _____ RULE NO.: _____
Reactivation of Inactive Licenses 64B19-15.003
PURPOSE AND EFFECT: The Board proposes the rule amendment to specify the requirements for continuing education, and at what point the licensee must submit proof of continuing education for reactivation of an inactive license.

SUMMARY: To reactivate an inactive or active license, a licensee must submit the required proof of continuing education each full biennium the license was on an inactive status and for the last full biennium in which the license was active.

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: 456.036, 490.004(5) FS.

LAW IMPLEMENTED: 456.036 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-15.003 Reactivation of Inactive Licenses.

(1) No change.

(2) In addition, the licensee must submit proof that the licensee has obtained forty (40) hours of continuing education that meets the requirements of subsection 64B19-13.003(3), F.A.C. for each full biennium in which the license was in an inactive status and for the last full biennium in which the licensee held an active status license or part thereof inactive licensure status. Finally, the licensee must either report any disciplinary action that has been taken against the licensee. If the licensee has any outstanding administrative fines, the license may not be restored to active status until the administrative fines are paid.

Specific Authority 456.036, 490.004(5) FS. Law Implemented 456.036 FS. History—New 1-19-84, Formerly 21U-13.015, 21U-19.003, 61F13-19.003, Amended 1-7-96, Formerly 59AA-15.003, Amended 8-5-01, 3-25-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

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

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

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

DEPARTMENT OF HEALTH

Board of Speech Language Pathology and Audiology

RULE TITLE: Continuing Education as a Condition for

RULE NO.: 64B20-6.001

PURPOSE AND EFFECT: The Board proposes this rule amendment to remove the reference to paragraph 64B20-7.001(1)(d), F.A.C., for disciplinary action.

SUMMARY: The reference to paragraph 64B20-7.001(1)(d), F.A.C., will be stricken from the proposed 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 cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.013(7), 468.1135(4)(a), 468.1195(1),(3), 468.1205(1) FS.

LAW IMPLEMENTED: 456.013(7), 468.1195(1),(3), 468.1205(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 RULE IS: Pamela E. King, Executive Director, Board of Speech Language Pathology And Audiology, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-6.001 Continuing Education as a Condition for Renewal or Reactivation.

(1) through (6) No change.

(7) The Board shall audit the files of randomly selected licensees and certificateholders to ensure compliance pursuant to subsections 64B20-6.001(1) and (2), F.A.C. Within 21 days of the receipt of such request from the Board or Department, the licensee or certificateholder shall provide evidence of completion of the required continuing education hours. Failure to maintain documentation of the required continuing education hours and submission of such upon request, or the submission of false or misleading information or documentation shall subject the licensee or certificateholder to disciplinary action ~~pursuant to paragraph 64B20-7.001(1)(d), F.A.C.~~

(8) through (12) No change.

Specific Authority 456.013(7), 468.1135(4)(a), 468.1195(1),(3), 468.1205(1) FS. Law Implemented 456.013(7), 468.1195(1),(3), 468.1205(1) FS. History—New 3-14-91, Amended 8-11-91, 5-28-92, 2-24-93, Formerly 21LL-6.001, Amended 1-31-94, 7-5-94, Formerly 61F14-6.001, Amended 3-28-95, 10-1-95, 11-20-95, 4-1-96, Formerly 59BB-6.001, Amended 7-7-98, 1-6-00, 4-4-02, 3-28-04, 5-26-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech Language Pathology and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2005

DEPARTMENT OF HEALTH**Board of Speech Language Pathology and Audiology**

RULE TITLE: RULE NO.:

Standards for Approval of Continuing
Education Activities and Providers 64B20-6.002

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the Audit of Continuing Education Provider form into the rule and provide for an audit procedure, with penalties for failing to comply with the procedure.

SUMMARY: The proposed rule amendment incorporates the Audit of Continuing Education Provider form into the rule, provides an audit procedure with penalty for failing to comply.

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: 456.013, 468.1135(4), 468.1195(3) FS.

LAW IMPLEMENTED: 468.1195 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 E. King, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers.

(1) through (7) No change.

(8) The Board shall audit records of randomly selected continuing education providers to ensure compliance with the standards adopted in Rule 64B20-6.002, F.A.C. Within 21 days of the receipt of such request from the Board or Department the continuing education provider shall provide evidence of continuing education activities provided and requested on Form DOH MQA 4000 (07/05), Audit of Continuing Education Provider Number _____, which is incorporated herein by reference, effective _____, Failure to maintain and submit upon request documentation of the required information or documentation shall result in the continuing education provider status being revoked for a period of one biennium.

Specific Authority 456.013, 468.1135(4), 468.1195(3) FS. Law Implemented 468.1195 FS. History--New 3-14-91, Formerly 21LL-6.002, Amended 9-20-93, Formerly 61F14-6.002, Amended 3-28-95, 10-1-95, Formerly 59BB-6.002, Amended 1-6-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Speech Language Pathology and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2005

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

RULE TITLE: RULE NO.:

Alternative Service Procurement
Method (ASPM) 65-28.001

PURPOSE, EFFECT AND SUMMARY: Section 402.73(3), F.S., authorized the department to adopt rules providing procedures for the competitive procurement of contracted client services which represent an alternative to the request-for-proposal or invitation for bid process. As a result of Legislative action, Chapter 2005-222, L.O.F., Section 402.73(3), F.S., was deleted in its entirety, therefore the authority to promulgate Rule 65-28.001, F.A.C., has been repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

A statement of estimated regulatory costs was not prepared for this proposed rule amendments. 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 (IF NOT REQUESTED A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gloria McLean, Contracted Client Services, 1317 Winewood Boulevard, Building 5, Room 117A, Tallahassee, Florida 32399-0700, (850)413-6896

THE FULL TEXT OF THE PROPOSED RULE IS:

65-28.001 Alternate Service Procurement Method (ASPM).

Specific Authority 402.73(3) FS. Law Implemented 402.73(3) FS. History--New 7-8-01, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gloria McLean

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Chatel, Assistant Director, Contracted Clients Services

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