

These records will be available for review at the licensed facility or an alternative site of the cemetery company if approved by the Board pursuant to Section 497.309(2), F.S. Certificate of Authority holders will send written notification to the Board Office if records are available for review at an alternative site.

Specific Authority 497.103 FS. Law Implemented 497.309, 497.431 FS. History--New 3-21-95, Amended 5-27-98, 4-16-00, Formerly 3F-6.005, Amended _____.

69K-6.007 Criteria for Burial; Disinterment; Reinterment.

(1) A cemetery shall not ~~be required to~~ perform a burial, interment, entombment, or inurnment, until it has received proper authorization. Such authorization shall consist of the following:

- (a) an original completed burial transit permit;
- (b) an authorization, ~~either orally or~~ in writing, on forms prescribed by the cemetery, according to either cemetery by laws or written operating procedures of the cemetery, from the individual(s) who own the burial rights for the burial space in which the burial is to take place; and

(c) through (3) No change.

(4) A cemetery shall not be required to perform a disinterment until it has received proper authorization. Such authorization shall consist of the following:

(a) ~~All required permits; An original disinterment permit and burial transit permit, unless the reinterment is to be made in the same cemetery;~~

(b) through (c) No change.

(5) Unless the cemetery is provided with all of the documentation, the cemetery ~~shall need~~ not perform the disinterment unless and until it receives a court order instructing it to do so.

(6) through (7) No change.

Specific Authority 497.103 FS. Law Implemented 497.305(1)(b), 497.309(1), 497.313(1), 497.317, 497.515(7) FS. History--New 3-21-95, Amended 2-25-98, Formerly 3F-6.007, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 27, 2002

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-149.203	Group Conversion Premium
4-149.204	Outline of Coverage
4-149.207	Health Maintenance Organization Standard Risk Rates

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules as noticed in Vol. 29, No. 36, September 5, 2003, of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
9B-70	Florida Building Commission – Building Code Training Program

RULE NO.:	RULE TITLE:
9B-70.001	Building Code Training Program

NOTICE OF ADDITIONAL RULE WORKSHOP

The Florida Building Commission hereby gives notice that an additional workshop on the above-referenced rule will be held on November 17, 2003, at 1:00 p.m. at the Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819-8114.

The purpose and effect of this rule development is to delete obsolete core courses from the rule and make provision for the core curriculum in the future accommodating courses created by or at the direction of staff to the Florida Building Commission and those offered from private sources and discussion of voluntary accreditation of advanced courses pertaining to the Florida Building Code. The rule will also incorporate voluntary accreditation of advanced continuing education courses regarding the Florida Building Code.

Any person requiring special accommodations at the workshop because of a disability of physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days prior to the date of the workshop using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE WORKSHOP IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-209.104 Training Requests and Assignments
 THIRD NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 33, (August 15, 2003) and Vol. 29, No. 43, (October 24, 2003) issue of the Florida Administrative Weekly:

33-209.104 Training Requests and Assignments.

All employees may request training to satisfy minimum training requirements, and appropriate Department authorities may assign employees to any training at any location to meet the needs of the employee or the Department, subject to the following:

(1) All training shall be obtained through the following procedures:

(a) through (b) No change.

(c) The availability of funds and relief staff as well as the relevance and suitability of the training shall be considered at all stages of approval and processing of requests and assignments. ~~An employee whose training request has been disapproved based on lack of relevance or suitability may request a review by his or her supervisor, who is encouraged to seek input from the next level supervisor.~~

(d) through (3) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History—New 8-26-87, Formerly 33-25.004, Amended _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-501.302 Copying Services for Inmates
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 39, (September 26, 2003), issue of the Florida Administrative Weekly:

33-501.302 Copying Services for Inmates.

(1) through (2) No change.

(3) Inmate requests for copying services shall be submitted on Form DC5-154, Copying Service Request and Withdrawal. Form DC5-154 and the documents to be copied shall be submitted to the Law Library Supervisor, or other staff the

warden designates to approve copying service requests. for approval. The law library supervisor or other approving staff may inspect an inmate's documents to ensure that the material to be copied is of a legal or administrative nature and is in accordance with the reason the inmate provided for needing the copies; however, the law library supervisor or other approving staff shall not read the documents. Form DC5-154 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(4) through (6) No change.

(7) The law library supervisor or other approving staff may require an inmate for whom copies are to be made to seal the copies, except for his file copy, in envelopes and mail them immediately. This requirement, if imposed, shall be explained to the inmate before copies are made. Before the envelopes are sealed and mailed, the librarian or mail collection representative shall stamp the document(s) to be mailed and the inmate's copy, if provided by the inmate, "Provided to (name of institution) on (blank to insert date) for mailing." The mail collection representative shall then have the inmate initial the document(s) next to the stamp.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-6-83, Formerly 33-3.051, Amended 6-13-88, 8-20-89, 2-12-91, 4-10-94, 4-21-96, 6-29-98, Formerly 33-3.0051, Formerly 33-602.405, Amended _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-601.605 Inmate Drivers
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 39, (September 26, 2003), issue of the Florida Administrative Weekly:

33-601.605 Inmate Drivers.

(1) Definitions.

(a) Approving Authority, ~~where used herein,~~ refers to the Secretary of the Florida Department of Corrections or his or her designee, who will be the warden or assistant warden who has operational responsibility for a specific work release center.

(b) Commercial Motor Vehicle, ~~where used herein,~~ refers to any motor vehicle used on the streets and highways which has a gross vehicle weight rating (declared weight or actual weight) of 26,001 pounds or more, is designed to transport more than 15 persons including the driver, or is utilized to carry hazardous materials.

(c) DHSMV, ~~where used herein,~~ refers to the Department of Highway Safety and Motor Vehicles.

(d) Work Release Center (WRC), ~~where used herein,~~ refers to a facility where a community based transition program for approved community minimum custody inmates prior to release from custody is conducted.

(e) Paid Employment refers to the employment of a WRC inmate by an employer in the community for which the inmate receives a salary from the employer for work performed.

(2) License Requirements for Inmate Drivers in Paid Employment. Any inmate who operates a vehicle for paid employment purposes must have the required valid Florida Driver's License. No inmate will be authorized to operate a vehicle that qualifies as a commercial motor vehicle without a valid Florida Commercial Driver's License.

(3) Selection Criteria for ~~WRC~~ Paid Employment Inmate Drivers.

(a) through (e) No change.

(4) The work release center classification officer considering an inmate as a ~~work release center~~ paid employment driver shall review the inmate's driving history utilizing the Kirkman Data Center database. Questions or concerns regarding the Kirkman Data Center database are to be directed to the work release coordinator in the Bureau of Classification and Central Records for resolution.

(5) Prior to driving an employer's a department vehicle, a ~~WRC~~ paid employment inmate driver must be authorized in writing by the approving authority.

(6) Obtaining licenses for non-licensed paid employment inmate drivers.

(a) When an inmate who does not have a valid Florida Driver's License on file is assigned as a ~~WRC~~ paid employment inmate driver, the classification officer shall contact the nearest DHSMV Driver's License Office by telephone and arrange for the license examination.

(b) through (d) No change.

(7)(a) Issuance of ~~WRC~~ Paid Employment Inmate Driver's Licenses. The correctional officer working in the control room shall issue the license to the inmate upon departure to his or her employment site from the work release center, and shall ensure that the license is returned to the control room upon the inmate's return to the work release center. The correctional officer in control room shall document on the control room log every time a driver's license is given to and received from an inmate. For security reasons, the license will be stored in the control room when not in use.

(b) through (10) No change.

Specific Authority 944.09, 945.091 FS. Law Implemented 20.315, 322.03, 322.04, 322.15, 944.09, 945.091 FS. History—New 8-29-00, Amended 1-1-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Paula J. Hoisington

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.205 Inmate Telephone Use
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 39, (September 26, 2003), issue of the Florida Administrative Weekly:

33-602.205 Inmate Telephone Use.

(1) through (13) No change.

(14) Telephone devices for the deaf.

(a) through (e) No change.

~~(f) The telephone device for the deaf will be utilized in an office in the classification department. Its use will be requested utilizing Form DC6-236, Inmate Request, and coordinated with the inmate's classification officer. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.~~

(15) No change.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.205 Inmate Telephone Use
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed rule, as noticed in the Florida Administrative Weekly, Vol. 29, No. 39, September 26, 2003, will be held at 1:00 p.m. on Thursday, November 13, 2003, at the Department of Corrections Central Office, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-6.080 Payment Methodology for
 Federally Qualified Health
 Center Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 29, No. 32, on August 8, 2003.

1. Section I.A

Correction to reference V.C (2) instead of V.A.(2).

2. Section IV.D

The term "cost per diem" has been replaced with "facility encounter rate."

3. Section V

Section V has been reorganized and reworded for clarity.

4. Section V.C.2

Correction in the reference to the definition of an allowable encounter to Section XI from Section X.

5. Section XI., C. 4

Definition C. #4 – Mental Health encounter should include the word “recipient” in order to be consistent with the previous definitions found in Numbers 1 through 3.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-20.002 Experience
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 31, August 1, 2003, issue of the Florida Administrative Weekly. The Board voted to make the additional changes at its August 8, 2003 meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

61G15-20.002 Experience.

(1)(a) In order to meet the prerequisites for entry into the engineering examination, an applicant is required to have four years of acceptable experience in engineering at the time of application and four years of acceptable educational qualifications. In determining whether an applicant’s experience background is sufficient to meet the requirements set forth in subsections 471.013(1)(a)1. and 2., F.S., the Board has determined that an individual must have the requisite number of years of acceptable engineering experience gained through education and through the requisite amount of full-time employment in engineering. The type of employment which shall be acceptable must principally involve activities in the field of engineering as defined in subsection 471.005(4)(a), F.S., ~~and shall include at least one year of engineering design experience.~~ The Board may accept engineering experience in foreign countries if such experience is properly verified by the Board from evidence supplied by the applicant to be equivalent to that accepted as experience by the Board as to any state or territory.

(b) Because the evaluation of experience is a complex and subjective matter, the Board establishes the following guidelines which shall be generally applicable absent extraordinary evidence and documentation supporting a departure therefrom:

1. The acquisition of acceptable engineering experience should logically follow and constitute an application of the engineering education previously obtained.

2. Engineering experience obtained prior to the completion of the engineering degree is usually of a subprofessional nature. Such experience, if deemed acceptable and properly verified, may be awarded experience credit at 25% of the actual time. If the experience is obtained after the completion of a substantial number of engineering design courses, and involves matters of average or above average complexity, experience credit may be awarded at up to 50% of actual time. In any event, the total engineering experience credit allowable for pregraduation experience shall not exceed 12 months.

3. Experience credit is based on a 40 hour per week full-time basis. No additional credit is allowable for overtime work, or for part-time work experience obtained while pursuing engineering education on a full-time basis, or for the part-time pursuit of a masters or doctorate degree while obtaining full-time work experience.

4. Experience must be progressive on engineering projects to indicate that it is of increasing quality and requiring greater responsibility.

5. Experience must not be obtained in violation of the licensure act.

6. Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the applicant while in the armed services served in an engineering or engineering-related group.

7. Experience should be gained under the supervision of a licensed professional engineer or, if not, an explanation should be made showing why the experience should be considered acceptable.

8. For sales experience to be creditable, it must be demonstrated that engineering principles were required and used in gaining the experience.

9. Teaching experience, to be creditable, must be in engineering or engineering-related courses at an advanced level in a college or university offering an engineering program of four years or more that is approved by the board.

10. Experience gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board is creditable.

11. Experience may not be anticipated. The experience must have been gained by the time of the application.

12. Experience in construction, to be creditable, must demonstrate the application of engineering principles.

13. Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.

14. Experience should include demonstration of the application of engineering principles in the practical solution of engineering problems.

(2) In order to verify an applicant’s experience record, the Board will require evidence of employment from employers or supervisors who are employed in the engineering profession or are professional engineers, who shall set forth the quality and character of the applicant’s duties and responsibilities. In addition to the employer verification, an applicant must list three personal references who are professional engineers. Should the Board find the information submitted by the applicant is insufficient or incomplete, the Board may require the applicant to supply additional references or evidence regarding the applicant’s experience and background or both so that an intelligent decision may be made on whether admittance to the examination is allowable.

The Board will accept as equivalent to one year’s experience a masters degree in engineering from a college or university from a Board approved engineering program as defined in subsection 61G15-20.001(2), F.A.C. approved pursuant to Section 471.013, F.S. The Board will also accept as equivalent to one year’s experience a doctorate in engineering from a college or university from a Board approved engineering program as defined in subsection 61G15-20.001(2), F.A.C. approved pursuant to Section 471.013, F.S.

Specific Authority 471.013(1)(a) FS. Law Implemented 471.005(6), 471.013(1)(a) FS. History—New 1-8-80, Amended 3-11-80, 6-23-80, 7-7-83, 9-13-84, Formerly 21H-20.01, Amended 8-18-87, 12-4-91, Formerly 21H-20.002, Amended 12-26-94, 5-20-02, _____.

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.”

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 503, MONEY CLIP
RULE NO.: 53ER03-52
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 503, “MONEY CLIP,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-52 Instant Game Number 503, MONEY CLIP.

(1) Name of Game. Instant Game Number 503, “MONEY CLIP.”

(2) Price. MONEY CLIP lottery tickets sell for \$1.00 per ticket.

(3) MONEY CLIP lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning MONEY CLIP lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any MONEY CLIP lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	
10	11	12	13	14	15	16	17	18	19
TEN	ELEVEN	TWELVE	THIRTEEN	FORTY	FIFTY	SIXTY	SEVENTY	EIGHTY	NINETY

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	
10	11	12	13	14	15	16	17	18	19
TEN	ELEVEN	TWELVE	THIRTEEN	FORTY	FIFTY	SIXTY	SEVENTY	EIGHTY	NINETY

(6) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$5.00	\$10.00	\$20.00	\$100	\$2,500
TICKET	ONE	TWO	FIVE	TEN	TWENTY	ONE HUNDRED	TWO THOUSAND FIVE HUNDRED

(7) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS
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