

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF EDUCATION**

RULE TITLE: Specifications for New School Buses  
 RULE NO.: 6-3.029

PURPOSE AND EFFECT: The purpose of this rule development is to review specifications for new school buses to ensure that the latest safety and reliability-related technological improvements available from all manufacturers are incorporated. The effect is to have a rule which best addresses safety.

SUBJECT AREA TO BE ADDRESSED: Specifications for new school buses.

SPECIFIC AUTHORITY: 229.053(1), 234.051 FS.

LAW IMPLEMENTED: 234.02, 234.051 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. – 12:00 Noon, March 16, 2000

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1706, Tallahassee, Florida

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Charlie Hood, Director, School Transportation Management Section, Division of Support Services, Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (805)488-4405

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Florida Teacher Certification Examinations  
 RULE NO.: 6A-4.0021

PURPOSE AND EFFECT: The purpose of this rule development is to revise the passing score for the Spanish 6-12 teacher certification examination. The proposed Spanish 6-12 examination passing score is a composite score based on weighting a multiple choice section, a speaking performance section and a newly-instituted writing performance section. The effect of the revised passing score is that successful Spanish 6-12 teacher certification examination candidates will demonstrate proficiency in multiple choice test items, speaking performance and writing performance. In addition, applications forms will be reviewed and updated.

SUBJECT AREA TO BE ADDRESSED: Passing score for the Spanish 6-12 teacher certification examination and updated application forms for the Florida Teacher Certification Examination.

SPECIFIC AUTHORITY: 231.17(4),(8),(11) FS.

LAW IMPLEMENTED: 231.17 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: 9:30 a.m. – 12:00 noon, March 24, 2000

PLACE: 325 West Gaines Street, Room 403, Tallahassee, Florida

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tom Fisher, Bureau of Curriculum, Instruction and Assessment, 325 West Gaines Street, Room 414, Tallahassee, Florida 32399-0400, (850)488-8198

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.0021 Florida Teacher Certification Examination.

(1) through (8) No change.

(a) through (c) No change.

(9) Scoring of the subject area specialty subtests.

(a) through (c) No change.

(d) For subject area specialty tests listed below, a score earned prior to May 1, 1991, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. After May 1, 1991, a passing score for these subject area tests will be a scaled score of at least two hundred (200). The scaled score shall be equivalent to the following scores on the October 1989 test administration:

SUBJECT	SCORE
Chemistry 6-12	57 correct items
Drama 6-12	96 correct items
Economics 6-12	70 correct items
Educational/Media Specialist PK-12	102 correct items
Health K-12	71 correct items
Latin K-12	70 correct items
Middle Grades General Science 5-9	70 correct items
Middle Grades Mathematics 5-9	59 correct items
Middle Grades Social Science 5-9	87 correct items
Physics 6-12	51 correct items
French K-12	87 on a scale that weights the multiple choice section fifty (50) percent, the speaking section forty (40) percent, and the writing section ten (10) percent.

German K-12 A score of Intermediate High or more on the oral interview and a score of 82 on a scale that weights the multiple choice section eighty (80) percent and the writing section twenty (20) percent.

Middle Grades English 5-9 57 on a scale that weights the multiple choice section eighty (80) percent and the essay section twenty (20) percent.

Spanish K-12 ~~87 on a scale that weights the multiple choice section seventy-five (75) percent and the speaking section twenty-five (25) percent.~~

Speech 6-12 Prior to October 1, 1996, 119 on a scale that weights the multiple choice section fifty (50) percent and the speech section fifty (50) percent. Beginning October 1, 1996, a score of fifty-six (56) on the multiple choice section and a score of four (4) or more on the speech section based on the summed ratings of two (2) trained judges using a scale of one (1) low to four (4) high.

(e) through (i) No change.

(j) For the subject area specialty test listed below, passing for a score earned prior to August 1, 2000, shall be a scaled score of at least two hundred (200). This scaled passing score shall be equivalent to the following score on the October 1989 test administration:

Spanish K-12 87 on a scale that weights the multiple choice section seventy-five (75) percent and the speaking section twenty-five (25) percent.

Effective August 1, 2000, a passing score for this test will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following score on the October 1998 and January 1999 test administrations:

Spanish K-12 88 on a scale that weights the multiple choice section sixty (60) percent, the speaking section twenty-five (25) percent, and the writing section fifteen (15) percent.

~~(k)~~ No change.

~~(l)~~ No change.

Specific Authority 231.15(1), 231.17(4),(5),(8),(11), 231.30 FS. Law Implemented 231.145, 231.15, 231.17, 231.30 FS. History--New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99,\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid Postsecondary Education Expense Board**

RULE TITLE: Application

RULE NO.: 19B-4.001

PURPOSE AND EFFECT: To provide that applications for advanced payment contracts may be submitted by a purchaser pursuant to a court order at any time.

SUBJECT AREA TO BE DISCUSSED: Allowing applications for advanced payment contracts to be submitted by purchasers pursuant to a court order at any time.

SPECIFIC AUTHORITY: 240.551(7)(a) FS.

LAW IMPLEMENTED: 240.551 FS.

IF REQUESTED 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: 2:00 p.m., March 13, 2000

PLACE: Suite 210, Hermitage Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

These rules apply to purchasers of advance payment contracts for the prepayment of postsecondary registration and/or dormitory residency fees. The application period shall commence and terminate on dates set annually by the Board and published in the Florida Administrative Weekly. Applications for advance payment contracts purchased through the Board's direct support organization, the Florida Prepaid College Foundation, Inc., ~~or~~ for purchasers participating in employer participation programs or by purchasers pursuant to a court order may be submitted to the Board at any time. After acceptance by the Board of the purchaser's application, a participation and payment schedule and master covenant shall be mailed to the purchaser. The advance payment contract shall be comprised of the application, master covenant, and participation and payment schedule. The Florida Prepaid College Program Application, Form No. FPCP 99-1 is hereby incorporated by reference and may be obtained by calling 1-800-552-GRAD (4723) (prompt 1). The effective date of the form is October 18, 1999. The Florida Prepaid College Program Master Covenant, Form No. FPCP 99-2, is hereby incorporated by reference with an effective date of October 18, 1999.

Specific Authority 240.551(7)(a) FS. Law Implemented 240.551 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-9-2000, Formerly 4G-4.001, Amended \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLE: RULE NO.:

Publications Incorporated by Reference 40C-4.091

PURPOSE AND EFFECT: The purpose of the proposed rule is to adopt an agency statement that allegedly constitutes an unadopted rule, as a defense against a pending section 120.56(4), F.S., challenge filed against the District in the case of *The Sierra Club v. St. Johns River Water Management District* DOAH Case No. 99-5003RU. The St. Johns River Water Management District proposes to revise Section 12.2.8 of the Applicant's Handbook: Management and Storage of Surface Waters, by adding a new section, Section 12.2.8.3, relating to cumulative impacts of regulated activities. Proposed Section 12.2.8.3 deals with the cumulative impact analysis where an applicant proposes mitigation within the same drainage basin as the adverse effects to be mitigated and the mitigation fully offsets those adverse impacts.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment addresses cumulative impacts and "in-basin" mitigation.

SPECIFIC AUTHORITY: 373.044, 373.046(4), 373.113, 373.171, 373.413, 373.4136, 373.414, 373.415, 373.418, 373.421(2) FS.

LAW IMPLEMENTED: 373.016(2), 373.046, 373.413, 373.4135, 373.4136, 373.414(8), 373.416, 373.415, 373.418, 373.421(2)-(6), 373.426 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE DETERMINED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459

**THE FULL TEXT OF THE PROPOSED RULE IS:**

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I "Policy and Procedures," Part II "Criteria for Evaluation," subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K "Legal Description Upper St. Johns River Hydrologic Basin," "Legal Description Ocklawaha River Hydrologic Basin," "Legal Description of the Wekiva River Hydrologic Basin," "Legal Description of the Econlockhatchee River Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Alachua County," "Legal Description Tomoka River Hydrologic Basin," "Legal Description Spruce Creek Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Marion County," and "Legal Descriptions of the Lake Apopka Drainage Basin," and Appendix M

"Regional Watersheds for Mitigation Banking," of the document entitled "Applicant's Handbook: Management and Storage of Surface Waters," effective 4-11-99 \_\_\_\_\_.

(b) through (c) No change.

(2) No change.

Specific Authority 373.044, 373.046(4), 373.113, 373.171, 373.413, 373.4136, 373.415, 373.416, 373.418, 373.421(2) FS. Law Implemented 373.046, 373.413, 373.4135, 373.4136, 373.415, 373.416, 373.421(2)-(6), 373.426 FS. History—New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 8-11-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, \_\_\_\_\_.

**APPLICANT'S HANDBOOK SECTION:**

12.2.8 Cumulative Impacts

12.2.8.1 No change.

12.2.8.2 No change.

12.2.8.3 If an applicant proposes mitigation within the same drainage basin as the adverse effects to be mitigated, and if the mitigation offsets these adverse effects, then the District shall consider the regulated activity to meet the cumulative impact requirement of subsection 12.2.8.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Miscellaneous Provisions 40E-7

RULE TITLES: RULE NOS.:

Policy and Purpose 40E-7.511

Scope and Applicability 40E-7.520

Definitions 40E-7.521

Access to Management Areas; Closures 40E-7.523

Use of Vehicles, Airboats, and Aircraft;

Navigational Restrictions 40E-7.525

Equestrian Activities; Use of Saddle Animals 40E-7.526

Hunting; Possession and Use of Firearms 40E-7.527

Overnight Camping 40E-7.529

Operating Hours 40E-7.532

Special Use Licenses 40E-7.534

General Prohibitions 40E-7.537

Penalties 40E-7.539

PURPOSE AND EFFECT: This rule development is intended to get public comment on possible revisions to the document entitled, "Public Use Guide for Designated Land Management Areas" (PUG) and the rules that implement the PUG. This document is incorporated by reference in Rule 40E-7.520, FAC. Any revisions will provide for recreational use and enjoyment by the public of lands acquired by the District under the Save Our Rivers and Preservation 2000 programs, while protecting natural resources and ecosystems.

SUBJECT AREA TO BE ADDRESSED: Public recreational use of specified District lands.

SPECIFIC AUTHORITY: 279.101, 373.019, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 259.101, 316.192, 316.1925, 316.316, 316.655, 373.016, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.119, 373.129, 373.139, 373.1395, 373.1401, 373.59, 373.609, 373.613 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIME AND DATE: 7:00 p.m., March 16, 2000

PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, FL 34741-5725, (407)935-1412

TIME AND DATE: 7:00 p.m., March 21, 2000

PLACE: South Florida Water Management District Headquarters, Cafeteria, 3301 Gun Club Road, West Palm Beach, Florida, (561)686-8800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Janetta Worth, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6640 or (561)682-6640 (internet: jworth@sfwmd.gov)

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

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

**DEPARTMENT OF HEALTH**

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

RULE TITLE: Examination for Licensure  
 RULE NO.: 64B4-3.003

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if the national exam should be changed for Mental Health Counselors.

SUBJECT AREA TO BE ADDRESSED: Examination for licensure.

SPECIFIC AUTHORITY: 455.574, 491.004(5) FS.

LAW IMPLEMENTED: 455.574, 491.005 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., April 27, 2000

PLACE: The Radisson Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

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

RULE CHAPTER TITLE: Discipline  
 RULE CHAPTER NO.: 64B4-5

PURPOSE AND EFFECT: The Board proposes to review this chapter to determine if amendments are necessary to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Discipline.

SPECIFIC AUTHORITY: 120.695, 455.617, 455.621, 455.627, 491.004(5) FS.

LAW IMPLEMENTED: 120.695, 455.617, 455.621, 455.627, 491.009, 491.0149 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., April 27, 2000

PLACE: The Radisson Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

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

RULE TITLE: Definition of a "Licensed Mental Health Counselor or the Equivalent Who is a Qualified Supervisor."  
 RULE NO.: 64B4-31.007

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if amendments are necessary to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Definition of a "Licensed Mental Health Counselor or the Equivalent Who Is a Qualified Supervisor."

SPECIFIC AUTHORITY: 491.004(5), 491.005(4)(c) FS.  
 LAW IMPLEMENTED: 491.005(4)(c) 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., April 27, 2000  
 PLACE: The Radisson Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE:

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish procedures and revise forms for the submission of applications by companies seeking to do business in the state of Florida. The purpose of the rule chapter will also establish procedures for companies who wish to amend their certificates of authority to add new lines of business.

SUMMARY: The proposed amendments include eliminating rules that were targeted for repeal during the recent rule review project. Additionally, several of the amendments are aimed at consolidating domestic and alien forms and permits used by the Department into fewer rule sections. Lastly, the amendments include repealing forms that are no longer necessary.

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: 624.308, 627.954 FS.

LAW IMPLEMENTED: 624.307(3), 624.318, 624.321, 624.34, 624.401, 624.404, 624.408, 624.413, 624.414, 624.416(4), 624.422, 624.462, 624.466, 624.501, 624.913, 626.611(14), 627.943, 627.944, 627.945 (1), 627.947, 627.948, 628.051, 628.061, 628.6011 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: 10:00 a.m., March 22, 2000

PLACE: Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joan Hendrix, Senior Management Analyst I, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-2570

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: Joan Hendrix, (850)413-2570.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-136.001 Purpose.

~~The purpose of this rule chapter is to establish procedures for the submission of applications by companies seeking to do business in this state pursuant to the provisions of Chapters 624, 626, 628, and 629, Florida Statutes. This rule chapter contains specific filing instructions for the following entities:~~

~~(1) Application for Certificate of Authority for Foreign and Alien Property and Casualty Insurers, pursuant to Section 624.404, Florida Statutes.~~

## Section II Proposed Rules

### DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Purpose	4-136.001
Foreign and Alien Insurers Filing for a Certificate of Authority	4-136.002
Foreign and Alien Insurers Filing for a Certificate of Authority for Property and Casualty Surplus Lines	4-136.003 4-136.004
Foreign and Alien Life and Accident and Health Insurers	4-136.005
Domestic Insurers Filing for an Application for Permit	4-136.006
Applications for Permit Submitted for Domestic Assessable Mutual Insurers	4-136.007
Permit for Domestic Property and Casualty Insurers	4-136.008
Application for Permit, Domestic Captive Insurer Permit for Domestic Life, Accident and Health Insurers	4-136.009 4-136.010
Domestic Insurers Filing for a Certificate of Authority	4-136.011
Forms Adopted	4-136.012
Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business	4-136.015
Purpose	4-136.030
Registration as a Purchasing Group	4-136.031
Restriction on Insurance Purchased by Purchasing Groups	4-136.033

~~(2) Application for Certificate of Authority for Commercial Self-Insurance Funds, pursuant to Section 624.462, Florida Statutes.~~

~~(3) Application as an Insurer Under Florida's Surplus Lines Law, pursuant to Section 626.913, Florida Statutes.~~

~~(4) Application for Permit for Domestic Assessable Mutual Insurers, pursuant to Section 628.6011, Florida Statutes.~~

~~(5) Application for Permit for Domestic Property and Casualty Insurers, Title Insurers, and Life and Health Insurers, pursuant to Section 628.051, Florida Statutes.~~

~~(6) Application for Permit for Domestic Captive Insurers, pursuant to Chapter 628, Part III, Florida Statutes.~~

~~(7) Application for Permit for Domestic Life, Accident and Health Insurers, pursuant to Section 628.051, Florida Statutes.~~

~~(8) Application for Certificate of Authority of Domestic Property and Casualty Insurers, pursuant to Section 624.404, Florida Statutes.~~

~~(9) Application for Certificate of Authority of Domestic Life, Accident and Health Insurers, pursuant to Section 624.404, Florida Statutes.~~

~~(10) Application for Certificate of Authority of Domestic Reciprocal Insurers, pursuant to Section 629.081, Florida Statutes.~~

Specific Authority 624.308 FS. Law Implemented 624.401, 624.404, 624.462, 624.466, 626.913, 628.051, 628.6011, 629.081, 629.091 FS. History—New 2-26-92, Repealed \_\_\_\_\_.

4-136.002 Foreign and Alien Insurers Filing for a Certificate of Authority.

All foreign entities seeking a ~~any of the~~ certificates of authority specified in 4-136.001 shall comply with the requirements of Sections 624.404, 624.413 and related Florida Statutes, and shall submit the following ~~common~~ forms:

~~(1) Form DI4 841, "Invoice Request for Payment of Application Fees," rev. 08/91;~~

~~(1)(2) Form DI4-144, "Service of Process Consent & Agreement," rev. 1/97 "Consent and Agreement in re Service of Process Under the Laws of Florida," rev. 11/90;~~

~~(3) Form DI4-514, "Resolution Form," rev. 11/90;~~

~~(4) Form DI4 414, "Paid Representative Registration," rev. 6/89;~~

~~(5) Form DI4-516, "Insurance Holding Company System Registration Statement," rev. 11/90;~~

~~(6) Form DI4-843, "Florida Comprehensive Health Association Subscription Agreement," rev. 5/91;~~

~~(7) Form DI4 844, "Management Information," rev. 10/91;~~

~~(2)(8) Form DI4-422, "Biographical Statement and Affidavit," rev. 10/26/98; 11/90; and~~

~~(3)(9) Form DI4-450, "Authority For Release of Information," rev. 8/91;~~

~~(4) Form DI4-884, "Application for Certificate of Authority Foreign and Alien Insurer," rev. 2/00;~~

~~(5) Form DI4-881, "Invoice, Application For Certificate of Authority," rev. 10/97;~~

~~(6) Form DI4-903, "Invoice, Request For Payment of Fingerprint Charges," rev. 4/97;~~

~~(7) Form DI4-887, "Application For Certificate of Authority To Conduct Business In The State of Florida," rev. 9/98;~~

~~(8) Form DI4-901, "Life, Accident and Health Insurers, Lines of Business By Company Code," rev. 5/91;~~

~~(9) Form DI4-877, "Property and Casualty Insurers, Lines of Business By Company Code," rev. 11/05/99;~~

~~(10) Form DI4-896, "Life, Accident, and Health Insurance Company Pro Formas (Pages 1-4)," rev. 9/96;~~

~~(11) Form DI4-896, "Property & Casualty Insurance Company Pro Formas (Pages 5-22)," rev. 11/98;~~

~~(12) Form DI4-888, "Disclosure Form Property and Casualty Insurers Only," rev. 4/97;~~

~~(13) Form DI4-889, "Certification, Property and Casualty Insurers Only," rev. 4/97;~~

~~(14) Form DI4-1301, "Subscription Agreement Form," rev. 5/99;~~

~~(15) Form DI4-1298, "Management Information Form," rev. 4/97;~~

~~(16) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 6/99; and~~

~~(17) Form DI4-938, "Fingerprint Card Instructions," rev. 7/99.~~

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.501 FS. History—New 2-26-92, Amended \_\_\_\_\_.

4-136.003 Foreign and Alien Insurers Filing for a Certificate of Authority for Property and Casualty.

~~Applications submitted for a Certificate of Authority for Foreign and Alien Property and Casualty Insurers shall contain all of the following forms in addition to the common forms pursuant to Section 624.404 and required by Rule 4-136.002, above:~~

~~(1) Form DI4 884, "Application for Certificate of Authority for Foreign and Alien Property and Casualty Insurers," rev. 4/91;~~

~~(2) Form DI4-885, "Instructions, Sections I-IV," rev. 4/91;~~

~~(3) Form DI4-886, "Required Filings Check List, Sections I-IV," rev. 4/91;~~

~~(4) Form DI4 887, "Application for License to Conduct Business in the State of Florida—Foreign or Alien Property and Casualty Insurer," rev. 5/91;~~

~~(5) Form DI4-896, "Proformas (Pages 1-18)," rev. 5/91;~~

~~(6) Form DI4-888, "Disclosure Form For Premiums Due," rev. 5/91; and~~

(7) Form DI4-889, "Certification re Premiums Due," rev. 5/91.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422 FS. History—New 2-26-92, Repealed \_\_\_\_\_.

#### 4-136.004 Surplus Lines.

Applications submitted as an Insurer Under Florida's Surplus Lines Law, pursuant to Section 626.913, Florida Statutes, shall contain all of the following forms:

(1) Form ~~DI4-915~~ ~~DI4-815~~, "Application as an Insurer Under Florida's Surplus Lines Law," rev. ~~12/97~~ ~~4/91~~;

(2) Form DI4-916, "Instructions, Sections I-IV," rev. ~~5/99~~ ~~4/91~~;

(3) Form DI4-917, "Required Filings Check List, Sections I-IV," rev. ~~5/98~~ ~~4/91~~;

(4) ~~Form DI4-841, "Invoice, Request For Payment of Application Fees," rev. 8/91;~~

~~(4)(5) Form DI4-144, "Service Of Process Consent & Agreement," rev. 1/97. "Consent and Agreement In Re Service of Process Under The Laws of Florida," rev 11/90;~~

~~(6) Form DI4-514, "Resolution Form," rev. 11/90;~~

~~(7) Form DI4-414, "Paid Representative Registration," rev. 6/01/89;~~

~~(5)(8) Form DI4-844, "Management Information," rev. 4/97~~ ~~10/91~~;

~~(6) Form DI4-903, "Invoice, Request For Payment of Fingerprint Charges," rev. 4/97;~~

~~(7) Form DI4-877, "Property and Casualty Insurers, Lines of Business By Company Code," rev. 11/05/99;~~

~~(8) Form DI4-422, "Biographical Statement and Affidavit", rev. 10/26/98;~~

~~(9) Form DI4-450, "Authority for Release of Information," rev. 8/91;~~

~~(10) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 6/99; and~~

~~(11) Form DI4-938, "Fingerprint Card Instructions," rev. 7/99.~~

Specific Authority 624.308 FS. Law Implemented 624.422, 624.501, 626.913 FS. History—New 2-26-92, Amended \_\_\_\_\_.

#### 4-136.005 Foreign and Alien Life and Accident and Health Insurers.

Applicants for a Certificate of Authority for Foreign and Alien Life and Accident and Health shall submit all of the following forms in addition to the common forms required by Rule 4-136.002, above:

~~(1) Form DI4-838, "Application for Certificate of Authority Foreign & Alien Life, Accident & Health Insurer," rev. 5/91;~~

~~(2) Form DI4-839, "Instructions, Sections I-IV," rev. 5/91;~~

~~(3) Form DI4-840, "Required Filings Check List," rev. 5/91;~~

~~(4) Form DI4-842, "Application For License, Foreign and Alien Life, Accident & Health Insurer," rev. 5/91; and~~

~~(5) Form DI4-904, "Proformas (Exhibits 1A, 1B, 2A and 2B)," rev. 5/91.~~

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.501 FS. History—New 2-26-92, Repealed \_\_\_\_\_.

#### 4-136.006 Domestic Insurers Filing for an Application for Permit.

All domestic insurers filing an Application for Permit, pursuant to Chapter 628, Florida Statutes, for the following: Domestic Property and Casualty Insurers, Title Insurers, and Life and Health Insurers, pursuant to Section 628.051, Florida Statutes; Domestic Assessable Mutual Insurers, pursuant to Section 628.051, Florida Statutes; and Domestic Captive Insurers, pursuant to Chapter 628, Part III, as referenced in 4-136.001, above, shall submit the following common forms:

~~(1)(a)~~ Form DI4-903, "Invoice, Request For Payment of Fingerprint Charges," rev. ~~4/97~~ ~~5/91~~;

~~(2)(b)~~ Form DI4-516, "Insurance Holding Company System Registration Statement," rev. ~~4/97~~ ~~11/90~~;

(c) Form DI4-414, "Paid Representative Registration," rev. 6/89;

~~(3)(d)~~ Form DI4-422, "Biographical Statement and Affidavit," rev. 11/90;

~~(4)(e)~~ Form DI4-450, "Authority For Release of Information," rev. 8/91;

~~(5) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 6/99;~~

~~(f) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Equifax Report," or similar report, rev. 5/91;~~

~~(g) Form DI4-843, "Florida Comprehensive Health Association Agreement," rev. 5/91;~~

~~(6)(h) Form DI4-844, "Management Information," rev. 4/97; 10/91; and~~

~~(7)(i) Form DI4-938, "Fingerprint Card Instructions," rev. 7/99; 4/91.~~

~~(8) Form DI4-872, "Application for Permit Domestic Insurer," rev. 2/00;~~

~~(9) Form DI4-875, "Invoice, Domestic Insurer Application For Permit," rev. 4/97;~~

~~(10) Form DI4-876, "Application For Permit To Form A Domestic Insurer," rev. 4/97;~~

~~(11) Form DI4-901, "Life, Accident and Health Insurers Lines of Business By Company Code Form," rev. 5/91;~~

~~(12) Form DI4-877, "Property and Casualty Insurers Lines of Business By Company Code Form," rev. 11/05/99;~~

~~(13) Form DI4-896, "Life, Accident, and Health Insurance Company Pro Formas (Pages 1-4)," rev. 9/96; and~~

~~(14) Form DI4-896, "Property & Casualty Insurance Company Pro Formas (Pages 5-22)," rev. 11/98.~~

(2) The Department may request an updated Biographical Affidavit, Authority for Release of Information, Equifax or a similar report and fingerprint card on an officer, director, incorporator and those owning 10% or more, or on those who will be associated in the formation of the insurer, for each application submitted to do business in Florida.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.501, 628.051 FS. History—New 2-26-92, Amended \_\_\_\_\_.

4-136.007 Applications for Permit Submitted for Domestic Assessable Mutual Insurers.

(1) Applications submitted for Domestic Assessable Mutual Insurers, pursuant to Section 628.051, Florida Statutes, shall contain all of the forms in subsection (2), below, in addition to the common forms as specified in 4-136.006:

(2)(a) Form DI4-890, "Application for Permit, Domestic Assessable Mutual Insurer," rev. 5/91;

(b) Form DI4-892, "Instructions, Part I-IV," rev. 5/91;

(c) Form DI4-891, "Required Filings Check List, Sections I-IV," rev. 5/91;

(d) Form DI4-893, "Invoice, Domestic Assessable Mutual Insurer," rev. 5/91;

(e) Form DI4-894, "Application for Permit to Form a Domestic Assessable Mutual Insurer," rev. 5/91; and

(f) Form DI4-896, "Proformas (pages 1-18)," rev. 5/91.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.501, 628.051 FS. History—New 6-4-92, Repealed \_\_\_\_\_.

4-136.008 Permit for Domestic Property and Casualty Insurers.

Applications submitted for a Permit for Domestic Property and Casualty Insurers, pursuant to Section 628.051, Florida Statutes, shall contain the following forms in addition to the common forms as specified in 4-136.006:

(1) Form DI4-872, "Application for Permit, Domestic Property and Casualty Insurer," rev. 5/91;

(2) Form DI4-873, "Instructions, Sections I-IV," rev. 5/91;

(3) Form DI4-874, "Required Filings Check List, Sections I-IV," rev. 5/91;

(4) Form DI4-875, "Invoice, Domestic Property and Casualty Insurer," rev. 3/91;

(5) Form DI4-876, "Application for Permit To Form a Domestic Property and Casualty Insurer," rev. 5/91; and

(6) Form DI4-896, "Proformas (pages 1-18)," rev. 5/91.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.501, 628.051 FS. History—New 2-26-92, Repealed \_\_\_\_\_.

4-136.009 Application for Permit, Domestic Captive Insurer.

(1) Applicants for a Permit as a Domestic Captive Insurer, pursuant to Chapter 628, Part III, Florida Statutes, shall submit the following forms in addition to the common forms specified in Rule 4-136.006:

(a) Form DI4-827, "Application for Permit, Domestic Captive Insurer," rev. 5/91;

(b) Form DI4-828, "Instructions, Sections I-IV," rev. 5/91;

(c) Form DI4-829, "Required Filings Check List, Sections I-IV," rev. 5/91;

(d) Form DI4-830, "Invoice for Filing Fee, Domestic Captive Insurer," rev. 5/91; and

(e) Form DI4-831, "Application For Permit To Form a Domestic Captive Insurer," rev. 5/91.

(2) A domestic captive insurer submitting an application to do business in Florida must use the word "captive" in its corporate name.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.501, 628.905 FS. History—New 2-26-92, Repealed \_\_\_\_\_.

4-136.010 Permit for Domestic Life, Accident and Health Insurers.

Applications submitted for a Permit for Domestic Life, Accident and Health Insurers, pursuant to Section 628.051, Florida Statutes, shall contain the following forms, in addition to the common forms as specified in Rule 4-136.006:

(1) Form DI4-897, "Application for Permit," rev. 5/91;

(2) Form DI4-898, "Instructions, Sections I-IV," rev. 5/91;

(3) Form DI4-899, "Required Filings Check List," rev. 5/91;

(4) Form DI4-900, "Application For Permit To Form a Domestic Life, Accident and Health Insurer," rev. 5/91; and

(5) Form DI4-902, "Invoice, Application for Permit Filing Fee," rev. 5/91.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.501, 628.051 FS. History—New 2-26-92, Repealed \_\_\_\_\_.

4-136.011 Domestic Insurers Filing for a Certificate of Authority.

(1) All domestic entities seeking a certificate of authority, pursuant to Sections 624.466, 628.6011, or 628.051, or to Chapter 628, Part I, or to Chapter 629, Florida Statutes, as referenced in Rule 4-136.001, shall submit the following common forms:

Form DI4-903, "Invoice, Request For Payment of Fingerprint Charges," rev. 4/97 5/91;

(b) Form DI4-883, "Certificate of Designation, Registered Agent/Registered Office," rev. 5/91;

(c) Form DI4-144, "Service of Process Consent & Agreement," rev. 1/97 Form DI4-144, "Consent and Agreement in Re Service of Process," rev. 11/90;



- (d) Form DI4-514, "Resolution Form," rev. 11/90;
- ~~(d)(e)~~ Form DI4-516, "Insurance Holding Company System Registration Statement," rev. 4/97 ~~11/90~~;
- ~~(e)(f)~~ Form DI4-422, "Biographical Statement and Affidavit," rev. 10/26/98 ~~11/90~~;
- ~~(f)(g)~~ Form DI4-450, "Authority For Release of Information," rev. 8/91;
- (g) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 6/99;
- ~~(h) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Equifax Report", or a similar report, rev. 5/91;~~
- (h) Form DI4-938, "Fingerprint Card Instructions," rev. 7/99;
- ~~(i) Fingerprint cards in accordance with the instructions on Form DI4-938, "Fingerprint Card Instructions," rev. 4/91;~~
- (i)(j) Form DI4-844, "Management Information Form," rev. 4/97 ~~10/91~~;
- (j) Form DI4-878, "Application For Certificate of Authority Domestic Insurer," rev. 2/00;
- (k) Form DI4-1299, "Invoice Domestic Insurer Application for Certificate of Authority," rev. 4/97;
- (l) Form DI4-882, "Application For Domestic Certificate of Authority To Conduct Business In The State Of Florida," rev. 4/97;
- (m) Form DI4-901, "Life, Accident and Health Insurers Lines of Business By Company Code," rev. 5/91;
- (n) Form DI4-877, "Property and Casualty Insurers Lines of Business By Company Code," rev. 11/05/99;
- (o) Form DI4-896, "Life, Accident, and Health Insurance Company Pro Formas (Pages 1-4)," rev. 9/96;
- (p) Form DI4-896, "Property & Casualty Insurance Company Pro Formas (Pages 5-22)," rev. 11/98;
- (q) Form DI4-883, "Registered Agent/Registered Office," rev. 5/91;
- (r) Form DI4-1301, "Subscription Agreement Form," rev. 5/99; and
- (s) Copy of the latest NAIC Company Code Application form filed with the National Association of Insurance Commissioners.
- ~~(2) Applications submitted for a Certificate of Authority Domestic Property and Casualty Insurers shall contain all of the following forms pursuant to Section 624.404, Florida Statutes, in addition to the common forms specified in subsection (1), above:~~
- ~~(a) Form DI4-878, "Application for Certificate of Authority Domestic Property and Casualty Insurer," rev. 4/91;~~
- ~~(b) Form DI4-879, "Instructions, Sections I-IV," rev. 4/91;~~
- ~~(c) Form DI4-880, "Required Filings Check List, Sections I-IV," rev. 4/91;~~
- ~~(d) Form DI4-881, "Invoice, Domestic Property and Casualty Insurer," rev. 4/91;~~
- ~~(e) Form DI4-882, "Application for License to Conduct Business in the State of Florida," rev. 5/91; and~~
- ~~(f) Form DI4-896, "Proformas (pages 1-18)," rev. 5/91.~~
- ~~(2)(3) Applications submitted for Certificate of Authority As A Commercial Self-Insurance Fund shall contain all of the following forms pursuant to Section 624.462, Florida Statutes; in addition to the common forms specified in subsection (1), above:~~
- ~~(a) Form DI4-845, "Application For Certificate of Authority, Commercial Self-Insurance Fund," rev. 4/95 ~~5/91~~;~~
- ~~(b) Form DI4-846, "Instructions, Sections I-IV," rev. 5/91;~~
- ~~(c) Form DI4-847, "Required Filings Check List, Sections I-IV," rev. 5/91;~~
- ~~(c)(d) Form DI4-848, "Invoice, Commercial Self-Insurance Fund," rev. 7/92 ~~5/91~~;~~
- ~~(d)(e) Form DI4-849, "Application For License to Conduct Business In The State of Florida," rev. 5/91;~~
- ~~(e)(f) Form DI4-869, "Consent and Agreement in Re Service of Process For Commercial Self-Insurance Fund," rev. 5/91;~~
- ~~(f)(g) Form DI4-870, "Resolution Form For Commercial Self-Insurance Fund," rev. 5/91;~~
- ~~(g)(h) Form DI4-871, "Bond Form," rev. 5/91; and~~
- ~~(h)(i) Form DI4-936, "Management Information, Complete Listing of Administrators, Trustee of Funds and Trustees of Sponsors," rev. 5/91;~~
- (i) Form DI4-903, "Invoice, Request For Payment of Fingerprint Charges," rev. 4/97;
- (j) Form DI4-877, "Property and Casualty Insurers, Lines of Business by Company Code," rev. 11/05/99;
- (k) Form DI4-896, "Property & Casualty Insurance Company Pro Formas (Pages 5-22)," rev. 11/98;
- (l) Form DI4-422, "Biographical Statement and Affidavit," rev. 10/26/98;
- (m) Form DI4-450, "Authority For Release of Information," rev. 8/91;
- (n) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 6/99; and
- (o) Form DI4-938, "Fingerprint Card Instructions," rev. 7/99.
- ~~(3)(4) Applications submitted for a Certificate of Authority of Domestic Reciprocal Insurers, pursuant to Chapter 629, Florida Statutes, shall submit the following forms in addition to the common forms specified in subsection (1), above:~~
- ~~(a) Form DI4-907, "Application for Certificate of Authority Domestic Reciprocal Insurer," rev. 4/95 ~~5/91~~;~~
- ~~(b) Form DI4-908, "Instructions, Sections I-IV," rev. 4/95 ~~5/91~~;~~

(c) Form DI4-909, "Required Filings Check List, Sections I-IV," rev. ~~4/95~~ 5/91;

(d) Form DI4-910, "Invoice, Domestic Reciprocal Insurer," rev. ~~7/92~~ 5/91;

(e) Form DI4-911, "Application for License to Conduct Business in the State of Florida," rev. 5/91;

(f) Form DI4-912, "Consent and Agreement in Re Service of Process, Reciprocal Insurers," rev. 5/91;

(g) Form DI4-843, "Florida Comprehensive Health Association Subscription Agreement," rev. 5/91;

(h) Form DI-914, "Complete Listing of All Advisory Committee Members and Subscribers," rev. 5/91; ~~and~~

(i) Form DI-937, "Complete Listing of All Attorney-In-Fact Officers, Directors and Shareholders," rev. 5/91;

(j) Form DI4-903, "Invoice, Request For Payment of Fingerprint Charges," rev. 1/94;

(k) Form DI4-877, "Property And Casualty Insurers Lines of Business By Company Code," rev. 11/05/99;

(l) Form DI4-913, "Resolution Form, Reciprocal Insurer," rev. 5/91;

(m) Form DI4-896, Pages 5-22 for "Property & Casualty Insurers," rev. 11/98;

(n) Copy of NAIC Company Code Application submitted to the NAIC upon licensure;

(o) Form DI4-422, "Biographical Statement and Affidavit," rev. 10/26/98;

(p) Form DI4-450, "Authority For Release of Information," rev. 8/91;

(q) Form DI4-938, "Fingerprint Card Instructions," rev. 7/99; and

(r) Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 6/99.

(5) Applications submitted for a Certificate of Authority of Domestic Life, Accident and Health Insurers, pursuant to Chapter 624, Florida Statutes, shall include all of the following forms in addition to the common forms specified in subsection (1), above:

(a) Form DI4-832, "Application For Certificate of Authority Domestic Life, Accident and Health Insurers," rev. 8/91;

(b) Form DI4-833, "Instructions, Sections I-IV," rev. 8/91;

(c) Form DI4-834, "Required Filings Check List, Sections I-IV," rev. 8/91;

(d) Form DI4-835, "Invoice, License Tax and Filing Fee," rev. 8/91;

(e) Form DI4-836, "Application For License to Conduct Business in the State of Florida," rev. 5/91; and

(f) Form DI4-843, "Florida Comprehensive Health Association Subscription Agreement," rev. 5/91.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.466, 624.501, 628.6011, 628.051, Part I, Chs. 628, 629 FS. History—New 2-26-92, Amended \_\_\_\_\_.

4-136.012 Forms Adopted.

(1) All the forms listed in Rules 4-136.002 through 4-136.011 are hereby adopted and incorporated by reference. All the forms may be obtained from and shall be submitted to the Department of Insurance, Division of Insurer Services Support, Applications Coordination Section, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-03270300.

(2) An original and one copy is required to be filed for all applications referenced in Rules 4-136.002 through 4-136.011.

(3)(2) The department may request that all applications and supporting information be provided to the department in a computer readable format as specified by the department.

Specific Authority 624.308 FS. Law Implemented 624.34, 624.401, 624.404, 624.413, 624.422, 624.462, 624.466, 624.501, 626.913, 628.6011, 628.051, 628.061 Part I, Chs. 628, 629 FS. History—New 2-26-92, Amended \_\_\_\_\_.

4-136.015 Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business.

(1) The purpose of this rule is to establish a procedure for insurers to amend their certificates of authority by adding a new line of business. Since the addition of any new line of business to a company's certificate of authority may impact the company's surplus and/or writing ratios, any such request to amend an existing certificate will be carefully evaluated by applying current standards required of an insurer seeking a certificate of authority from this state.

(2) This rule applies to all authorized insurers, as defined in Section 624.09, Florida Statutes.

(3) Any insurer seeking to add a new line of insurance to an existing certificate of authority shall submit all of the following applicable forms in writing:

(a) Form DI4-1339, "Application For Adding A New Line Of Business," rev. 9/99. ~~Verification of three years of satisfactory operation in the line of insurance to be added. The Department may waive the 3-year requirement if the foreign or alien insurer or exchange:~~

1. ~~Has operated successfully and has a minimum capital and surplus of \$5 million and is in compliance with Section 624.408(1), Florida Statutes; or~~

2. ~~Is the wholly owned subsidiary of an insurer which is an authorized insurer in this state; or~~

3. ~~Is the successor in interest through merger or consolidation of an authorized insurer; or~~

4. ~~Provides a product or service not readily available to the consumers of this state;~~

(b) Form DI4-1340, "Application For Adding A New Line Of Business application form," rev. 9/96. ~~Any other information which is reasonably necessary to evaluate the proposed amendment.~~

(c) Form DI4-1341, "Invoice, Request For Certificate Of Compliance For Amended Certificate of Authority," rev. 9/96;

(d) Form DI4-877, "Property and Casualty Insurers Lines of Business By Company Code," rev. 11/05/99;

(e) Form DI4-901, "Life, Accident and Health Insurers Classifications and Code Numbers," rev. 5/91;

(f) Form DI4-843, "Florida Comprehensive Health Association (FCHA) Subscription Agreement," rev. 5/91; and

(g) Form DI4-1093, "State of Florida form for Small Employer Carrier's Application To Become a Risk Assuming Carrier or a Reinsuring Carrier," rev. 9/95.

(4) The Department shall not authorize the addition of any lines of insurance to an insurer's existing certificate of authority unless evidence is presented satisfactory to the Department that authorization of the additional lines of insurance would be in the best interests of the financial solvency of the insurer and in the best interests of the policyholders.

Specific Authority 624.308(1) FS. Law Implemented 624.09, 624.404, 624.408, 624.413, 624.414, 624.416(4) FS. History--New 3-30-92, Amended 9-2-96, \_\_\_\_\_.

4-136.030 Purpose.

~~The purpose of this rule chapter is to implement the provisions of Part XX of Chapter 627, Florida Statutes.~~

Specific Authority 624.308, 627.954 FS. Law Implemented Part XIX, Chapter 627 FS. History--New 1-30-91, Formerly 4-107.001, Repealed \_\_\_\_\_.

4-136.031 Registration as a Purchasing Group.

(1) All entities seeking ~~registration~~ ~~licensure~~ as a purchasing group shall comply with the requirements of Section 627.948, Florida Statutes, and shall submit:

(a) Form DI4-515, "Purchasing Group - Notice and Registration," rev. 10/07/99; ~~Application for Registration as a Purchasing Group with Addendum,~~ rev. 11-90;

(b) Form DI4-144, "Service of Process Consent & Agreement," rev. 1/97; ~~Appointment of Attorney to Accept Service,~~ rev. 11-90; and

(c) All purchasing groups shall comply with the information contained in Form DI4-515, "Purchasing Group - Notice and Registration," rev. 10/07/99 and submit the following forms where applicable.

~~(e) Form DI4-514, "Resolution Form," rev. 11-90.~~

~~1. Form DI4-903, "Invoice, Request For Payment of Fingerprint Charges," rev. 4/97;~~

~~2. Form DI4-422, "Biographical Statement and Affidavit," rev. 10/26/98;~~

~~3. Form DI4-450, "Authority For Release of Information," rev. 8/91;~~

~~4. Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 6/99; and~~

~~5. DI4-938, "Fingerprint Card Instructions," rev. 7/99.~~

(2) In addition to the information required on the forms in (1) above, the entity shall:

(a) Identify all other states in which the group is currently registered ~~intends to do business~~;

(b) Specify the method by which, and the person or persons, if any, through whom insurance will be offered to its members whose risks are resident or located in this state; and

(c) Provide such other information as is necessary for the Department to determine whether the persons through whom insurance will be offered meet the standard set forth in section 626.611(14), Florida Statutes.

(3) During the pendency of the application, if any of the information submitted in response to the requirements of this rule change, the entity shall notify the Department of the change within ten days of the change.

(4) The forms in subsection (1) above are hereby adopted and incorporated by reference. All forms may be obtained from and shall be submitted to the Applications Coordination Section, Division of Insurer Services, Department of Insurance, ~~Larson Building,~~ 200 East Gaines Street, Tallahassee, FL 32399-~~03260300~~.

Specific Authority 624.308, 627.954 FS. Law Implemented 624.307(3), 624.318, 624.321, 626.611(14), 627.948 FS. History--New 1-30-91, Formerly 4-107.002, Amended 9-19-94, \_\_\_\_\_.

4-136.033 Restrictions on Insurance Purchased by Purchasing Groups.

(1) A purchasing group which obtains liability insurance from an insurer not admitted in this state or a risk retention group shall inform each of the members of such group which have a risk resident or located in this state that such risk is not protected by an insurance insolvency guaranty fund in this state, and that such risk retention group or such insurer may not be subject to all insurance laws and rules of this state.

~~(2) No purchasing group may purchase insurance providing for a deductible or self-insured retention applicable to the group as a whole; however, coverage may provide for a deductible or self-insured retention applicable to individual members.~~

~~(2)(3)~~ Purchases of insurance by purchasing groups are subject to the same standards regarding aggregate limits which are applicable to all purchases of group insurance.

Specific Authority 624.308, 627.954 FS. Law Implemented 627.945(1), 627.947 FS. History--New 1-30-91, Formerly 4-107.004, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Joan E. Hendrix, Senior Management Analyst I, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kevin McCarty, Deputy Director, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: November 17, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 1999

**DEPARTMENT OF INSURANCE**

RULE TITLE: Health Maintenance Organization (HMO) RULE NO.: 4-191.300

Penalty Guidelines  
 PURPOSE AND EFFECT: Establishes penalty categories that specify varying ranges of monetary fines for willful and nonwillful violations pursuant to Section 642.25, Florida Statutes.

SUMMARY: This rule establishes penalty categories that specify varying ranges of monetary fines for willful and nonwillful violations pursuant to Section 641.25, Florida Statutes.

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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 641.25, 641.36 FS.

LAW IMPLEMENTED: 641.25 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: 9:30 a.m., March 21, 2000

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cecila Frau, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0300

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: Yvonne White, (850)922-3100, Ext. 4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-191.300 Health Maintenance Organization (HMO) Penalty Guidelines.

(1) Purpose. The purpose of this rule is to establish uniform guidelines for the assessment of administrative fines imposed upon HMOs with respect to certain violations of the provisions of the Florida Insurance Code or rules promulgated thereunder applicable to HMO's.

(2) Scope. This rule applies to all HMOs licensed under Chapter 641, Florida Statutes. It applies to all violations of the provisions of the Florida Insurance Code or rules promulgated

thereunder applicable to HMOs. This rule shall not be construed as creating any substantive violations not otherwise prescribed by statute or rule.

(3) Definitions. The following terms have the following meanings for purposes of this rule:

(a) "HMO" means a health maintenance organization as defined in Section 641.18(13), Florida Statutes, and licensed pursuant to the provisions of Chapter 641, Florida Statutes.

(b) "Action" means an event or events leading to the commission of a violation.

(c) "Department" shall have the same meaning as Section 624.05, Florida Statutes.

(d) "Departmental Rules" means rules adopted by the Department which apply to HMOs.

(e) "Florida Insurance Code" shall have the same meaning as Section 624.01, Florida Statutes.

(f) "Repeat Violations" means a second or subsequent offense of any given violation subject to a fine under this rule for which an HMO has been assessed an administrative fine or has received written notification of the violation from the Department in either of the two immediately preceding financial or market conduct examinations or as a result of a Department investigation conducted within the immediately preceding six years.

(g) "Violation" means any instance of non-compliance with the Florida Insurance Code, rules or orders of the Department applicable to HMOs.

(h) "Knowing and willful" means any act or omission, which is committed intentionally as opposed to accidentally and which is committed with knowledge of the act's unlawfulness or with reckless disregard as to the unlawfulness of the act.

(i) "Investigation" means any official departmental review, analysis, inquiry, or research into referrals, complaints, or inquiries to determine the existence of a violation.

(4) General Provisions.

(a) Rule Not All-Inclusive. This rule contains illustrative violations. This rule does not, and is not intended to, encompass all possible violations of statute or Department rule that might be committed by an HMO. The absence of any violation from this rule shall in no way be constructed to indicate that it is not subject to penalty. In any instance wherein the violation is not listed in this rule, the penalty shall be determined by consideration of:

1. The penalty factors specified in this rule; or
2. Any closely analogous violation that is listed in this rule.

(b) Rule and Statutory Violations Included. This rule applies whether the violation is of an applicable statute or Department rule, or an order implementing such a statute or rule.

(c) Rule Establishes Norms. The penalty guidelines assume a mix of aggravating and mitigating factors encountered by the Department in previous cases. However, these guidelines shall not supersede the Department's authority to suspend or revoke an entity's certificate of authority, nor the Department's authority to require specific corrective action in cases in which the imposition of an administrative penalty is not deemed appropriate. Notwithstanding the specification of fines for particular violations, the Department will not impose such fines, but will instead initiate action to suspend or revoke a certificate of authority as a result of such violations where aggravating factors are present. The Department may reduce the amount of a penalty which would otherwise be imposed pursuant to this rule if the payment of such penalty would reduce surplus to an extent which the Department determines, based on the particular circumstances of the HMO involved, would jeopardize the financial condition of the HMO such that the provisions of Part VI of Chapter 624, Administrative Supervision; Confidentiality; Review or Chapter 631, rehabilitation and liquidation, would have to be invoked.

(d) Description of Violations. Although the violations in subsections (7) through (9) below include specific references to statutes and/or rules, the violations are described in general language because in many cases several statutes or rules are involved. The use of general language shall not be construed to expand or modify the statute. Violations are not necessarily described herein using the language that would be used to formally allege the violation in a specific case. In some instances a basic generic violation is described herein (e.g., misleading advertising), but there also appear one or more specific variations of that same general violation, with different penalties specified, where the Department has determined that different treatment is needed or merited. If any statutory or rule citations in subsections (7) through (9) are changed but the violation remains the same and the tracking tables in the Florida Statutes or the history notes in the Florida Administrative Code indicate the new statutory or rule citation, then the use of the previous statutory or rule citation will not invalidate this rule.

(e) Relationship to Other Rules. The provisions of this rule shall be subordinated in the event that any other rule more specifically addresses a particular violation or violations.

(f) Other Licensees. The imposition of a penalty upon any HMO in accordance with this rule shall in no way be interpreted as barring the imposition of a penalty upon any agent, adjuster, or other licensee in connection with the same conduct.

(5) Penalty Factors. The following factors are considered in determining whether aggravating factors are presented as well as in determining penalties for violations not listed in this rule, and, as to listed violations, the placement of the penalty within the range specified. The factors are not necessarily listed in order of importance.

(a) Willfulness and knowledge of the violation.

(b) Actual harm or damage to any member, claimant, applicant, or other person or entity caused directly or indirectly by the violation, as determined by the Department's financial examination, market conduct examination, or Departmental investigation.

(c) Degree of potential harm to which any member, claimant, applicant, or other person or entity was exposed by the violation, as determined by the Department's financial examination, market conduct examination, or Departmental investigation.

(d) Degree to which the violation, if not detected, tends to undermine the regulatory process, regulatory system, or the integrity of regulatory reports.

(e) Whether the HMO reasonably should have known of the action's unlawfulness.

(f) Whether corrective activities are substantially initiated only after the violation or the possibility of a violation is formally or informally noted or brought to the attention of the HMO by the Department, or whether instead corrective activities were actually and substantially initiated (not just planned) and implemented by the HMO before the violation was noted by or brought to the attention of the Department and before the HMO was made aware that the Department was investigating the alleged violation. It has been the Department's experience that corrective activities have included remedial procedures put in place to assure that the violation does not recur, including but not limited to, personnel changes, reorganization or discipline, and making any injured party whole as to harm suffered in relation to the violation.

(g) Financial gain or loss to the HMO from the violation.

(h) Previous fines or suspensions imposed over the preceding six years by the Department against the HMO.

(i) Whether the violation is a repeat violation that occurred in the preceding six (6) years.

(j) The number of occurrences of a violation found during an investigation.

(6) Penalty Categories and Fines Assessed. Violations are divided into four categories. Category I violations are the most serious and Category IV violations are the least serious. The Department will use the factors in subsection (5) above to determine, within the penalty ranges specified below, the fine for each violation within a category. The penalty amount does not include any investigative or legal costs that are assessed in addition to the fine.

(a) CATEGORY I. If the violation is knowing and willful, the Department may impose a fine in an amount not to exceed \$20,000. Fines for knowing and willful violations may not exceed an aggregate amount of \$250,000 for all such violations arising out of the same action. If the violation is non-willful, the Department may impose a fine not to exceed \$2,500. Fines

for non-willful violations may not exceed an aggregate amount of \$25,000 for all such violations arising out of the same action.

1. Violation by the HMO of any lawful order of the Department.

2. Failure by the HMO to take corrective actions or other measures as agreed to by the HMO in writing to the Department, pursuant to Section 641.23, Florida Statutes.

3. Failure by the HMO to take effective corrective actions or other measures on a formal written criticism made by the Department in a previous financial or market conduct examination report, after that report becomes final and within the timeframe prescribed by the Department, pursuant to Section 641.23, Florida Statutes.

4. Failure of the HMO or any of its officers or directors to properly respond to or cooperate with the Department in reporting, or providing information to the Department, or producing or making reasonably available, any of its accounts, records, or files, as requested by the Department, pursuant to Section 641.27, Florida Statutes.

5. Use by the HMO of an unlicensed managing general agent, broker, agent, representative, or third party administrator, pursuant to Section 641.386, Florida Statutes.

6. Filing or causing to be filed any materially incorrect financial report with the Department pursuant to Section 641.26, F.S.

7. Reporting assets on financial statements not in compliance with Section 641.35, Florida Statutes.

8. Transacting any insurance business other than that authorized under a certificate of authority issued by the Department.

9. Engaging in an unfair or deceptive act, advertisement or practice, pursuant to Sections 641.385, 641.3901, and 641.3903, Florida Statutes.

10. Use by the HMO of unfiled or disapproved rates or forms pursuant to Sections 641.21(1), 641.221, and 641.31(3), Florida Statutes, and Rule Chapter 4-191, Florida Administrative Code.

11. Failure by the HMO to comply with and maintain surplus requirements pursuant to Section 641.225, Florida Statutes.

12. Failure by the HMO to comply with limits on investments without a special consent from the Department pursuant to Section 641.35, Florida Statutes.

13. Failure by the HMO to comply with the requirements of Sections 641.255 and 628.4615, Florida Statutes, pertaining to the voting securities of a health maintenance organization.

14. Failure by the HMO to guarantee issue health coverage to eligible small employers and eligible employees/dependents pursuant to Section 627.6699(5), Florida Statutes.

15. Failure by the HMO to actively market health benefit plans to small employers pursuant to Section 627.6699(5) and (12), Florida Statutes.

16. Failure by the HMO to offer policies pursuant to Section 641.3921, Florida Statutes.

17. Failure by the HMO to give adequate notice of termination pursuant to Section 641.3108, Florida Statutes.

18. Entering into a commission arrangement that is varied depending upon health status, claims experience, industry or occupation for small groups pursuant to Section 627.6699(13)(d), Florida Statutes.

19. Payment of dividends by the HMO in excess of guidelines pursuant to Section 641.365, Florida Statutes without prior written approval of the Department.

20. Failure by the HMO to offer reasonable commission for Standard and Basic plans pursuant to Section 627.6699(13)(e), Florida Statutes.

21. Inducing an employer to separate or exclude an employee pursuant to Section 627.6699(13)(g), Florida Statutes.

22. Failure by the HMO to provide comprehensive health care services pursuant to Chapter 641, Florida Statutes.

(b) CATEGORY II. Failure to timely file annual and quarterly financial reports pursuant to and in full compliance with Sections 641.26 and 641.35, Florida Statutes, and Rule 4-191.075, Florida Administrative Code. The fine will be calculated as follows:

1. The day after the due date the Department will impose a fine of \$1,000 per day for each day through day 10.

2. If the violation continues past day 10, an additional \$2,000 per day fine will added to the total for day eleven and each day thereafter until the reports are received, not to exceed \$100,000 for each report.

3. If the violation continues past day 10, suspension of enrollment to new subscribers is immediate upon written notification by the Department pursuant to Section 641.26(4), Florida Statutes.

(4) In order to be considered as a timely filing, the reports required under Chapter 641.26, Florida Statutes, must be verified by the oath of two officers of the organization, or, if not a corporation, of two persons who are principal managing directors of the affairs of the organization. The signatures of such officers or principal managing directors must be properly notarized.

(5) The signatures of all such persons when written on annual and quarterly statements or other reports, documents or correspondence required by Chapter 641 and Rule 4-191, Florida Administrative Code, shall be presumed to have been so written by the person whose signature is affixed thereon. The affixing of any signature by anyone other than the purported signer does not constitute a timely filing.

(c) CATEGORY III. If the violation is knowing and willful, the fine assessed will begin at \$2,500 to \$10,000 per violation. If the violation is non-willful, the fine assessed will begin at \$750 – \$1,000 per violation.

1. Use of an agent by the HMO who is licensed but not properly appointed pursuant to Section 641.386, Florida Statutes.

2. Failure by the HMO to provide 60 days advance written notice on cancellation of contracts to the provider and the Department pursuant to Section 641.315, Florida Statutes.

3. Failure by the HMO to timely pay a claim pursuant to Section 641.3155, Florida Statutes. **Assignment by the HMO of claim processing and/or payment to a TPA or other entity does not relieve the HMO of its responsibilities for timely claim payment.**

4. Failure by the HMO to provide 45 days notice of cancellation or non-renewal of an HMO subscriber contract or failure to state in writing the reason or reasons for the cancellation, termination, or non-renewal pursuant to Section 641.3108, Florida Statutes.

5. Failure by the HMO to display the HMO's licensed name on the member or subscriber application pursuant to Section 641.3104, Florida Statutes. **Use by the HMO of any form which has a title, heading, or other indication of its provisions which is misleading.**

6. Failure by the HMO to make delivery of the HMO contract pursuant to Sections 641.31(1) and 641.3107, Florida Statutes.

7. Failure by the HMO to display the HMO's licensed name and address on advertising and marketing materials pursuant to Rule 4-191.060, Florida Administrative Code.

8. Failure by the HMO to maintain a fidelity bond pursuant to Section 641.22(7), Florida Statutes.

9. Failure by the HMO to have reinsurance contracts approved pursuant to Section 641.22(8), Florida Statutes.

10. Failure by the HMO to maintain a sufficient deposit pursuant to Section 641.285, Florida Statutes.

11. Failure by the HMO to file small employer advertising with the Department as required by Section 627.6699(12)(d)4., Florida Statutes.

12. Failure by the HMO to exclude non-admitted assets as defined in and required by Section 641.35, Florida Statutes.

13. Failure by the HMO to submit translations of forms pursuant to Section 641.305(1)(b), Florida Statutes.

14. Failure by the HMO to include a provision in provider contracts which holds the member harmless pursuant to Sections 641.315(1) and (4), Florida Statutes.

15. Billing a member for an amount in excess of that which is contracted for pursuant to Section 641.315(1) and (4), Florida Statutes.

16. Failure by the HMO to maintain an investment approval mechanism pursuant to Section 641.35(7), Florida Statutes.

(d) CATEGORY IV. If the violation is knowing and willful, the fine assessed will range from \$1,500 to \$2,500. If the violation is non-willful, the fine assessed will range from \$500 to \$1,000.

1. Failure by the HMO to properly confirm individual's intent to join the HMO pursuant to Rule 4-191.105(1), Florida Administrative Code.

2. Failure by the HMO to provide Medicare stickers pursuant to Sections 641.31(13) and 641.309, Florida Statutes.

3. Failure by the HMO to secure a signed statement from a prospect before issuing a small group plan pursuant to Section 627.6699(12)(d), Florida Statutes.

4. Failure by the HMO to notify the Department of terminating the appointment of an agent pursuant to Section 626.511, Florida Statutes.

5. Changing its name without approval by the Department pursuant to Rule 4-191.105, Florida Administrative Code.

6. Failure by the HMO to offer medical benefits pursuant to Chapter 641, Florida Statutes.

7. Failure by the HMO to maintain an advertising file pursuant to Rule 4-191.063, Florida Administrative Code.

8. Use by the HMO of prohibited terms, such as "insurance", "casualty", "surety", "mutual", pursuant to Section 641.33, Florida Statutes.

9. Failure by the HMO to include provisions in provider contracts for adequate time or notice to the Department of provider termination pursuant to Section 641.315(6)(a), Florida Statutes.

10. Failure by the HMO to properly notify the Department of the termination of a contracted provider pursuant to Section 641.315(6), Florida Statutes.

11. Failure by the HMO to include a contractual provision for the Department's termination of administrative contracts pursuant to Section 641.234(3), Florida Statutes.

Specific Authority 641.25, 641.36 FS. Law Implemented 641.25 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Beth Vecchioli, Bureau of Managed Care, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jim Bracher, Bureau Chief of Managed Care, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 1999

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 960725-GU

RULE TITLE:

RULE NO.:

Transportation Service

25-7.0335

PURPOSE AND EFFECT: To require investor-owned natural gas utilities to offer transportation service to all non-residential customers.

SUMMARY: The rule requires investor-owned natural gas utilities to file tariffs in which transportation service is offered to all non-residential customers. The rule also establishes certain minimal conditions for gas transportation service. The rule requires natural gas utilities to provide, at a customer's request, the customers historical monthly usage summary. Natural gas utilities that offer transportation service are not responsible for providing natural gas to customers that elect service under a transportation service tariff.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The rule may reduce the amount of regulatory assessment fees (RAFs) collected by the Commission. The rule may also reduce the amount of taxes collected by the Department of Revenue (DOR) while increasing DOR's collection costs. The total impact and possible losses for governmental entities is unknown. All of the investor-owned natural gas utilities in the state will be affected by the rule. Four of these utilities meet the statutory definition of a small business. Two of the small business utilities have transferred their pipeline capacity to another entity and the other two reported minimal costs to comply with the rule. All of the utilities affected reported divergent implementation costs. The impact on small cities and small counties is unknown and depends on the governmental entity's status as a gas purchaser.

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: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.03 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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: 9:30 a.m., Wednesday, April 5, 2000

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-7.0335 Transportation Service.

(1) Each utility must offer the transportation of natural gas to all non-residential customers. Each utility may offer the transportation of natural gas to residential customers when it is cost-effective to do so.

(2) In order to meet the objective set out in subsection (1), each utility must file a transportation service tariff with the Commission by July 1, 2000. Each tariff must include in its rules and regulations the utility's policy governing the transportation of natural gas. Each tariff must also comply with Rule 25-7.033, F.A.C. In addition, each tariff must set out the following terms and conditions:

(a) The utility is responsible for the transportation of natural gas purchased by the customer. The utility is not responsible for providing natural gas to a customer that elects service under the transportation service tariff. If the customer's marketer, broker, or agent fails to provide the customer with natural gas, the utility may disconnect service to the customer or provide natural gas under its otherwise applicable tariff provision.

(b) For customers that engage a marketer, broker, or agent to arrange and oversee the customer's gas purchase, the utility must obtain from that customer a statement that identifies the legal name, street address, mailing address if different from street address, and phone number of the marketer, broker, or agent.

(c) At the customer's request, the utility must provide an historical monthly usage summary with sufficient detail so that the customer can calculate its Maximum Daily Transportation Quantity (MDTQ). The utility may charge a cost-based fee for this summary.

(3) The utility must apply its transportation service tariff provisions in the same manner to all similarly situated affiliated and non-affiliated marketers, brokers, and agents.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.03 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Wayne Makin, Division of Electric and Gas

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 15, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 25, No. 8, February 26, 1999 and Vol. 25, No. 39, October 1, 1999



If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

RULE NO.: 40C-8.031

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this proposed rule amendment is to establish minimum flows and levels (MFLs) on water bodies, courses and aquifers in accordance with the District's Priority Water Body List and Schedule. The following systems will have MFLs established pursuant to the mandates of sections 373.042 and 373.0421, Florida Statutes. Minimum water levels for the following lakes and/or wetlands in the following counties: Lake Louisa, Lake County; Lake Weir, Marion County; Star Lake, Putnam County; Big Lake, Lake Gertie, Lake Hires, Lake Hokey, North Lake Talmadge, Scoggin Lake, Trout Lake, Lake Winona and Coon Pond in Volusia County. Minimum flows and/or levels for the following water courses in the following counties: Lake Washington and St. Johns River downstream of Lake Washington, Brevard County; Taylor Creek downstream of structure S-164 in Osceola/Orange counties; and Blue Spring, Volusia County.

Each system, with the exception of Blue Spring in Volusia County, would have a Minimum Frequent High flow and/or level, a Minimum Average flow and/or level and a Minimum

Frequent Low flow and/or level. A Minimum Average flow was the only MFL determined for Blue Spring. Each of these flows and/or levels would have an associated hydroperiod category. The terms referenced herein are already defined in Chapter 40C-8, FAC. As with the minimum flows and levels previously established by the District, if adopted, this rule amendment would require an applicant for a permit, pursuant to Chapters 40C-2, 40C-20, 40C-4 or 40C-40, FAC., to provide assurance that MFLs would not be violated by the proposed water withdrawals.

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 costs, 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 FS.

LAW IMPLEMENTED: 373.042, 373.0421 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:

TIME AND DATE: following the regularly scheduled Governing Board Meeting which begins at 9:00 a.m., April 12, 2000

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32178

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32177-1429, (904)329-4450

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) No change.

(2) The following minimum surface water levels are established:

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT HIGH	MINIMUM FREQUENT HIGH	MINIMUM AVERAGE LEVEL	MINIMUM FREQUENT LOW	MINIMUM INFREQUENT LOW
BIG	Volusia	Seasonally Flooded		26.1			
		Typically Saturated			25.0		
		Semipermanently Flooded				23.7	
COON POND	Volusia	Seasonally Flooded		35.7			
		Typically Saturated			34.6		
		Semipermanently Flooded				33.1	
GERTIE	Volusia	Temporarily Flooded		27.5			
		Typically Saturated			25.6		
		Semipermanently Flooded				23.3	
HIRES	Volusia	Seasonally Flooded		41.0			
		Typically Saturated			39.5		
		Semipermanently Flooded				38.0	
HOKEY	Volusia	Seasonally Flooded		35.4			
		Typically Saturated			33.7		
		Semipermanently Flooded				32.3	
LOUISA	Lake	Seasonally Flooded		96.5			
		Typically Saturated			95.4		
		Semipermanently Flooded				94.0	
NORTH TALMADGE	Volusia	Seasonally Flooded		55.6			
		Typically Saturated			54.4		
		Semipermanently Flooded				52.9	
SCOGGIN	Volusia	Seasonally Flooded		35.0			
		Typically Saturated			34.1		
		Semipermanently Flooded				32.7	
STAR	Putnam	Seasonally Flooded		77.5			
		Typically Saturated			75.4		
		Semipermanently Flooded				74.0	
TROUT	Volusia	Seasonally Flooded		23.3			
		Typically Saturated			20.9		
		Semipermanently Flooded				17.7	
WEIR	Marion	Seasonally Flooded		57.2			
		Typically Saturated			56.4		
		Semipermanently Flooded				54.9	
WINONA	Volusia	Seasonally Flooded		36.1			
		Typically Saturated			33.5		
		Semipermanently Flooded				32.0	

(3) No change.

(4) No change.

(5) The following minimum surface water levels and flows are established:

Lake Washington

	<u>Level</u> <u>(ft NGVD)</u>	<u>Hydroperiod Category</u>
<u>Minimum Frequent High</u>	15.6	<u>Seasonally flooded</u>
<u>Minimum Average</u>	14.2	<u>Typically saturated</u>
<u>Minimum Frequent Low</u>	12.8	<u>Semipermanently flooded</u>

St. Johns River 1.5 miles downstream of Lake Washington weir

	<u>Level</u> <u>(ft NGVD)</u>	<u>Flow</u> <u>(cfs)</u>	<u>Hydroperiod Category</u>
<u>Minimum Frequent High</u>	15.3	1,450	<u>Seasonally flooded</u>
<u>Minimum Average</u>	12.7	240	<u>Typically saturated</u>
<u>Minimum Frequent Low</u>	11.3	28	<u>Semipermanently flooded</u>

Taylor Creek 1.7 miles downstream of structure S-164

	<u>Level</u> <u>(ft NGVD)</u>	<u>Flow</u> <u>(cfs)</u>	<u>Hydroperiod Category</u>
<u>Minimum Frequent High</u>	17.3	95	<u>Seasonally flooded</u>
<u>Minimum Average</u>	16.3	17	<u>Typically saturated</u>
<u>Minimum Frequent Low</u>	14.9	0.5	<u>Semipermanently flooded</u>

Blue Spring, Volusia County

	<u>Flow</u> <u>(cfs)</u>	<u>Hydroperiod Category</u>
<u>Minimum Average</u>	134	<u>Typically saturated</u>

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 272.0421 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dr. G. B. (Sonny) Hall, Technical Program Manager, Department of Resource Management, St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429, (904)329-4368

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: February 9, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 1999

If any person decides to appeal any decision with respect to any matter considered in 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, (904)329-4101 or (904)329-4450 (TDD).

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE:	CHAPTER TITLE NO.:
Environmental Resource Permits	40E-4
RULE TITLES:	RULE NOS.:
Permit Thresholds	40E-4.0415
Exemptions from Permitting	40E-4.051
Exemptions from Specified Review Criteria	40E-4.0515
Modification of Exempt Projects	40E-4.054
Publications, Rules and Interagency Agreements	
Incorporated by Reference	40E-4.091
Content of Permit Application	40E-4.101
Additional Conditions for Issuance of Permits	40E-4.302
Duration of Permits	40E-4.321
District Revocation or Modification of Permits	40E-4.341

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to amend the rules to indicate that a permit may be issued to an eminent domain authority, a contractual buyer of property, and a recorded easement holder with certain restrictions and to clarify the duration of permits. The proposed rule amendments will also correct citations and clarify other language currently in the rule.

SUMMARY: The proposed rule amendment addresses issuance of permits to eminent domain authorities, contractual buyers of property, and recorded easement holders; content of permit applications; and clarifies provisions pertaining to permits required; permit thresholds; modification of exempt

projects; duration of permits; and conversion from construction phase to operation phase. This rule will also correct citations and clarify language currently in the rule.

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: 373.016, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.042, 373.117, 373.118, 373.406, 373.409, 373.413, 373.4135, 373.416, 373.421, 373.426, 403, 813(2), 380.23 FS.

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

TIME AND DATE: 9:00 a.m., April 13, 2000

PLACE: South Florida Water Management District Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Jennison, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet: jjenniso@sfwmd.gov)

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-4.0415 Permit Thresholds.

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

(2) Any non-exempt system which does not qualify for a noticed or no-notice general environmental resource permit pursuant to Chapter 40E-400, F.A.C., and does not exceed the standard for individual permits listed above, shall obtain a standard general permit pursuant to Ch. 40E-40, F.A.C.

(3)(2) Notwithstanding the provisions of subsections (1) and (2), the Governing Board may designate specific geographic areas within which individual or standard general environmental resource permits shall be required for the construction, alteration, operation, maintenance, removal or abandonment of surface water management systems which fall below any thresholds or activities set forth in this rule.

Specific Authority 373.044, 373.113, 373.406(5) FS. Law Implemented 373.118(1), 373.413(1) FS. History—New 10-3-95, Amended \_\_\_\_\_.

#### 40E-4.051 Exemptions from Permitting.

Exemptions from permitting under Chapters 40E-4, 40E-40 and 40E-400, F.A.C., are set forth below. The performance of activities pursuant to the provisions of the exemptions set forth in this section does not relieve the person or persons who are using the exemption or who are constructing or otherwise implementing the activity from meeting the permitting or performance requirements of other District rules. Nothing in this section shall prohibit the Department of Environmental Protection from taking appropriate enforcement action pursuant to Chapter 403, F.S., to abate or prohibit any activity otherwise exempt from permitting pursuant to this section if the Department can demonstrate that the exempted activity has caused water pollution in violation of Chapter 403, F.S.

(1) No change.

(2)(a) No change.

(b) The maintenance of functioning insect control structures, and the maintenance of functioning dikes and functioning irrigation and drainage ditches, including roadway drainage ditches, provided:

1. The spoil material is deposited on a self-contained upland spoil site which will prevent the escape of the spoil material and return water into wetlands or other surface waters.

2. In the case of insect control structures, if the cost of using a self-contained upland spoil site is so excessive as determined by the Department of Health, Agriculture and Consumer Services, pursuant to Subsection 403.088(1), F.S., that it will inhibit the proposed insect control, existing spoil sites or dikes may be used, upon notification to the District. In the case of insect control where upland spoil sites are not used pursuant to this exemption, turbidity control devices shall be used to confine the spoil material discharge to that area previously disturbed when the receiving body of water is used as a potable water supply, is designated as approved, conditionally approved, restricted or conditionally restricted waters for shellfish harvesting by the Department, or functions as a habitat for commercially or recreationally important shellfish or finfish.

3. In all cases, no more dredging is to be performed than is necessary to restore the dike or irrigation or drainage ditch to its original design specifications.

4. This exemption shall apply to manmade trenches dug for the purpose of draining water from the land or for transporting water for use on the land and which are not built for navigational purposes.

2.(c) through (11) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.406, 373.413, 373.416, 403.813(2) FS. History—New 9-3-81, Amended 1-31-82, 3-9-83, Formerly 16K-4.02, Amended 4-20-94, 10-3-95, \_\_\_\_\_.

40E-4.0515 Exemptions from Specified Review Criteria. Exemptions from specified review criteria under Chapter 40E-4 and 40E-40, F.A.C., are as follows:

(1) Exemptions for Treatment or Disposal Systems.

(a) Alteration and maintenance of the following shall be exempt from the provisions in Chapter 40E-4, F.A.C., adopted to implement subsections 373.414(1) through 373.414(6), 373.414(8), and 373.414(10), F.S.; and subsection 373.414(7), F.S., regarding any authority to apply state water quality standards within any works, impoundments, reservoirs, and other watercourses described in this subsection and any authority granted pursuant to section 373.414, F.S. (1991):

1. Works, impoundments, reservoirs, and other watercourses constructed and operated solely for wastewater treatment or disposal in accordance with a valid permit reviewed or issued under sections ~~62-28.700~~, 62-302.520 or Chapters 62-17, 62-600, 62-610, 62-640, 62-650, 62-660, 62-670, 62-671, 62-673, 62-701, F.A.C., or section 403.0885, F.S., or rules implementing section 403.0885, F.S., except for treatment wetlands or receiving wetlands permitted to receive wastewater pursuant to 62-611, F.A.C., or section 403.0885, F.S., or its implementing rules;

2. Works, impoundments, reservoirs, and other watercourses constructed solely for wastewater treatment or disposal before a construction permit was required under Chapter 403, F.S., and operated solely for wastewater treatment or disposal in accordance with a valid permit reviewed or issued under sections ~~62-28.700~~, 62-302.520, or chapters 62-17, 62-600, 62-610, 62-640, 62-650, 62-660, 62-670, 62-671, 62-673, or 62-701, F.A.C., or section 403.0885, F.S., or rules implementing section 403.0885, F.S., except for treatment wetlands or receiving wetlands permitted to receive wastewater pursuant to Chapter 62-611, F.A.C., or section 403.0885, F.S., or its implementing rules;

3. Works, impoundments, reservoirs, and other watercourses of less than 0.5 acres in combined area on a project-wide basis, constructed and operated solely for stormwater treatment in accordance with a noticed exemption under chapter 62-25, F.A.C., or a valid permit issued under Chapters 62-25 (excluding Rule 62-25.042), 62-330, 40E-4, F.A.C., except those permitted as wetland stormwater treatment systems;

4. Works, impoundments, reservoirs, and other watercourses of less than 0.5 acres in combined areas on a project-wide basis, constructed and operated solely for stormwater treatment before a permit being required under Chapters 62-25, 40E-4, F.A.C.

(b) through (3) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.406, 373.413, 373.416, 403.813(2) FS. History—New 10-3-95, Amended \_\_\_\_\_.

40E-4.054 Modification of Exempt Projects.

~~(1)~~ In order to modify a project which was exempt from permitting under this chapter, has previously received a Notice of Exemption from the District, an environmental resource permit must be obtained, unless the proposed modification of the surface water management system qualifies for an exemption pursuant to Rule 40E-4.051, F.A.C.

~~(2) Substantial modifications of previously exempt projects shall require an environmental resource permit.~~

Specific Authority 373.044, 373.113 FS. Law Implemented 373.406, 373.413, 373.416 FS. History—New 3-9-83, Amended 4-20-94, 10-3-95,\_\_\_\_\_.

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – \_\_\_\_\_, 2000 ~~November 1996~~".

(b) No change.

(c) Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., and Aquaculture General Permits under section 403.814, F.S., between South Florida Water Management District and Department of Environmental Protection effective December, 1998 dated October 27, 1998.

(d) through (j) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.4135, 373.416, 373.421, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-1-97, 12-3-98,\_\_\_\_\_.

40E-4.101 Content of Permit Applications.

(1) No change.

(a) through (c) No change.

(2) The application must be signed by the owner or the owner's authorized agent and include documentation of ownership. Applications signed by agents must contain a letter of authorization which is signed by the owner. ~~Contractual buyers of~~ Those having the right to exercise the power of eminent domain or having a contract to purchase real property may apply for a permit, however, the permit shall prohibit commencement of work until the permittee provides proof of ownership to the District. A permit shall only be issued to the record title holder, holder of a recorded easement conveying the right to utilize the property for a purpose consistent with the authorization requested in the permit application, those having the right to exercise the power of eminent domain or having a contract to purchase real property.

(3) through (4) No change.

Specific Authority 373.016, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.117, 373.413, 373.416, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.03(2), 16K-4.07(2), Amended 7-1-86, 11-21-89, 4-20-94, 10-3-95,\_\_\_\_\_.

40E-4.302 Additional Conditions for Issuance of Permits.

(1) In addition to the conditions set forth in section 40E-4.301, F.A.C., in order to obtain a standard general, individual, or conceptual approval permit under this chapter or chapter 40E-40, F.A.C., an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, and abandonment of a system:

(a) Located in, on, or over wetlands or other surface waters will not be contrary to the public interest, or if such an activity significantly degrades or is within an Outstanding Florida Water, that the activity will be clearly in the public interest, as determined by balancing the following criteria as set forth in subsections 4.2.3. through 4.2.3.7 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District ~~November 1996~~:

1. through 7. No change.

(b) Will not cause unacceptable cumulative impacts upon wetlands and other surface waters as set forth in subsections 4.2.8. through 4.2.8.2 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District ~~November, 1996.~~

(c) Located in, adjacent to or in close proximity to Class II waters or located in Class II waters or Class III waters classified by the Department as approved, restricted or conditionally restricted for shellfish harvesting as set forth and incorporated in Chapter 62R-7, F.A.C., will comply with the additional criteria in subsection 4.2.5 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District ~~November 1996~~ adopted by reference in Section 40E-4.091, F.A.C.

(d) Which constitute vertical seawalls in estuaries or lagoons, will comply with the additional criteria provided in subsection 4.2.6 of the Basis of Review for Environmental Resource Resource Permit Applications Within the South Florida Water Management District ~~November 1996~~ adopted by reference in Section 40E-4.091, F.A.C.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.414(9) FS. Law Implemented 373.042, 373.409, 373.413, 373.414, 373.416, 373.426, 380.23 FS. History—New 10-3-95, Amended 1-1-97, 12-3-98,\_\_\_\_\_.

40E-4.321 Duration of Permits.

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C., is as follows:

(a) No change.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government

comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. through 3. No change.

4. ~~the latest date of~~ the date on which the District issues a final order pertaining to the resolution of any Chapter 120.57, F.S., F.A.C., administrative proceeding or other legal appeals.

(c) For an individual or standard general environmental resource permit, the construction phase authorizing construction, removal, alteration or abandonment of a system shall expire five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For an individual or standard general environmental resource permit, the operational phase of the permit is perpetual for operation and maintenance.

~~(e)~~ For a noticed general permit issued pursuant to Chapter 40E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2) through (7) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.419, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4-20-94, \_\_\_\_\_.

40E-4.341 District Revocation or Modification of Permits.

(1) The Governing Board may revoke a permit in accordance with the provisions of Sections Chapter 373.429 and 120.60(5), F.S., and Rules 40E-1.609 and 28-107.004, F.A.C.

(2) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.429 FS. History—New 12-1-82, Amended 7-1-86, 4-20-94, 10-3-95, 7-2-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Terrie Bates, Director, Environmental Resources Regulation Department

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 1999 and January 7, 2000

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE TITLE: Publications, Rules and Interagency Agreements  
Incorporated by Reference

RULE NO.: 40E-4.091

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to clarify existing homeowners association documentation requirements, to correct citations and clarify language currently in the rule. The phrase “regional ecological value” is included in section 4.2.1.2.

SUMMARY: The proposed rule amendment addresses changes to the document entitled “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – November 1996” incorporated by reference in Rule 40E-4.091, FAC. Specifically, the language regarding homeowners association documentation found in sections 9.2.3 and 9.2.4 will be modified to provide homeowners with notice of rights already conveyed to the District by the permit. These rights include the right of District access to the property containing the surface water management system and the right to take enforcement action. Also, amendments to association documents, that require a modification of a District permit, may not be finalized until the permit modification is approved. Sections 4.2.1.2 and 4.3.7.4 will have language clarified. The phrase “regional ecological value” is included in section 4.2.1.2. Citations to other sections are corrected. “May” is changed to “shall” in section 4.2.7.

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: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.416, 373.421, 373.426 FS.

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

TIME AND DATE: 9:00 a.m., April 13, 2000

PLACE: South Florida Water Management District Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julie Jennison, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet: [jjenniso@sfwmd.gov](mailto:jjenniso@sfwmd.gov)).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference in to this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – ~~2000 November 1996~~".

(b) through (j) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.4135, 373.416, 373.421, 373.426 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-1-97, 12-3-98,\_\_\_\_\_.

(The following represent proposed changes to the document entitled "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – November 1996" incorporated by reference in Rule 40E-4.091, F.A.C.)

1.0 INTRODUCTION

1.1 Objectives –

Under Part IV of Chapter 373, F.S. and Chapters 40E-4, 40E-40 and 40E-400, F.A.C., the District is responsible for the permitting of construction, alteration, operation, maintenance, removal and abandonment of surface water management systems within its jurisdictional boundaries. The objective of this document is to identify the permit review criteria and information used by District staff when reviewing permit applications. The objective of the permit application review process is to insure that the permit authorizes activities which are not harmful to the water resources of the District and are not inconsistent with water resource objectives of the District. This document has been adopted by reference in Rule 40E-4.091(1)(a), F.A.C.

1.2 through 1.4 No change.

2.0 No change.

3.0 No change.

4.0 through 4.2 No change.

4.2.1 Elimination or Reduction of Impacts

The degree of impact to wetland and other surface water functions caused by a proposed system, whether the impact to these functions can be mitigated and the practicability of design modifications for the site, as well as alignment alternatives for a proposed linear system, which could eliminate or reduce impacts to these functions, are all factors in determining whether an application will be approved by the District. Design modifications to reduce or eliminate adverse impacts must be explored, as described in subsection 4.2.1.1. Any adverse impacts remaining after practicable design modifications have been implemented may be offset by mitigation as described in subsections 4.3 – 4.3.9 ~~8~~. An applicant may propose mitigation, or the District may suggest

mitigation, to offset the adverse impacts caused by regulated activities as identified in sections 4.2 – 4.2.8.2. To receive District approval, a system cannot cause a net adverse impact on wetland functions and other surface water functions which is not offset by mitigation.

4.2.1.1 No change.

4.2.1.2 The District will not require the applicant to implement practicable design modifications to reduce or eliminate impacts when:

(a) No change.

(b) the applicant proposes mitigation that implements all or part of a plan that provides regional ecological value and that provides greater long term ecological value than the area of wetland or other surface water to be adversely affected.

4.2.1.3 No change.

4.2.2 through 4.2.6 No change.

4.2.7 Secondary Impacts

Pursuant to paragraph 4.1.1(f), an applicant must provide reasonable assurances that a regulated activity will not cause adverse secondary impacts to the water resource, as described in paragraphs (a) through (d), below. Aquatic or wetland dependent fish and wildlife are an integral part of the water resources which the District is authorized to protect under Part IV, Chapter 373, F.S. Those aquatic or wetland dependent species which are listed as threatened, endangered or of special concern are particularly in need of protection.

A proposed system shall be reviewed under this criterion by evaluating the impacts to: wetland and surface water functions identified in subsection 4.2.2; water quality; upland habitat for aquatic or wetland dependent listed species; and historical and archaeological resources. De minimis or remotely related secondary impacts will not be considered. Applicants may propose measures such as preservation to prevent secondary impacts. Such preservation shall comply with the land preservation provisions of subsection 4.3.8. If such secondary impacts can not be prevented, the applicant may propose mitigation measures as provided for in subsections 4.3 through 4.3.9 ~~8~~.

This secondary impact criterion consists of the following four parts:

(a) through (d) No change.

As part of this review, the District will also consider the impacts of the intended or reasonably expected uses of the future activities on water quality and wetland and other surface water functions.

In conducting the analysis under paragraph (d)2., above, the District will consider those future projects or activities which would not occur but for the proposed system, including where the proposed system would be a waste of resources should the future project or activities not be permitted.

Where practicable, proposed systems shall be designed in a fashion which does not necessitate future impacts to wetland and other surface water functions. If future phases or project



expansion have the potential to cause adverse secondary impacts, applicants must provide sufficient conceptual design information to provide reasonable assurance that these impacts can be successfully eliminated or offset.

System expansions and future system phases will be considered in the secondary impact analysis, and if the District determines that future phases of a system involve impacts that appear not to meet permitting criteria, the current application shall ~~may~~ be denied unless the applicant can provide reasonable assurance that those future phases can comply with permitting criteria. One way for applicants to establish that future phases or system expansions do not have adverse secondary impacts is for the applicant to obtain a conceptual approval permit for the entire project.

4.2.8 No change.

TABLE 4.2.7-1

LISTED WILDLIFE SPECIES THAT ARE AQUATIC OR WETLAND DEPENDENT AND THAT USE UPLAND HABITATS FOR NESTING OR DENNING

No change.

4.3 Mitigation –

Protection of wetlands and other surface waters is preferred to destruction and mitigation due to the temporal loss of ecological value and uncertainty regarding the ability to recreate certain functions associated with these features. Mitigation will be approved only after the applicant has complied with the requirements of subsection 4.2.1 regarding practicable modifications to eliminate or reduce adverse impacts. However, any mitigation proposal submitted by an applicant shall be reviewed concurrently with the analysis of any modifications pursuant to subsection 4.2.1. This section establishes criteria to be followed in evaluating mitigation proposals.

Mitigation as described in sections 4.3 – 4.3.9 ~~&~~ is required only to offset the adverse impacts to the functions as identified in sections 4.2 – 4.2.8- caused by regulated activities. In certain cases, mitigation cannot offset impacts sufficiently to yield a permissible project. Such cases often include activities which significantly degrade Outstanding Florida Waters, adversely impact habitat for listed species, or adversely impact those wetlands or other surface waters not likely to be successfully recreated.

Applicants are encouraged to consult with District staff in pre-application conferences or during the application process to identify appropriate mitigation options.

4.3.1 through 4.3.1.6 No change.

4.3.1.7 Mitigation or reclamation required or approved by other agencies for a specific project will be acceptable to the District to the extent that such mitigation or reclamation fulfills the requirements of sections 4.3-4.3.9 ~~&~~ and offsets adverse impacts of the same project in accordance with the criteria in sections 4.2-4.2.8.2.

4.3.1.8 No change.

4.3.2 Mitigation Ratio Guidelines

Subsections 4.3.2 – 4.3.2.4 establish ratios for the acreage of mitigation required compared to the acreage which is adversely impacted by regulated activities. Ranges of ratios are provided below for certain specific types of mitigation, including creation, restoration, enhancement and preservation. Mitigation ratios for wetlands which have a 50% or greater coverage of melaleuca (*Melaleuca quinquenervia*), will be determined pursuant to subsection 4.3.2.4. and other provisions of this section. The difference between the ranges of ratios provided for mitigation types is based on the degree of improvement in ecological value expected from each type. Creation and restoration are assigned the lowest range of ratios as these activities, when successfully conducted, add new wetlands or other surface waters which provide the same or similar functions as the area being adversely impacted. The range of ratios established for enhancement is higher than that for creation and restoration, as the area being enhanced currently provides a degree of the desired functions, and this type of mitigation serves to increase, rather than create, those functions. Preservation differs from the other types of mitigation in that it does not serve to improve the existing ecological value of an area in the short term. However, preservation does provide benefits as it can ensure that the values of the preserved area are protected and maintained in the long term, particularly when these values are not fully protected under existing regulatory programs. Therefore, the range of ratios established for preservation is higher than those for other types of mitigation. These ratios are provided as guidelines for preliminary planning purposes only. The actual ratio needed to offset adverse impacts may be higher or lower based on a consideration of the factors listed in subsections 4.3.2.1 through 4.3.2.4 ~~and 4.3.2.2~~ For example, in instances where the proposed system results in only a small loss of ecological value in the impacted area, such as cases involving impacts to areas of low ecological value or cases where the proposed system results in a small reduction of ecological value of the impacted area, then the actual mitigation ratio would normally be in the lower end of or below the range. For other types of mitigation, ratios will be determined based upon the reduction in quality and relative value of the functions of the areas adversely impacted as compared to the expected improvement in quality and value of the functions of the mitigation area.

4.3.2.1 through 4.3.7.7 No change.

4.3.7.7.1 Partial Releases

The permittee may request the District to release portions of the financial responsibility mechanism as phases of the mitigation plan, such as earth moving or other construction or activities for which cost estimates were submitted in accordance with subsection 4.3.7.7 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District — August 1995 are

successfully completed. The request shall be in writing and include documentation that the phase or phases have been completed and have been paid for or will be paid for upon release of the applicable portion of the financial responsibility mechanism. The District shall authorize the release of the portion requested upon verification that the construction or activities have been completed in accordance with the mitigation plans.

4.3.7.7.2 through 4.3.9.5 No change.

Figure 4.3-1 No change.

4.4 through 4.4.13.5 No change.

4.5 No change.

4.5.1 Procedure

To petition for a formal determination, the petitioner must submit to the District the following:

(a) through (b) No change.

Within 30 days of receipt of a petition for a formal determination, the District shall notify the petitioner of any missing or insufficient information in the petition documentation submitted which may be necessary to complete review of the petition.

The District shall complete the determination and shall issue a notice of intended agency action within 60 days after the petition is deemed complete. The District shall publish the notice of intended agency action on the petition in a newspaper of general circulation in the county or counties where the property is located.

Sections 120.57 and ~~120.569, 120.59~~ F.S., apply to formal determinations made pursuant to this section. Any person whose substantial interests will be affected by the District's proposed action on the petition may request an administrative hearing on the proposed action pursuant to section 40E-1.511, F.A.C. If no request for an administrative hearing is filed, the Executive Director will then take final action on the petition for the formal determination.

The Executive Director will only issue a formal determination if the petitioner has satisfied all the requirements of section 4.5. A person requesting a formal determination may withdraw the petition without prejudice at any point before final agency action.

4.5.2 Types of Formal Determinations

A petitioner can request a formal determination consisting of a certified survey, an approximate delineation, or combinations thereof, as described below.

(a) The survey of the extent of wetlands and other surface waters shall be certified pursuant to chapter 472, F.S., to meet the minimum technical standards in chapter 61G17-6, F.A.C. A petitioner seeking a certified surveyed delineation shall have a land surveyor registered in the State of Florida survey the verified boundaries of wetlands and other surface waters, and shall have the surveyor or surveyor's representative accompany the District representative on the delineation verification described in subsection ~~4.5.3~~ ~~4.4.3~~. The certified survey shall

also contain a legal description of, and acreage contained within, the boundaries of the property for which the determination is sought. The boundaries of wetlands and other surface waters shall be witnessed to the property boundaries, and shall be capable of being mathematically reproduced from the survey. The petitioner shall submit five copies of the survey, along with five copies of the survey depicted on aerial photographs, to the District to complete the petition.

(b) No change.

4.5.3 through 4.5.6 No change.

5.0 WATER QUALITY CRITERIA

5.1 through 5.2.1 No change.

5.2.2 Land Use and Coverage Criteria

(a) No change.

(b) Projects having greater than 40% impervious area and which discharge directly to the following receiving waters shall provide at least one half inch of dry detention or retention pretreatment as part of the required retention/detention. Receiving waters being addressed are:

1. through 3. No change.

4. Other areas, such as the Savannas in St. Lucie and Martin Counties; the Six Mile Cypress Strand; the Big Cypress area of Collier County; and lands acquired by the District pursuant to Section 373.59, Florida Statutes, Water Management Lands Trust Fund (Save Our Rivers); mitigation bank lands, as set forth in Section 4.4., ~~“Environmental Resource Permit Applications within South Florida Water Management District—August 1995”.~~

5. through 6. No change.

5.3 through 5.5 No change.

5.6 through 5.8 No change.

5.9 Water Quality Monitoring -

All new drainage projects will be evaluated based on the ability of the system to prevent degradation of receiving waters and the ability to conform to State water quality standards (see Chapters ~~62-3, 62-4,~~ and 62-302, F.A.C.).

5.9.1 (a) There are areas within the District where water quality considerations are extremely important, because of the sensitivity of the area. These areas include:

1. through 4. No change.

5. Outstanding Florida Waters as defined in Chapter ~~62-302, 17-3-302,~~ Florida Administrative Code.

(b) No change.

5.9.2 through 5.9.3 No change.

5.9.4 The reason for the monitoring requirement will be stated in the Staff Report for each Permit. Also included in the permit will be the monitoring and reporting schedules and the parameters of interest. Each monitoring program will be designed specifically for the land use or individual project in question and will include applicable surface and ground water sampling. Staff shall specify applicable project specific parameters such as those listed in Chapter ~~62-302, 17-3-302,~~

F.A.C. The applicant shall use a Florida Department of Environmental Protection- or Florida Department of Health and Rehabilitative Services-certified laboratory for all water quality sampling and analysis. The District recommends that the applicant submit final results from the laboratory on a DOS-formatted 3.5" computer disk which will be supplied by the District. The disk will contain a program requiring the input of all pertinent data associated with the water quality monitoring special condition(s). If the permittee or their contracted laboratory does not have MS-DOS computer capabilities, water quality analysis may be submitted on paper. Examples of records to be supplied are as follows: sample date, sample location with D for discharge or N for no discharge, water discharge rates (cfs) and concentration values of indicated elements or compounds.

5.9.5 through 5.9.6 No change.

5.10 Solid Waste Facilities –

(a) Surface water management systems for Class I and II solid waste facilities, as defined by Chapter ~~62-701, 47-701~~, F.A.C., shall be so designed, constructed, and operated as to maintain the integrity of the landfill at all times (during construction, operation, closure and post closure). Applicant must provide assurances that:

1. through 2. No change.

(b) No change.

(c) Class I and II landfill projects shall provide adequate assurance that leachate will not enter the surface water management system. This assurance may be provided through affirmative demonstration that the requirement of ~~62-701, 47-701~~, F.A.C. for design and emplacement of liners, leachate collection systems, and treatment and disposal of leachate will be met.

(d) Borrow pits shall not be included in the surface water management system unless the applicant can affirmatively demonstrate that leachate will not enter the borrow pit, and that the water quality standards in Chapters 62-4, ~~62-3~~ and 62-302, 62-522, provisions of Rule 17 3.302 and Chapter 17-4, F.A.C. will be met.

(e) through (h) No change

6.0 through 6.13 No change.

7.0 through 7.6 No change.

8.0 through 8.8.2 No change

9.0 through 9.2.2 No change.

9.2.3 The Association must have the following general powers and attributes, which shall be reflected in the Articles of Incorporation or other documents of record:

(a) through (g) No change.

(h) The Association shall exist in perpetuity; however, if the Association is dissolved, the Articles of Incorporation must provide that the property consisting of the surface water management system and the right of access to the property containing the surface water management system shall be

conveyed to an appropriate agency of local government. If it is not accepted, then the surface water management system must be dedicated to a similar non-profit corporation.

9.2.4 The Association must have the following covenants and restrictions, which shall be set forth in the Declaration of Protective Covenants, Deed Restrictions, Declaration of Condominium, or other recorded document which sets forth the Association's rules and regulations:

(a) through (c) No change.

(d) That any proposed amendment to the association's documents, which would affect the surface water management system (including environmental conservation areas and the water management portions of the common areas) must be submitted to the District for a determination of whether the amendment necessitates a modification of the environmental resource or surface water management permit. If a modification is necessary, the District will so advise the permittee. The amendment affecting the surface water management system may not be finalized until any necessary permit modification is approved.

(e) through (f) No change.

(g) The environmental resource or surface water management permit and its conditions shall be attached to the rules and regulations as an exhibit. The Registered Agent for the Association shall maintain copies of all further permitting actions for the benefit of the association.

(h) The District has the right to take enforcement action, including a civil action for an injunction and penalties, against the association to compel it to correct any outstanding problems with the surface water management system facilities or in mitigation or conservation areas under the responsibility or control of the association.

9.2.5 through 9.2.6 No change.

10.0 No change.

APPENDICES

Appendix 2 No change.

Appendix 3 No change.

Appendix 6 No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Terrie Bates, Director, Environmental Resources Regulation Department

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 1999 and January 7, 2000

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE:	CHAPTER TITLE NO.:
Environmental Resource Standard	
General Permits	40E-40
RULE TITLES:	RULE NOS.:
Permit Thresholds	40E-40.041
Standard General Permit for Incidental	
Site Activities	40E-40.042
Standard General Permit Authorization	40E-40.051
Delegation of Authority Pertaining to General	
Environmental Resource Permits, General	
Surface Water Management Permits and	
Associated Sovereign Submerged	
Lands Authorizations	40E-40.061

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to correct citations, add form numbers, correct position titles and clarify language currently in the rule.

SUMMARY: The proposed rule amendment addresses permit thresholds.

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: 120.53, 373.044, 373.113, 373.118, 373.406(5) FS.

LAW IMPLEMENTED: 120.53, 120.60, 373.016, 373.103, 373.118, 373.406, 373.413, 373.416, 373.419, 373.426, 373.427 FS.

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

TIME AND DATE: 9:00 a.m., April 13, 2000

PLACE: South Florida Water Management District Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julie Jennison, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet: jjenniso@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-40.041 Permit Thresholds.

(1) ~~Any The permit threshold for non-exempt surface water management systems which do not qualify for a no notice or noticed general environmental resource permit, and do not exceed the threshold for individual permits as listed below, shall obtain a standard general permit, are set forth below. Systems which exceed any one of these threshold conditions shall require an individual permit pursuant to Chapter 40E-4, F.A.C.~~

(2) Threshold conditions are as follows:

(a) through (c) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.406(5), 373.413(1), 373.416 FS. History–New 4-20-94, Amended 10-3-95,\_\_\_\_\_.

40E-40.042 Standard General Permit for Incidental Site Activities.

(1) No change.

(2) No change.

(3) In order to receive a permit under this rule the applicant must:

(a) through (b) No change.

(c) submit Form 0444 and plans or a description of incidental site activities proposed, including proposed locations for work.

(d) No change.

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

(5) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.60(2), 373.103(4), 373.118, 373.413, 373.416 FS. History–New 9-3-81, Formerly 16K-4.021(1), 16K-4.022(1), Amended 12-1-82, 7-26-87, 4-20-94, 10-3-95,\_\_\_\_\_.

40E-40.051 Standard General Permit Authorization.

(1) through (3) No change.

(4) For applications for standard general permits, the Governing Board delegates to and appoints the Executive Director, Deputy Executive Director, Environmental Resources Regulation Department Director, Environmental Resources Regulation Department Deputy Director, Natural Resource Management Division Director, Surface Water Management Division Director, and Service Center Directors, ~~and Regulatory Area Managers~~, as its agents for the purposes of reviewing and issuing these permits.

(5) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.103(2), 373.103(6), 373.427 FS. History–New 10-3-95, Amended 4-1-96,\_\_\_\_\_.

40E-40.061 Delegation of Authority Pertaining to General Environmental Resource Permits, General Surface Water Management Permits and Associated Sovereign Submerged Lands Authorizations.

(1) The Governing Board delegates to and appoints the Executive Director, Deputy Executive Director, Environmental Resources Regulation Department Director, Environmental Resources Regulation Department Deputy Director, Natural Resource Management Division Director, Surface Water Management Division Director, and Service Center Directors, ~~and Regulatory Area Managers~~ as its agents to review and take final action on all general environmental resource and surface water management permit applications issued under chapter 40E-40, F.A.C. However, staff recommendations for denial of general permit applications shall be considered by the Governing Board.

(2) The Board of Trustees of the Internal Improvement Trust Fund, pursuant to Section 18-21.0051, F.A.C., has delegated to the Governing Board the authority to review and take final agency action on certain applications to use sovereign submerged lands. Section 18-21.0051, F.A.C., also provides that the Governing Board may delegate review and decision-making authority to District staff. Therefore, the Governing Board further delegates this authority to the Executive Director, Deputy Executive Director, Regulation Department Director, Regulation Department Deputy Director, Natural Resource Management Division Director, Surface Water Management Division Director, and Service Center Directors, ~~and Regulatory Area Managers~~, when an application to use sovereign submerged lands involves an activity which is to be reviewed pursuant to the general permit procedures of Chapters 40E-1, 40E-40, or 40E-400, F.A.C.

Specific Authority 120.53(1), 373.044, 373.113, 373.118 FS. Law Implemented 120.53, 373.016, 373.118 FS. History—New 4-1-96, Formerly 40E-1.6015, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Terrie Bates, Director, Environmental Resources Regulation Department

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 1999 and January 7, 2000

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Home Health Services  
RULE NO.: 59G-4.130

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Home Health Services Coverage and Limitations Handbook, March 2000. The effect will be to incorporate by reference in the rule the updated Florida Medicaid Home Health Services Coverage and Limitations Handbook.

SUMMARY: This rule amendment will incorporate by reference the Florida Medicaid Home Health Services Coverage and Limitations Handbook, March 2000.

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: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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., March 20, 2000

PLACE: Agency for Health Care Administration, 2728 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Peggy Stafford, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)488-9990

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.130 Home Health Services.

(1) No change.

(2) All home health agency providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Home Health Services Coverage and Limitations Handbook, March 2000 ~~October 1997~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up EPSDT 221, which is incorporated in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 4-1-78, 9-28-78, 1-24-79, 7-17-83, Formerly 10C-7.44, Amended 6-1-88, 4-9-89, 1-1-90, 5-26-93, Formerly 10C-7.044, Amended 3-14-95, 12-27-95, 5-7-96, 2-9-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Peggy Stafford

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., AHCA Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**DEPARTMENT OF MANAGEMENT SERVICES**

**Personnel Management System**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
State Child Care Program	60L-20
RULE TITLES:	RULE NOS.:
Scope and Purpose	60L-20.001
Statements of Policy	60L-20.002
Definitions	60L-20.003

Procedures for Coordination of Child Care Services Requests	60L-20.004
Criteria for Establishment of Child Care Centers	60L-20.005
Qualifications of Service Providers	60L-20.006
Responsibilities of Service Providers	60L-20.007

**PURPOSE AND EFFECT:** Affects changes made to s. 110.151, F.S., during the 1999 legislative session to allow agencies to cover operating costs other than the cost of the physical facility; clarifies the Department’s responsibilities for assisting agencies in maintaining established centers; clarifies that direct operation of the child care center by the sponsoring agency(ies) is permitted on a temporary, emergency basis only; removes the requirement of the Department’s approval of the sponsoring agency(ies) enrollment policies; broadens the service provider procurement process; and updates the reference to the rules regarding state child care standards.

**SUMMARY:** The rule amendments outline the policies for work-site child care centers for the children of state employees including the Department’s responsibilities and the sponsoring agency(ies) fiscal/operational responsibilities to comport with current practices and statutory language.

**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:** 110.151(8) FS.

**LAW IMPLEMENTED:** 110.151 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:** 10:00 a.m., March 20, 2000

**PLACE:** Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Carolyn J. Johnson, Human Resource Consultant, 4050 Esplanade Way, Bldg. 4040, Suite 360, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULES IS:

60L-20.001 Scope and Purpose.

This chapter sets forth the procedures to be followed for establishing and maintaining work-site child care services for state employees.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 3-18-92, Formerly 22K-28.001, Amended.

60L-20.002 Statements of Policy.

(1) No change.

(2) The sponsoring state agency may shall provide for the space, maintenance, utilities and other operating costs associated with the physical facility of the center.

(3) No change.

(4) Except as specified in section 60L-20.003(2), sService providers who operate state-sponsored child care centers shall be selected by competitive contract. Requests for proposals shall be developed by the sponsoring agency with the assistance of, and subject to the approval of, the Ddepartment.

(5) No change.

(6) The sponsoring state agency may elect to operate the center on a temporary, emergency basis for a period not to exceed six months when a second request for proposals fails to procure a qualified service provider, or when the service provider's contract is canceled and attempts to procure a qualified provider are unsuccessful, provided plans for the direct operation by the sponsoring agency are approved by the Ddepartment.

(7) through (9) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.002, Amended 3-15-94, \_\_\_\_\_.

60L-20.003 Definitions.

For the purpose of administering this chapter, the following definitions shall apply:

(2) “Service provider” means the person or persons awarded the contract to operate a state-sponsored center. Neither the service provider nor any personnel employed by the service provider shall be deemed to be employees of the state, unless the service provider is a governmental agency not subject to the competitive sealed bid requirements, as provided for in Section 287.057(3)(f)13., F.S.

(3) through (4) No change.

(5) “Employee” means full-time and part-time state officers or employees of all branches of state government holding salaried positions.

(6) through (7) No change.

(8) “Consortium arrangement” means an association or partnership whereby a state agency joins with one or more other state agencies or municipal or federal employers to pool resources in order to establish or maintain a work-site child care center to serve the employees of all contributing members.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.003, Amended 3-15-94, \_\_\_\_\_.

**60L-20.004 Procedures for Coordination of Child Care Services Requests.**

(1) Agencies requesting the establishment of work-site centers shall submit a written plan to the ~~D~~e~~p~~a~~r~~t~~m~~e~~n~~t for approval. This plan shall contain the results of a feasibility study showing the following:

- (a) through (e) No change.
- (2) The ~~D~~e~~p~~a~~r~~t~~m~~e~~n~~t shall respond to each agency's request by outlining its findings based on established criteria and, if the plan is approved, in accordance with Section 60L-20.005 of this Chapter, recommend a step-by-step procedure for establishing a child care center.

(3) The ~~D~~e~~p~~a~~r~~t~~m~~e~~n~~t shall provide technical assistance in the development of child care services which shall include:

- (a) through (d) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.004, Amended \_\_\_\_\_.

**60L-20.005 Criteria for Establishment of Child Care Centers.**

The following criteria shall be used in reviewing agency requests for the establishment of state-sponsored child care centers:

- (1) through (2) No change.
- (3) Adequate and appropriate space for child care purposes which conforms to state physical facility standards described in Chapter ~~65C-22 10M-12~~, F.A.C.
- (4) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 3-18-92, Formerly 22K-28.005, Amended 3-15-94, \_\_\_\_\_.

**60L-20.006 Qualifications of Service Providers.**

(1) The service provider shall be considered qualified if the provider complies with all state and local standards for the licensure and operation of child care facilities, maintains liability insurance coverage and assumes financial and legal responsibility for the operation of the program, except as provided in section 60L-20.002(2) of this chapter.

(2) All child care personnel, including the owner, operator, employees, substitutes and volunteers must meet all personnel requirements, health requirements and training requirements, defined in Chapter ~~65C-22 10M-12~~, F.A.C.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 3-18-92, Formerly 22K-28.006, Amended \_\_\_\_\_.

**60L-20.007 Responsibilities of Service Providers.**

- (1) No change.

(2) The service provider shall be responsible for enrolling children of state employees in accordance with the enrollment policy of the sponsoring agency, ~~as approved by the department,~~ pertaining to eligibility and procedures.

- (3) through (5) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.007, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon D. Larson, Director of Human Resource Management, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael T. Cochran, Deputy Secretary, Department of Management Services.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 21, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Examination and Reexamination

RULE NO.: 61G4-16.009

PURPOSE AND EFFECT: The Board proposes to reduce the minimum amount of time for an applicant who fails all or part of an examination on the first or second attempt to make application to retake said examination from 90 days to 45 days to coincide with the current 60 day examination cycle.

SUMMARY: Examination and Reexamination.

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: 455.217(2), 455.219(1), 489.108, 489.129(2) FS.

LAW IMPLEMENTED: 455.217, 489.109, 489.111 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-16.009 Examination and Reexamination.

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

1. through 2. No change.

3. An applicant who fails the examination in whole or in part on his or her first or second attempt may submit an application to retake the certification examination to the Department no less than forty-five (45) days prior to the administration of the examination the applicant wishes to take may apply to the Department to retake said examination no less than ninety (90) days prior to the next administration date provided he or she pays all appropriate fees as set forth in paragraph (3) below.

(2) through (4) No change.

Specific Authority 455.217(2), 455.219(1), 489.108, 489.129(2) FS. Law Implemented 455.217, 489.109, 489.111 FS. History—New 2-25-93, Formerly 21E-16.009, Amended 10-17-93, 7-20-94, 11-25-97, 9-15-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 21, 2000

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE TITLE: RULE NO.:

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

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to deceptive and misleading advertising.

SUMMARY: The Board has determined that an amendment to this rule is necessary to clarify when the initials “M.D.” can be used.

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: 460.405 FS.

LAW IMPLEMENTED: 455.664, 460.413(1)(d) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) No change.

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

(a) through (k) No change.

(l) Contains any other representation, statement or claim which is misleading or deceptive; or :

(m) Contains a reference to a medical degree or uses the initials “M.D. unless the chiropractor has actually received such a degree. If the chiropractor is not licensed to practice medicine in Florida, the letterhead, business card, or other advertisement shall also include next to the reference or initials the statement “Not licensed to practice medicine in the State of Florida” in the same print size or volume.

(3) No change.

Specific Authority 460.405 FS. Law Implemented 455.664, 460.413(1)(d) FS. History—New 1-10-80, Amended 11-25-81, 5-12-83, Formerly 21D-15.01, Amended 4-19-89, Formerly 21D-15.001, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.001, Amended 9-21-98, 5-20-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2000

**DEPARTMENT OF HEALTH**

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

RULE TITLE: RULE NO.:

Definition of “Mental Health Professional 64B4-2.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to the definition of a “Mental Health Professional.”

SUMMARY: The Board is amending this rule to add the reference 491.0046(3), Florida Statutes to update the rule text.

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: 491.004(5) FS.

LAW IMPLEMENTED: 491.005(1)(c),(3)(c),(4)(c), 491.0046(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-2.006 Definition of "Mental Health Professional."

"Mental health professional" as used in Sections 491.005(1)(c), (3)(c), ~~and~~ (4)(c), and 491.0046(3), Florida Statutes, is defined as a psychotherapist licensed under Chapter 491, a psychologist licensed under Chapter 490, a psychiatrist licensed under Chapter 458 or 459 who is certified by the American Board of Psychiatry and Neurology; or an advanced registered nurse practitioner certified under Section 464.012, Florida Statutes, and who is certified by a board approved national certification organization pursuant to Rule 64B9-4.002, F.A.C.

Specific Authority 491.004(5) FS. Law Implemented 491.005(1)(c), (3)(c), (4)(c), 491.0046(3) FS. History--New 2-11-98, Amended

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 1999

**DEPARTMENT OF HEALTH**

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

RULE TITLES:	RULE NOS.:
Examination for Licensure	64B4-3.003
Documentation of Substantially Equivalent Licensing Examination	64B4-3.0051
Examination Review Procedures	64B4-3.007

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B4-3.003 to update the rule text. A new rule, numbered 64B4-3.0051 is being created to address the documentation of substantially equivalent licensing examinations. The Board is amending Rule 64B4-3.007 to change the examination procedures.

SUMMARY: The Board proposes to amend Rule 64B4-3.003 to update the rule text with regard to the requirements for examination for licensure for Mental Health Counselors. The Board has determined that a new rule be promulgated to address the documentation of substantially equivalent licensing examinations. Rule 64B4-3.007 is being amended by the Board to change the examination procedures for applicants who wish to review the answers or the part of the exam that the applicant failed.

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: 455.574, 491.004, 491.006 FS.

LAW IMPLEMENTED: 455.574, 491.005, 491.006 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULES IS:

64B4-3.003 Examination for Licensure.

(1) through (4) No change.

(5) PART II – THEORY AND PRACTICE

(a) CLINICAL SOCIAL WORKERS

1. through 2. No change.

(b) MENTAL HEALTH COUNSELORS

1. through 2. No change.

(c) MENTAL HEALTH COUNSELORS

1. The National Clinical Mental Health Counseling Examination (NCMHCE) shall be a clinical simulation examination developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon the level of appropriateness for good client care. The minimum pass level shall be the recommended cut-off score provided by the NBCC and established according to a content-based modified Angoff procedure.

2. An applicant for licensure as a mental health counselor is not required to take the theory and practice Part II of 64B4-3.003(5)(b) of the licensure examination if the following conditions are met:

a. The applicant has taken the National Clinical Mental Health Counselor Examination within the last five years; and

b. The applicant earned the national passing score on the National Clinical Mental Health Counselor Examination.

(d)(e) MARRIAGE AND FAMILY THERAPISTS

1. through 2. No change.

(6) No change.

Specific Authority 455.574, 491.004(5) FS. Law Implemented 455.574, 491.005 FS. History--New 3-21-90, Amended 7-31-91, 3-10-92, 6-1-92, 1-27-93, Formerly 21CC-3.003, Amended 3-14-94, 7-20-94, Formerly 61F4-3.003, Amended 12-22-94, 9-18-95, 11-13-96, 6-1-97, Formerly 59P-3.003, Amended 8-8-99, 1-11-00,\_\_\_\_\_.

64B4-3.0051 Documentation of Substantially Equivalent Licensing Examination.

In order for the Board to determine whether an applicant by endorsement has passed a substantially equivalent licensing examination in another state, the endorsement applicant shall provide the Board with documentation which demonstrates that the exam taken in another state is substantially equal in essential materials and elements to the licensure examinations required in Rule 64B4-3.003, F.A.C. Essential and material elements shall include but are not limited to:

- (1) name and publisher of the exam;
- (2) time allotted for taking the exam;
- (3) subject content domains covered by the exam;
- (4) conditions under which the exam was taken;
- (5) grading criteria;
- (6) raw score and scaled passing score;
- (7) exam administration date;
- (8) exam format (multiple choice/essay); and
- (9) exam security procedures.

Specific Authority 491.004, 491.006 FS. Law Implemented 491.006 FS. History--New\_\_\_\_\_.

64B4-3.007 Examination Review Procedures.

(1) An applicant is entitled to review the applicant's examination questions, answers, papers, grades and grading key used in Part I—Laws and Rules of the laws and rules examination (Part 1) for the questions the candidate answered incorrectly or, if not feasible, the parts of the examination failed. Examination reviews shall be conducted ~~licensure~~ under such terms and conditions as prescribed by the Department of Health in rule 64B-1.013, F.A.C., unless prohibited or limited by rule 64B4-3.006, F.A.C., implementing security procedures.

(2) No change.

Specific Authority 455.574(2), 491.004(5) FS. Law Implemented 455.574(2) FS. History--New 8-18-93, Formerly 61F4-3.007, Amended 1-7-96, Formerly 59P-3.007, Amended 8-8-99,\_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 1999

DEPARTMENT OF HEALTH

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

RULE TITLE: Qualifications to Practice Juvenile Sex Offender Therapy

RULE NO.: 64B4-7.007

PURPOSE AND EFFECT: The Board is amending this rule to simplify the requirements to practice juvenile sex offender therapy.

SUMMARY: The Board has determined that the rule text shall be amended to simplify the qualifications the licensee must have in order to practice juvenile sex offender therapy.

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: 491.004(5), 491.0144 FS.

LAW IMPLEMENTED: 491.0144 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-7.007 Qualifications to Practice Juvenile Sex Offender Therapy.

Effective October 1, 2000, in order for a licensed clinical social worker, marriage and family therapist or mental health counselor to practice, or to hold oneself out as one certified to practice juvenile sex offender therapy the licensee must have:

(1) Completed education and training in the following subject areas: Complete education and training to gain knowledge and competency in each of the following areas:

(a) through (1) No change.

(2) No change.

Specific Authority 491.004(5), 491.0144 FS. Law Implemented 491.0144 FS. History--New 2-9-99, Amended\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 1999

DEPARTMENT OF HEALTH

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

RULE TITLE: Definition of Sexual Misconduct
RULE NO.: 64B4-10.002

PURPOSE AND EFFECT: The Board is amending this rule to update the rule text with regard to the definition of sexual misconduct and unnecessary language is being deleted.

SUMMARY: The Board proposes to amend this rule to delete rule text that is no longer necessary and to further clarify the definition of sexual misconduct for a psychotherapist.

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: 491.004(5), 491.0111 FS.

LAW IMPLEMENTED: 491.0111 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-10.002 Definition of Sexual Misconduct.

(1) It is sexual misconduct for a psychotherapist to engage, attempt to engage, or offer to engage a client in sexual behavior, or any behavior, whether verbal or physical, which is intended to be sexually arousing, including kissing; sexual intercourse, either genital or anal; cunnilingus; fellatio; or the touching by either the psychotherapist or the client of the other's breasts, genital areas, buttocks, or thighs, whether clothed or unclothed.

(2) It is sexual misconduct for a psychotherapist to engage a client in verbal or physical behavior which is sexually arousing or demeaning unless:

(a) The psychotherapist meets the requirements to hold oneself out as a sex therapist as specified in Rule 64B4-7.004; and

(b) such behavior is for the sole purpose of treatment of psycho-sexual disorders or dysfunctions included within the categories of: paraphilia, sexual desire disorders, disorder of sexual arousal, compulsive hyperactive sexual behaviors; and

(c) the psychotherapist complies with generally accepted professional standards in this State for treatment of clients with these specific disorders or dysfunctions; and

(d) treatment is provided in accordance with generally accepted professional standards for psychotherapy in this State.

(3) It is sexual misconduct for a psychotherapist to encourage the client to engage in sexual conduct with a third party unless:

(a) through (b) No change.

Specific Authority 491.004(5), 491.0111 FS. Law Implemented 491.0111 FS. History--New 3-4-90, Formerly 21CC-10.002, 61F4-10.002, 59P-10.002, Amended 4-28-98,\_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 1999

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Remediable Tasks Delegable to a
Dental Hygienist
RULE NO.: 64B5-16.006

PURPOSE AND EFFECT: The Board proposes to amend this rule by adding an additional remedial task which may be performed by a dental hygienist.

SUMMARY: The Board is amending this rule text by adding a new subsection to expand the remediable tasks that may be performed by a dental hygienist who received formal training and who performs the tasks under direct supervision.

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: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) The following remediable tasks may be performed by a dental hygienist who has received formal training and who performs the tasks under direct supervision:

(a) through (m) No change.

(n) Inserting or removing dressings from alveolar sockets in post-operative osteitis when the patient is uncomfortable due to the loss of a dressing from an alveolar socket in diagnosed cases of post-operative osteitis;-

(o) Placing subgingival resorbable chlorhexidine.

(2) through (5) No change.

Specific Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History--New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 7, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2000

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

RULE NO.: 64B9-8.006

PURPOSE AND EFFECT: The proposed rule amendment is intended to add violations to the disciplinary guidelines.

SUMMARY: The proposed rule amendment sets forth additional violations in the disciplinary guidelines.

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: 455.627, 455.624 FS.

LAW IMPLEMENTED: 455.627, 455.624, 464.018 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., March 22, 2000

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the noted statutes and rules:

(a) No change.

(b) Giving misleading statements or knowing misrepresentations to obtain a license (464.016(1)(d) or 464.018(1)(a) or 455.624(1)(e), (h) or (s), F.S.)

Fine of \$500 – \$1000 payable prior to reapplication and license denial or revocation

– Concealing criminal record on application

Denial of application

– Renewing a license by knowing misrepresentations of continuing education (second or subsequent offense)

Fine of up to \$100 per hour of incorrectly reported CE and suspension continued until such time as incorrectly reported CE is completed and fine paid.

– Error of the Department or the Board

Revocation

– Attempting to procure license by bribery, knowing misrepresentation state attorney if

Suspension or revocation and fine of \$1000 if licensed (denial and refer to not licensed)

(c) through (l) No change.

(m) Sexual misconduct (464.017 or 455.567 and 455.624 (1)(u), F.S.)

Fine from \$500 – \$1000, referral to IPN or, ~~and~~ one year probation with conditions to revocation, or denial of licensure.

(n) through (v) No change.

(w) Failing to comply with the requirements for profiling and credentialing (455.624(1)(v), F.S.)

Fine from \$250 – \$1000; suspension to revocation.

(x) Using information about people probation involved in motorvehicle accidents which has been derived from accident reports made by law enforcement officers or persons involved in accidents, or using information published in a newspaper or other news publication or through a radio or television broadcast that has used information gained from such reports, for the purposes of commercial or any other solicitation whatsoever of the people involved in such accidents (455.624(1)(x), F.S.)

Fine of \$250 – \$500 and one year to suspension.

(4) No change.

Specific Authority 455.627, 455.624 FS. Law Implemented 455.627, 455.624, 464.018 FS. History--New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 210-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2000

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Fees for Licensure Pursuant to Section 461.018, Florida Statutes

RULE NO.: 64B18-12.009

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule which will address fees for licensure pursuant to section 461.018, Florida Statutes.

SUMMARY: Pursuant to Section 461.018, Florida Statutes, the Board has determined that a new rule should be created to address fees for licensure.

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: 461.005, 461.018 FS.

LAW IMPLEMENTED: 455.641, 455.694, 461.006(1), 467.007(1), 461.018 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-12.009 Fees for Licensure Pursuant to Section 461.018, Florida Statutes.

The following fees are prescribed by the Board for licensure pursuant to Section 461.018, F.S.:

(1) The fee for initial application, licensure, and renewal is \$100.

(2) The fee for renewal of inactive status is \$50.

(3) The fee for renewal of delinquent status is \$50.

(4) The fee for renewal or reactivation is \$50.

(5) The fee for unlicensed activity is \$5 which is imposed by the Department and shall be in addition to the other licensure fees.

(6) Proof of financial responsibility shall be demonstrated by a letter of credit for \$1,000.

Specific Authority 461.005, 461.018 FS. Law Implemented 455.641, 455.694, 461.006(1), 461.007(1), 461.018 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 1999

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Continuing Education Required for License Renewal

RULE NO.: 64B18-17.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to reduce the number of hours in the area of risk management to one hour and delete rule text that is addressed by statute.

SUMMARY: The Board has determined that the number of continuing education in risk management should be reduced from two hours to one hour and unnecessary language is being deleted.

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: 455.564(6), 455.604, 461.005, 461.007 FS.

LAW IMPLEMENTED: 455.564(6), 455.604, 461.007 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-17.001 Continuing Education Required for License Renewal.

- (1) No change.
- (2) All licensees who seek to renew the active status of their licensure must demonstrate that they have completed, during the previous two years, at least forty (40) hours of continuing education.
- (a) At least one (1) two (2) of the forty (40) hours must concern the topic of risk management.
- (b) through (e) No change.
- (3) through (4) No change.

~~(5) Failure to comply with continuing education requirements shall prohibit license renewal and shall also result in the license reverting to delinquent status. When poor health prevents a podiatrist from obtaining the required number of continuing education hours, however, the Board shall excuse the podiatrist from complying with the continuing education requirements for that biennium under the following circumstances: the application for waiver must be in writing; it must be received by the Agency on or before the last day for biennial renewal; it must affirmatively demonstrate that the onset of the poor health which precluded attendance at continuing education programs occurred at least three months before the last day for biennial renewal, and it must be accompanied by:~~

- ~~(a) a physician's diagnosis of the licensee's condition, including the date of its onset;~~
- ~~(b) a physician's prognosis of the licensee's condition;~~
- ~~(c) a physician's explanation of how the condition affects the podiatrist's ability to attend continuing education programs.~~
- (6) through (8) renumbered (5) through (7) No change.

Specific Authority 455.564(6), 455.604, 461.005, 461.007 FS. Law Implemented 455.564(6), 455.604, 461.007 FS. History--New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 1999 and November 24, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Definitions RULE NO.: 68A-1.004

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the definition of "bow" to preclude the use of devices which allow the bowstring to be mechanically held in the drawn and "ready-to-fire" (ready-to-release) position. The effect would be to clarify that bows allowed during archery-only seasons must be hand-held, hand-drawn and hand-released and not be equipped with devices that can mechanically hold the bowstring in the drawn (ready-to-fire) position. The proposed rule would permit the use of mechanical bowstring releases provided they are hand-held and not mechanically held.

SUMMARY: The proposed rule would clarify the definition of bows to prohibit the use of devices that mechanically hold the bowstring in the drawn and ready-to-release position. This clarification would in effect require that bows used in archery-only seasons be hand-held, hand-drawn and hand-released and not contain or be equipped with devices that can mechanically hold the bowstring in the drawn (ready-to-fire) position. Mechanical bow string releases would be permitted provided they are hand-held and not mechanically held.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$100 for administrative preparation and \$62.16 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m. March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (15) No change.

(16) Bow – A device consisting of flexible material having a string connecting its two ends for the purpose of discharging arrows; which propels arrows only by the energy stored by the drawing of the device; which has a minimum draw weight of 35 pounds; ~~and which is hand-held, hand-drawn and hand-released; which is not equipped with a device that can mechanically hold the bowstring in the drawn (ready-to-fire) position, and which may include mechanical bowstring release devices provided they are only hand-held, hand-held releases connected to the bowstring.~~

(17) through (89) No change.

(90) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Victor J. Heller

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Possession of Wildlife or Freshwater Fish or

RULE NO.:

the Carcasses Thereof 68A-4.004

PURPOSE AND EFFECT: The purpose of the proposed rule is to restrict processing of panfish by anglers on lakes with panfish minimum length regulations to ensure proper enforcement of this rule, which is designed to protect, conserve or produce quality or high-quality freshwater fisheries.

SUMMARY: The proposed rule would prohibit removal of the head or tail or filleting of panfish until anglers have completed fishing for the day. The proposed rule is applicable only in lakes with panfish minimum length regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated the proposed action will cost the agency \$75 for administrative preparation and advertising. No other significant economic impacts are anticipated.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-4.004 Possession of Wildlife or Freshwater Fish or the Carcasses Thereof.

(1) through (2) No change.

(3) Black bass, striped bass and white bass or their hybrids, peacock bass, or black crappie and panfish (for black crappie and panfish, only in waters where black crappie minimum-length or slot-size limits for these fish apply) may not be filleted, nor their head or tail fin removed, until the angler has completed fishing for the day.

(4) This rule shall take effect July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-4.04, Amended 5-10-87, 7-1-89, 7-1-96, Formerly 39-4.004, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Darrell L. Scovell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Possession of Wildlife in Captivity; Permits RULE NO.: 68A-6.0022

PURPOSE AND EFFECT: Local zoning codes do not always assure that a captive wildlife facility, that meets all requirements of Chapter 68A-6, F.A.C., is appropriate in relation to surrounding land uses or neighborhoods. The purpose of the proposed rule is to establish additional facility requirements, in addition to minimum cage size and structural requirements, to assure that facilities for Class I and Class II carnivores will have a minimal impact on surrounding property owners. By requiring minimum lot sizes, fencing and, a 35-foot buffer zone for Class I and Class II carnivore facilities, the proposed rule will help assure that new facilities will be safer and will pose a minimum impact on surrounding property owners.

SUMMARY: The proposed rule would create additional requirements for facilities that keep Class I and II carnivores as follows:

- (1) Require all facilities licensed after July 1, 2000, to meet the additional requirements as a condition of licensure;
- (2) Require a minimum 35-foot buffer zone between the cages of Class I and II facilities and adjacent property;
- (3) Require a minimum lot size for Class I (5 acres) and Class II (2 1/2 acres) facilities;
- (4) Require fencing and structural requirements for fencing such Class I and Class II carnivore facilities;
- (5) Allows facilities permitted as of July 1, 2000, to continue to operate in the same location even if there is a transfer of ownership.

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. There are no additional costs to the agency associated with this proposal, other than the normal costs associated with development and promulgation of this rule.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 1000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

- 68A-6.0022 Possession of Wildlife in Captivity; Permits.
- (1) through (4) No change.
  - (5) Qualification requirements for a permit to possess Class I or Class II wildlife:
    - (a) All applicants shall qualify for permits as follows:
      - 1. through 2. No change.
      - 3. Experience Requirement for Class I permits:
        - a. No change.
        - b. For purposes of demonstrating compliance, applicants shall submit documentation of such experience, including:
          - i. through iii. renumbered I. through III. No change.
        - c. No change.
      - 4. No change.
      - 5. Facility Requirements:
        - a. No change.
        - b. In order to assure public safety, Class I and Class II wildlife shall only be kept in appropriate neighborhoods and, accordingly, facilities that house such wildlife shall meet the requirements of this rule subsection. Compliance with these requirements is a necessary condition for licensure. For purposes of this subsection, a "facility" means the site at which Class I or Class II carnivores are kept or exhibited. Applicants shall submit documentation verifying that the construction of the facility, its cages and enclosures is not prohibited by county ordinance and, if within a municipality, municipal ordinance.
          - c. Notwithstanding any other requirements of this rule, facilities licensed prior to the effective date of this section may sell or transfer their interests, including their approved classification(s) of wildlife, (excluding licenses) to other qualified investor or owners for possession, and such facility may remain in the same location. New or prospective owners shall be qualified to receive the classifications of wildlife applied for and shall complete applications for licenses to receive same. The transfer shall not occur until a final on-site inspection is conducted by Commission personnel and the license is approved and issued. Other than facilities meeting the requirements of Rule 68A-6.0022(5)(a)5.b.(I), F.A.C., Class I wildlife shall not be possessed in multi-unit dwellings or in any premises consisting of less than one-quarter acre of land area. Other than facilities meeting the requirements of Rule 68A-6.0022(5)(a)5.b.(II), F.A.C., Class II wildlife shall not be possessed in multi-unit dwellings unless the dwelling in which they are housed is equipped with private entrance, exit, and yard area.



(I) Additional facility requirements for Class I Carnivores (lions, tigers, leopards, snow leopards, jaguars, and bears):

(A) The facility shall not be constructed on less than five (5) contiguous acres of property owned or leased by the applicant. If leased, the lease shall be for a term of not less than one year from the date of application and such lease is subject to initial and annual review and approval by the Commission as a condition of granting said license.

(B) The facility shall have a "buffer zone" of not less than 35 feet between the caging and the facility property line.

(C) The cages of the facility shall be bounded by a fence of not less than eight (8) feet in height, constructed of not less than 11 1/2 gauge chain link, or equivalent, to prevent escape from the property of any wildlife that may escape the primary caging.

(II) Additional facility requirements for the following Class II carnivores: cougars; panthers, clouded leopards, and Class II Canidae:

(A) The facility shall not be constructed on less than two and one-half (2 1/2) contiguous acres of property owned or leased by the applicant. If leased, the lease shall be for a term of not less than one year from the date of application and such lease is subject to initial and annual review and approval by the Commission as a condition of granting said license.

(B) The facility shall contain a "buffer zone" of not less than 35 feet between the caged wildlife and the facility property line.

(C) The cages of the facility shall be bounded by a fence of not less than eight (8) feet in height, constructed of not less than 11 1/2 gauge chain link, or equivalent, or, as an alternative, a fence of not less than six (6) feet in height, with a 2-foot, 45 degree, inward angle overhang. The inward angle fencing and vertical fencing shall be constructed of 11 1/2 gauge chain link or equivalent. This fencing is to prevent escape from the property of any wildlife that may escape from primary caging.

(D) The above requirements shall be effective July 1, 2000, but shall not apply to those facilities licensed to possess captive wildlife species prior to that date. After July 1, 2000, those licensees that desire to expand their inventory to include a family of Class I or Class II species not previously authorized at their facility location shall comply with the requirements herein. Requests to upgrade wildlife classification authorization shall be considered new applications for license purposes.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.921, 372.922 FS. History—New 7-1-90, Amended 7-1-90, 7-1-91, 2-1-98, Formerly 39-6.0022, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Inspector Kyle W. Hill

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2000

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: RULE NO.:

Permits for Hunting or Other Recreational Use

on Type I Wildlife Management Areas 68A-9.004

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish fees and permit quotas for recreational user permits on two Type I Wildlife Management Areas (WMAs) being proposed for inclusion in this program. The effect would be that users would be required to apply for recreational user permits and pay permit fees.

SUMMARY: Proposed rule changes would establish permit fees and permit quotas for recreational user permits for Champion International WMA (\$140 per permit and 325 permits) and Flint Rock WMA (\$98 per permit and 600 permits).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$180 for administrative preparation and \$135 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.004 Permits for Hunting or Other Recreational Use on Type I Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or

managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Section 372.57(4)(b), F.S.

(a) No change.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by s. 372.57(4)(b)2., F.S., shall be:

1. through 4. No change.

5. Champion International – \$140

6. Flint Rock – \$98

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to s. 372.57(4)(b)2., F.S., shall be:

1. through 4. No change.

5. Champion International – 325

6. Flint Rock – 600.

(d) through (f) No change.

(2) No change.

(3) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 372.121, 372.57, 375.313 FS. History–New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE:

RULE NO.:

Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing

68A-9.007

PURPOSE AND EFFECT: The purpose of the proposed changes is to establish new special-opportunity permits and revise existing permit criteria and remove provisions regarding special-opportunity alligator hunts. The effect will be to provide additional special-opportunity hunts or permit privileges and provide consistency with the proposed elimination of Rule 68A-25.047, F.A.C.

SUMMARY: Proposed changes would remove provisions regarding special-opportunity alligator hunts and revise or establish fees and/or permit criteria for other special-opportunity hunts as follows:

Special-opportunity dove hunt permit (existing permit) – one minor under 16 years of age would be allowed to accompany an adult permittee provided the minor is under the supervision and in the presence of the permittee and provided the minor and the permittee may take only one daily bag limit of doves. The minor would be considered to be in possession of a permit for the purpose of access to the special-opportunity dove hunt.

Special-opportunity dove hunt combination permit (proposed new permit) – a permit fee of \$45 per day would be established. One minor under 16 years of age would be allowed to accompany an adult permittee provided the minor is under the supervision and in the presence of the permittee and the minor and the permittee would be each be permitted to take one daily bag limit of doves. The minor would be considered to be in possession of a permit for the purpose of access to the special-opportunity dove hunt.

Annual special-opportunity dove field permit (proposed new permit) – a permit fee of \$150 per year would be established. One minor under 16 years of age would be allowed to accompany an adult permittee provided the minor is under the supervision and in the presence of the permittee and the minor and the permittee would be each be permitted to take one daily bag limit of doves. The minor would be considered to be in possession of a permit for the purpose of access to the special-opportunity dove hunt. This permit would be non-transferable and valid only for the dove field specified on the permit. Up to one-half of the daily quota for each special-opportunity dove field would be available as annual permits.

Special-opportunity released-quail permit (proposed new permit) – a permit fee of \$100 for a 4-day hunt and a \$5 application fee would be established.

Special-opportunity bird dog training permit (existing permit) – this permit would be eliminated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$148 for administrative preparation and \$78 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-9.007 Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing. Special-use permits, short-term use permits, and fees for such permits are hereby established as follows:

(1) Limited entry (special hunting and fishing) opportunities for which special-use permits are required shall be established by rule or, for small-game areas, by order of the Executive Director pursuant to Rule 68A-13.007, F.A.C., subject to the following provisions:

(a) through (d) No change.

(e) Special-use permits shall be transferable, except that ~~special opportunity alligator hunt permits shall not be transferable and~~ that special-opportunity dove hunt permits shall not be transferable after the date and time they become effective.

(2) The Commission establishes fees for special-use permits and non-refundable application fees as follows:

(a) through (b) No change.

(c) The fee for a special-opportunity dove hunt permit is \$35 per day. Under a special-opportunity dove hunt permit, one minor under 16 years of age may accompany an adult permittee and may hunt under the supervision and in the presence of the permittee as specified in s. 790.22, F.S., provided that the permittee and minor collectively may take only one daily bag limit. Notwithstanding other provisions in this chapter, the minor shall be considered to be in possession of a permit for the purpose of access to the special-opportunity dove hunt.

(d) The fee for a special-opportunity dove hunt combination permit is \$45 per day. Under the combination permit, one minor under 16 years of age may accompany an adult permittee and may hunt under the supervision and in the presence of the permittee as specified in s. 790.22, F.S., provided that the permittee and the minor may each take one daily bag limit of doves. Notwithstanding other provisions of this chapter, the minor shall be considered to be in the possession of a permit for the purpose of access to the special-opportunity dove hunt.

(e) The fee for an annual special-opportunity dove field permit is \$150. Under the annual permit, one minor child under 16 years of age may accompany an adult permittee and may hunt under the supervision and in the presence of the permittee as specified in s. 790.22, F.S., provided that the permittee and minor may each take one daily bag limit of doves. This permit shall be non-transferable and shall be valid only for the dove

field specified. Up to one-half of the daily quota for each special-opportunity dove field will be available as annual permits.

(d) through (f) renumbered (f) through (h) No change.

(i) The fee for a special-opportunity released-quail hunt permit is \$100 for 4 days, and the application fee is \$5.

~~(g) The fee for a special-opportunity alligator hunt permit is \$0, and the application fee is \$5.~~

~~(h) The fee for a special-opportunity bird dog training permit is \$10 per day, and the application fee is \$5.~~

(3) through (4) No change.

(5) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.57 FS. History—New 9-15-96, Amended 1-9-97, 6-1-97, 4-12-98, 4-15-99, Formerly 39-9.007, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Hunting Regulations on Public Small-Game Hunting Areas

RULE NO.: 68A-13.007

PURPOSE AND EFFECT: The purpose of the proposed change is to make alligators and alligator eggs and hatchlings legal to take on public small-game hunting areas pursuant to other Commission rules. The effect will be to provide additional opportunities for taking alligators and alligator eggs and hatchlings.

SUMMARY: The proposed rule would provide for the taking of alligators and alligator eggs and hatchlings on public small-game hunting areas.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$118 for administrative preparation and \$38 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-13.007 Hunting Regulations on Public Small-Game Hunting Areas.

(1) No change.

(2) The general regulations for public small-game hunting areas shall be as follows:

(a) Legal game for each public small-game hunting area shall be as identified in the specific area regulations. Legal game shall be limited to small game, frogs, and all legal fish, except that wild hogs may be included as legal game when necessary for management purposes, and alligators and alligator eggs and hatchlings may be established as legal to take pursuant to Rules 68A-25.031, 68A-25.032 and 68A-25.042, F.A.C.

(b) through (e) No change.

(f) The possession of firearms other than bang sticks by persons permitted to take alligators and shotguns is prohibited unless otherwise provided by specific area regulation.

(g) through (m) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-4-82, Formerly 39-13.07, Amended 7-1-89, 7-1-96, Formerly 39-13.007, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE:

RULE NO.:

General Regulations Relating to Type I

Wildlife Management Areas

68A-15.004

PURPOSE AND EFFECT: The purposes of the proposed changes are to revise general regulations for Type I Wildlife Management Areas (WMAs) associated with public access during special-opportunity hunts, permitting of raccoon

hunting by hunting organizations and special-opportunity alligator hunts. The effect of the proposed changes would be to enhance the quality of special-opportunity hunts, increase opportunities for raccoon hunting on WMAs, provide consistency with the proposed elimination of Rule 68A-25.047, FAC. and increase the specificity and clarity of the rule.

SUMMARY: The proposed rule would specify that access restrictions during special-opportunity hog hunts would apply to still hunts only. Proposed changes would allow a non-permitted individual to accompany a permittee during special-opportunity deer, hog (still hunt only) and turkey hunts. While hunting or scouting, a non-permitted individual would be allowed to accompany a permittee and participate in the hunt but would not be allowed to occupy a vehicle separate from the permittee or possess a gun and the non-permitted individual would be required to be in the immediate vicinity (25 feet or less) of the permittee. Proposed changes clarify that persons using the Florida Trail for through-hiking would be exempt from access restrictions stipulated for special-opportunity, short-term use and special-use permits.

Proposed changes would establish a permit for raccoon hunting with dogs on WMAs during otherwise closed seasons and at times and places designated in the permit. The raccoon hunting permit would be issued to sanctioned raccoon hunting organizations by the Executive Director or a designee. The proposed rule would stipulate that permits may be issued only in areas where raccoon hunting will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions and when raccoon hunting will not be in conflict with other user groups.

Proposed changes would prohibit possession or removal of saw palmetto berries from any WMA where the Commission is the land owner or lead managing agency without written permission. Proposed changes would remove rule references to special-opportunity alligator hunts and specify the types of guns that may be possessed for alligator hunting.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$255 for administrative preparation and \$136 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.004 General Regulations Relating to Type I Wildlife Management Areas.

(1) No change.

(2) Permits required:

(a) No change.

(b) A short-term use permit or special-use permit is mandatory on those wildlife management areas where required by regulations for that area. On areas where short-term use permits (daily or multi-day permits) are authorized, holders of such permits shall possess or display a valid short-term use permit receipt in the manner specified on the receipt. Access to areas open to special-opportunity deer, hog (still hunt only), and wild turkey hunting is prohibited by persons not in possession of the appropriate special-opportunity hunt permit except that a non-permitted individual may accompany a permittee. While hunting or scouting, a non-permitted individual may accompany a permittee and participate in the hunt but shall not occupy a vehicle separate from the permittee or possess a gun, and shall be in the immediate vicinity (25 feet or less) of the permittee. Persons using the Florida Trail for through-hiking are exempt from the permit requirements of this paragraph. adults supervising permitted minors under 16 years of age (no more than one non-permitted adult per minor) as required under s. 790.22, F.S., and persons using the Florida Trail for recreational hiking. Non-permitted adult supervisors may participate in the hunts but may not possess a gun.

(c) No change.

(3) Permit exceptions: Persons exempted by s. 372.57, F.S., those persons who possess a gun on Osceola, Ocala and Apalachicola Wildlife Management Areas for the exclusive purpose of shooting at a Commission authorized shooting range, ~~or~~ persons in possession of a special-use permit, or persons engaging in activities pursuant to Rules 68A-25.032 or 68A-25.042, F.A.C., are excepted from wildlife management area stamp requirements.

(4) Legal to hunt:

(a) through (e) No change.

(f) On any wildlife management areas where an antlered deer quota is established by order, no person shall take antlered deer after the quota for antlered deer is attained. ~~On any wildlife management area where an antlerless deer quota is established by order, no person shall take antlerless deer after the quota for antlerless deer is attained.~~

(g) through (h) No change.

(5) through (6) No change.

(7) Dogs:

(a) Dogs may be used for hunting during open seasons unless prohibited by regulations for the particular management area. The Executive Director or designee may issue permits to raccoon hunting organizations that are sanctioned by the United Kennel Club, American Kennel Club, Professional Kennel Club, or similar sanctioning entity to allow raccoon hunting during otherwise closed seasons and at times and places designated in the permit. Permits may be issued only in areas where this activity will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions, and when not in conflict with other user groups.

(b) through (d) No change.

(8) through (11) No change.

(12) Plants:

(a) No person shall cut or destroy any tree on, or remove any tree, shrub, or protected plant (as designated in s. 581.185, F.S.) from, any wildlife management area without written permission from the landowner or primary land manager.

(b) No person shall possess or remove saw palmetto berries from any wildlife management area where the Commission is the landowner or lead managing agency without written permission.

(13) Alligators: Notwithstanding any other provision in Chapter 15, F.A.C., herein, the harvest of alligators, their eggs or hatchlings may be conducted on Type I wildlife management areas in accordance with Commission order(s) and Rules 68A-25.031, 68A-25.032, and 68A-25.042, and 68A-25.047, F.A.C. Guns and bait may be possessed and used for taking alligators by ~~special-opportunity~~ alligator hunt participants as specified in Rules 68A-25.042 or 68A-25.032, F.A.C., whichever is applicable, and persons taking alligators pursuant to those rules on Type I wildlife management areas shall not be required to check in and out at a check station, or check any alligators taken. 68A-25.047, F.A.C. A private landowner making his lands available for use in the Type I wildlife management area system may participate in an alligator management program on such lands in accordance with Rule 68A-25.032, F.A.C.

(14) through (15) No change.

(16) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.57 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2000  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits

RULE NO.: 68A-15.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish, revise, or delete hunter quotas on wildlife management areas (WMAs) and wildlife and environmental areas (WEAs) and to remove references to special-opportunity alligator hunts that would provide consistency with the proposed elimination of Rule 68A-25.047, FAC. In addition, the purpose of proposed changes is to establish that the list of quotas by area and hunt would be maintained on a list incorporated under the rule by reference rather than listed in the text of the rule to reduce administrative time and costs associated with frequent rule change proposals.

SUMMARY: The proposed rule would establish the following quota hunts: Hilochee WMA – muzzleloading gun (5 permits, no exemptions), general gun hog (10 permits per hunt, no exemptions); small game (20 permits, no exemptions); Hickory Hammock WMA – muzzleloading gun (5 permits, no exemptions), general gun (5 permits, no exemptions); Lake Marion Creek WMA – archery (25 permits per hunt, no exemptions), muzzleloading gun (25 permits per hunt, no exemptions), general gun (25 permits per hunt, no exemptions), small game (25 permits per hunt, no exemptions); Fisheating Creek WMA – archery (20 permits per hunt, no exemptions), muzzleloading gun (20 permits per hunt, no exemptions), general gun (20 permits per hunt, no exemptions), spring turkey (15 permits per hunt, no exemptions), special-opportunity spring turkey (10 permits per hunt, no exemptions), general gun hog (15 permits per hunt, no exemptions); Blackwater WMA (Carr Unit) – special-opportunity, released quail (one group of up to four hunters per hunt, no exemptions); Okaloacoochee Slough WMA – archery (125 permits per hunt, no exemptions), muzzleloading gun (125 permits per hunt, no exemptions), general gun (125 permits per hunt, no exemptions), general gun hog (125 permits per hunt, no exemptions), dove (100 permits per hunt, no exemptions); Bull Creek WMA – special-opportunity dove (20 permits per hunt, no exemptions); Tiger Bay WMA (Rima Ridge Unit) – archery (75 permits per hunt, no exemptions), muzzleloading gun (75 permits per hunt, no exemptions), general gun (75 permits per hunt, no

exemptions); Seminole Ranch WMA – general gun hog (25 permits per hunt, no exemptions); Triple N Ranch WMA – special-opportunity deer (10 permits per hunt, no exemptions); and Buck Lake WMA – archery (40 permits per hunt, no exemptions), muzzleloading gun (40 permits per hunt, no exemptions), general gun (40 permits per hunt, no exemptions), small game (40 permits per hunt, no exemptions). Proposed changes would delete quota hunts on Aucilla WMA – general gun still hunts; Twin Rivers WMA (Blue Springs Unit) – special-opportunity quail; Champion International WMA – general gun, archery/muzzleloading gun, spring turkey; Browns Farm WMA – general gun; and delete the special-opportunity alligator quotas on Ocala WMA, Three Lakes WMA, Guana River WMA, Holey Land WMA, Everglades and Francis S. Taylor WMA and Teneroc FMA.

Proposed changes would increase the Croom WMA muzzleloading gun hunt quota from 200 to 400; decrease the Osceola WMA general gun still hunt quota from 2,500 to 2,400; increase the Osceola WMA general gun dog hunt quota from 500 to 550; increase the Caravelle Ranch WMA special-opportunity dove quota from 50 to 80; and decrease the Georgia-Pacific WMA general gun quota from 200 to 130.

Proposed changes would delete the list of quota hunts and hunter quotas from the text of the rule and establish that this list shall be maintained on a list incorporated under the rule by reference. Proposed changes would convert the bird dog training quota hunt on Twin River WMA (Blue Springs Unit) from special-opportunity to first-come, first-served at the Olustee Field Office; specify that the archery quota hunts on Jennings Forest WMA shall be the first four days, fifth through ninth days and tenth through sixteenth days of the archery season; exclude zone B from quota permit requirements for Apalachee WMA general gun and quail hunts; and establish that antlerless deer permits for specified WMAs or WEAs may be issued by order of the Executive Director rather than the Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$285 for administrative preparation and \$335 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 1000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.005 Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits.

(1) During the first nine days of the general hunting season and at other times specified herein, a quota or special-opportunity permit in addition to other license, permit and stamp requirements, shall be required for any person while hunting on wildlife management areas, wildlife and environmental areas, and fish management areas or specified units thereof, identified in this rule. Those persons exempt from license requirements by s. 372.57(1), F.S., or stamp requirements by s. 372.57(6), F.S., or persons age 65 or over who have obtained a Florida lifetime hunting or lifetime sportsman's license are also exempt from quota permit requirements on all areas except those specified by "(no exemptions)" in this rule. Quota, antlerless deer and special-opportunity permits shall be in the hunter's possession and shall be displayed upon request by any Commission employee. Quota, antlerless deer, and special-opportunity permits shall be transferable, except that ~~special-opportunity alligator hunt permits shall not be transferable and that~~ quota, antlerless deer, and special-opportunity permits issued to exempt persons shall be transferable only to another exempt person, and application for same, if necessary, shall be made in accordance with Rule 68A-5.005, F.A.C.

(2) The maximum number of quota and special-opportunity permits to be issued for each wildlife management area, fish management area, or wildlife and environmental area shall be maintained on a list titled "Quota and special-opportunity permits," incorporated herein by reference and kept by the Commission at its headquarters office and regional offices, as follows:

(a) South Region

1. ~~Croom, general gun (first nine days) — 400 by regular quota application.~~
2. ~~Croom, muzzleloading gun — 200 by special hunt application.~~
3. ~~Croom, spring turkey (each hunt) — 10 by spring turkey application (no exemptions).~~
4. ~~Green Swamp, general gun (first through fourth days and fifth through ninth days) (each hunt) — 750 by regular quota application.~~
5. ~~Green Swamp, archery — 750 at check station.~~
6. ~~Green Swamp, general gun (after first nine days) — 750 at check station.~~
7. ~~Green Swamp, small game — 150 at check station.~~

8. ~~Green Swamp, spring turkey — 200 at check station.~~
9. ~~Upper Hillsborough, archery (each hunt) — 100 by special hunt application, 50 at check station.~~
10. ~~Upper Hillsborough, muzzleloading gun (each hunt) — 100 by special hunt application, 50 at check station.~~
11. ~~Upper Hillsborough, small game (each hunt) — 150 at check station.~~
12. ~~Upper Hillsborough, spring turkey (each hunt) — 75 at check station.~~
13. ~~Fred C. Babcock/Cecil M. Webb, general gun — 500 by regular quota application.~~
14. ~~Fred C. Babcock/Cecil M. Webb, archery — 500 by special hunt application.~~
15. ~~Fred C. Babcock/Cecil M. Webb, field trial area — 25 by regular quota application (no exemptions).~~
16. ~~Fred C. Babcock/Cecil M. Webb, Yucca Pens Unit, general gun season — 10 by regular quota application (no exemptions).~~
17. ~~Arbuckle, archery (weekend hunts) (each hunt) — 150 by special hunt application (no exemptions).~~
18. ~~Arbuckle, archery (weekday hunts) — 75 at check station (no exemptions).~~
19. ~~Arbuckle, muzzleloading gun (weekend hunts) (each hunt) — 150 by special hunt application (no exemptions).~~
20. ~~Arbuckle, muzzleloading gun (weekday hunts) — 50 at check station (no exemptions).~~
21. ~~Arbuckle, general gun hog (each hunt) — 150 by regular quota hunt application (no exemptions).~~
22. ~~Arbuckle, spring turkey (each hunt) — 10 by spring turkey application (no exemptions).~~
23. ~~Kieco, spring turkey (each hunt) — 15 by spring turkey application (no exemptions).~~
24. ~~Kieco, archery (each hunt) — 25 by special hunt application (no exemptions).~~
25. ~~Kieco, muzzleloading gun (each hunt) — 15 by special hunt application (no exemptions).~~
26. ~~Kieco, general gun hog hunt (each hunt) — 15 by regular quota hunt application (no exemptions).~~
27. ~~Chassahowitzka, archery (first nine days) — 150 by special hunt application.~~
28. ~~Chassahowitzka, muzzleloading gun — 150 by special hunt application.~~
29. ~~Chassahowitzka, general gun (first nine days) — 150 by regular quota application.~~
30. ~~Hickory Hammock, special opportunity — wild hog hunt (each hunt) — 10 by special opportunity hunt application (no exemptions).~~
31. ~~Hickory Hammock, spring turkey (each hunt) — 5 by spring turkey application (no exemptions).~~
32. ~~Tenoroc, special opportunity alligator hunt (each harvest period) — two by special opportunity hunt application (no exemptions) (non-transferable).~~

33. Walk in the Water, archery (first two days, third through sixth days, seventh through ninth days, tenth through thirteenth days and last three days) (each hunt) — 40 by special quota hunt application (no exemptions).

34. Walk in the Water, muzzleloading gun — 25 by special quota hunt application (no exemptions).

35. Walk in the Water, general gun hog hunt (first through fourth days and fifth through ninth days) (each hunt) — 25 by regular quota hunt application (no exemptions).

36. Hiloechee, special opportunity dove hunt (each hunt) — 30 (no exemptions).

37. Hiloechee, spring turkey (each hunt) — 5 by spring turkey application (no exemptions).

38. Green Swamp, West Unit, special opportunity turkey hunt, Zone A (each hunt) — 18 by special opportunity turkey hunt application (no exemptions).

39. Green Swamp, West Unit, special opportunity turkey hunt, Zone B (each hunt) — 18 by special opportunity turkey hunt application (no exemptions).

40. Green Swamp, West Unit, special opportunity turkey hunt, Zone C (each hunt) — 18 by special opportunity turkey hunt application (no exemptions).

41. Green Swamp, West Unit, special opportunity archery (each hunt) — 54 by special opportunity hunt application (no exemptions).

42. Green Swamp, West Unit, special opportunity general gun (each hunt) — 54 by special opportunity hunt application (no exemptions).

43. Green Swamp, West Unit, special opportunity hog still (each hunt) — 200 by special opportunity hunt application (no exemptions).

44. Green Swamp, West Unit, special opportunity hog dog (each hunt) — 100 by special opportunity hunt application (no exemptions).

45. Green Swamp, West Unit, small game (each hunt) — 60 at the check station.

46. Lake Marion Creek, spring turkey (each hunt) — 10 by spring turkey application (no exemptions).

(b) Northeast Region

1. Camp Blanding, general gun still hunt (first through fourth days and fifth through ninth days) (each hunt) — 400 by regular quota application.

2. Camp Blanding, general gun dog hunt (first through fourth days and fifth through ninth days) (each hunt) — 400 by regular quota application.

3. Camp Blanding, archery (first hunt) — 350 by special hunt application.

4. Camp Blanding, muzzleloading gun (each hunt) — 200 by special hunt application.

5. Camp Blanding, spring turkey (each hunt) — 65 by spring turkey application.

6. Camp Blanding, archery area — 150 at check station.

7. Camp Blanding, supervised youth hunt (each hunt) — 40 by youth hunt application (no exemptions).

8. Cypress Creek, archery — 20 by special quota hunt application (no exemptions).

9. Cypress Creek, muzzleloading gun — 15 by special quota hunt application (no exemptions).

10. Cypress Creek, spring turkey — 12 by spring turkey application (no exemptions).

11. Gulf Hammock, general gun (first nine days) — 400 by regular quota application.

12. Lake Butler, general gun (first nine days) — 350 by regular quota application.

13. Lochloosa, general gun still hunt (first nine days) — 250 by regular quota application.

14. Lochloosa, general gun dog hunt (first nine days) — 300 by regular quota application.

15. Osecola, general gun still hunt (first nine days) — 2,500 by regular quota application.

16. Osecola, general gun dog hunt (first nine days) — 500 by regular quota application.

17. Big Bend, Tide Swamp Unit, general gun (first nine days) — 450 by regular quota application.

18. Big Bend, Tide Swamp Unit, muzzleloading gun — 300 by special hunt application.

19. Big Bend, Spring Creek Unit, general gun (first nine days) — 150 by regular quota application.

20. Big Bend, Hickory Mound Unit, general gun (first nine days and the 10th through 16th days) (each hunt) — 175 by regular quota application (this permit is not needed to hunt ducks and coots on the Hickory Mound Impoundment).

21. Big Bend, Hickory Mound Unit, general gun (after first 16 days) — 175 at check station (this permit is not needed to hunt ducks and coots on the Hickory Mound Impoundment).

22. Hickory Mound Impoundment, waterfowl — 50 per day at check station (a Big Bend Hickory Mound Unit regular or daily quota permit is not needed in addition to this permit to hunt ducks and coots on the Hickory Mound Impoundment).

23. Big Bend, Jena Unit, general gun (first nine days) — 135 by regular quota application.

24. Aucilla, general gun still hunt (first nine days) — 600 by regular quota application.

25. Aucilla, general gun still hunt (after first nine days) — 600 at check station.

26. Aucilla, general gun dog hunt (first nine days) — 550 by regular quota application.

27. Cedar Key Scrub, general gun (each hunt) — 25 by special hunt application, 25 at check station.

28. Cary, archery (each hunt) — 55 by special hunt application.

29. Cary, muzzleloading gun (each hunt) — 55 by special hunt application.



30. Andrews, archery (each hunt) — 60 by special hunt application (no exemptions).

31. Andrews, muzzleloading gun (each hunt) — 40 by special hunt application (no exemptions).

32. Andrews, general gun — 40 by regular quota application (no exemptions).

33. Andrews, spring turkey (each hunt) — 30 by spring turkey application (no exemptions).

34. Andrews, small game (each hunt) — 40 at check station (no exemptions).

35. Andrews, supervised deer-hog youth hunt (each hunt) — 40 by youth hunt application (no exemptions).

36. Big Shoals, archery (each hunt) — 50 by special hunt application (no exemptions).

37. Big Shoals, muzzleloading gun (each hunt) — 30 by special hunt application (no exemptions).

38. Big Shoals, spring turkey (each hunt) — 30 by spring turkey application (no exemptions).

39. Big Shoals, small game (each hunt) — 30 at check station (no exemptions).

40. Twin Rivers, archery — 30 by special hunt application and 30 at check station (no exemptions).

41. Twin Rivers, muzzleloading gun — 30 by special hunt application and 30 at check station (no exemptions).

42. Twin Rivers, general gun — 30 by regular quota application and 30 at check station (no exemptions).

43. Twin Rivers, spring turkey (each hunt) — 12 by spring turkey application and 12 at check station (no exemptions).

44. Twin Rivers, Blue Springs Unit, special-opportunity quail (each hunt) — one group of two hunters by special-opportunity hunt application (no exemptions). Permits shall be transferable except on the date of the hunt for which the permit is valid.

45. Twin Rivers, Blue Springs Unit, special-opportunity bird dog training (each day) — three groups of four hunters by special-opportunity hunt application (no exemptions).

46. Jennings Forest, archery — 80 by special hunt application (no exemptions).

47. Jennings Forest, muzzleloading gun — 60 by special hunt application (no exemptions).

48. Jennings Forest, general gun (first nine days and 10th through 16th days) (each hunt) — 60 by regular quota application (no exemptions).

49. Jennings Forest, spring turkey (first through fourth days and fifth through ninth days) (each hunt) — 30 by spring turkey application (no exemptions).

50. Holton Creek, general gun for mobility-impaired (each hunt) — 40 by mobility-impaired application (non-transferable, except to persons who have been issued a mobility-impaired certificate by the Commission) (no exemptions).

51. Holton Creek, mobility-impaired spring turkey (each hunt) — 10 by spring turkey application (no exemptions).

52. Steinhatchee Falls, general gun — 20 by regular quota application.

53. Goethe, muzzleloading gun — 250 by special hunt application.

54. Goethe, general gun still hunt — 250 by regular quota application.

55. Goethe, general gun dog hunt — 7 groups of from 5 to 15 hunters by Goethe dog hunt application.

56. Goethe, spring turkey (each hunt) — 100 by spring turkey application.

57. Raiford, muzzleloading gun — 50 by special hunt application.

58. Raiford, archery/muzzleloading gun — 75 by special quota hunt application.

59. Raiford, spring turkey — 25 by spring turkey application.

(e) Northwest Region

1. Apalachee excluding zone C, general gun (first 13 days) — 300 by regular quota application.

2. Apalachee excluding zone C, quail — 10 (each day) at check station (no exemptions).

3. Apalachicola, Bradwell Unit, archery (first through seventh days and eighth through sixteenth days) (each hunt) — 10 by special hunt application (no exemptions).

4. Apalachicola, Bradwell Unit, muzzleloading gun — 10 by special hunt application (no exemptions).

5. Apalachicola, Bradwell Unit, general gun (first through fourth days and fifth through ninth days) (each hunt) — 10 by regular quota application (no exemptions).

6. Apalachicola, Bradwell Unit, spring turkey (first through second days and third through fifth days) (each hunt) — 5 by spring turkey application (no exemptions).

7. Blackwater, general gun still hunt (first 13 days and last 17 days) — 1,425 by regular quota application.

8. Blackwater, general gun dog hunt (first 13 days and last 17 days) — 775 by regular quota application.

9. Blackwater Field Trial Area, archery/muzzleloading gun — 75 by special hunt application.

10. Blackwater, Hutton Unit, archery (first through fourth days and fifth through ninth days) (each hunt) — 30 by special hunt application (no exemptions).

11. Blackwater, Hutton Unit, quail (each hunt) — two groups of up to three hunters by Hutton Unit quail hunt application (no exemptions).

12. Blackwater, Hutton Unit, muzzleloading gun — 30 by special hunt application (no exemptions).

13. Blackwater, Hutton Unit, general gun (first through fourth and fifth through ninth days) (each hunt) — 30 by regular hunt application (no exemptions).

14. Blackwater, Hutton Unit, spring turkey (each hunt) — 10 by spring turkey application (no exemptions).

15. Robert Brent, general gun (first 13 days)—1,200 by regular quota application.

16. Champion International, general gun (first 13 days)—500 by regular quota application.

17. Champion International, general gun (after the first 13 days)—200 at check station.

18. Champion International, archery/muzzleloading gun—200 at check station.

19. Champion International, spring turkey (each hunt)—25 by spring turkey application.

20. Point Washington, general gun still hunt (first 13 days)—300 by regular quota application.

21. Point Washington, general gun dog hunt (first 13 days)—750 by regular quota application.

22. Joe Budd, archery/muzzleloading gun (each hunt)—50 by special hunt application, 140 by random drawing on area.

23. Joe Budd, archery (each hunt)—50 by special hunt application, 140 by random drawing on area.

24. Joe Budd, small game—110 at check station.

25. Joe Budd, spring turkey—20 at check station.

26. Talquin, general gun (first through third days and fourth through fifth days) (each hunt)—70 by regular quota application.

27. Talquin, general gun (last Saturday)—70 at the check station.

28. Ochlockonee, archery/muzzleloading gun (first through third days and fourth through fifth days) (each hunt)—70 by special hunt application.

29. Tate's Hell, general gun dog hunt (first 13 days)—1,000 by regular quota application.

30. Tate's Hell, general gun still hunt (first 13 days)—100 by regular quota application.

31. Tate's Hell, spring turkey (each hunt)—25 by spring turkey application.

32. Tate's Hell, Womack Creek Unit, general gun dog hunt (first 13 days)—70 by regular quota application.

33. Tate's Hell, Womack Creek Unit, general gun still hunt—70 by regular quota hunt application.

34. Tate's Hell, Womack Creek Unit, spring turkey—15 by spring turkey application (no exemptions).

35. Apalachicola River Wildlife and Environmental Area, special opportunity dove hunt (each hunt)—75 (no exemptions).

36. Edward Ball, special opportunity dove hunt (each hunt)—40 (no exemptions).

(d) Everglades Region

1. Browns Farm, general gun (first nine days)—to be established by order of the Executive Director.

2. Big Cypress, Bear Island Unit, general gun (first nine days, 10th through 16th days and December 22 through the last day of the general gun season) (each hunt)—200 by regular quota application.

3. Big Cypress, Bear Island Unit, general gun (17th through December 21)—200 at check station.

4. Big Cypress, Bear Island Unit, muzzleloading gun (10th through 16th days)—200 at check station.

5. Big Cypress, Bear Island Unit, muzzleloading gun (first nine days)—200 by special hunt application.

6. Big Cypress, Corn Dance Unit, general gun (first nine days, 10th through 16th days and December 22 through the last day of the general gun season) (each hunt)—300 by regular quota application.

7. Big Cypress, Deep Lake Unit, second archery (first nine days, 10th through 16th days and last nine days) (each hunt)—200 by special hunt application.

8. Big Cypress, Loop Unit, general gun (first nine days, 10th through 16th days and December 22 through the last day of the general gun season) (each hunt)—250 by regular quota application.

9. Big Cypress, Stairsteps Unit, general gun (first nine days, 10th through 16th days and December 22 through the last day of the general gun season) (each hunt)—1000 by regular quota application.

10. Big Cypress, Turner River Unit, general gun (first nine days, 10th through 16th days and December 22 through the last day of the general gun season) (each hunt)—500 by regular quota application.

11. Corbett, general gun (first nine days)—1,500 by regular quota application.

12. John G. and Susan H. Dupuis Wildlife and Environmental Area, archery (each hunt)—75 by special hunt application (no exemptions).

13. John G. and Susan H. Dupuis Wildlife and Environmental Area, muzzleloading gun (each hunt)—75 by special hunt application (no exemptions).

14. John G. and Susan H. Dupuis Wildlife and Environmental Area, general gun (each hunt)—75 by regular quota application (no exemptions).

15. John G. and Susan H. Dupuis Wildlife and Environmental Area, general gun hog hunt (each hunt)—100 by regular quota application (no exemptions).

16. John G. and Susan H. Dupuis Wildlife and Environmental Area, spring turkey (each hunt)—35 by spring turkey application (no exemptions).

17. John G. and Susan H. Dupuis Wildlife and Environmental Area, general gun for mobility-impaired—25 by mobility-impaired application (non-transferable except to persons who have been issued a mobility-impaired certificate by the Commission) (no exemptions).

18. Frog Pond, special opportunity dove hunt (each hunt)—75 (no exemptions).

19. Fort Drum, special opportunity deer (each hunt)—20 by special opportunity hunt application (no exemptions).

20. Fort Drum, special opportunity spring turkey hunt (each hunt)—5 by special opportunity hunt application (no exemptions):

21. Fort Drum, special opportunity hog (each hunt)—20 by special opportunity hunt application (no exemptions):

22. CREW, Wildlife and Environmental Area, archery hog hunt—25 by special hunt application.

23. CREW, Wildlife and Environmental Area, muzzleloading gun hog hunt—25 by special hunt application.

24. Hole Land, special opportunity alligator hunt—10 by special opportunity hunt application (no exemptions and non-transferable):

25. Everglades and Francis S. Taylor, Unit 1 (WCA 3A North, 3A South, and 3B) special opportunity alligator hunt—53 for the first harvest period, 52 for the second harvest period, by special opportunity hunt application (no exemptions and non-transferable):

26. Everglades and Francis S. Taylor, Unit 2 (WCA 2A and 2B), special opportunity alligator hunt (each hunt)—11 by special opportunity hunt application (no exemptions and non-transferable):

27. Okaloacoochee Slough, spring turkey (each hunt)—50 by spring turkey application (no exemptions):

(e) Central Region

1. Bull Creek, general gun (first and second days, third through fifth days, and sixth through ninth days) (each hunt)—300 by regular quota application.

2. Bull Creek, general gun (after first nine days)—300 at check station.

3. Bull Creek, archery (first two days)—300 by special hunt application.

4. Bull Creek, archery (after the first two days)—300 at check station.

5. Bull Creek, muzzleloading gun—300 by special hunt application.

6. Citrus, muzzleloading gun (each hunt)—850 by special hunt application.

7. Citrus, modern gun (each hunt)—850 by regular quota application.

8. Citrus, archery (first through fourth days, and fifth through ninth days) (each hunt)—1,000 by special hunt application.

9. Fort McCoy, general gun (first nine days)—250 by regular quota application.

10. Georgia-Pacific, general gun (first nine days)—200 by regular quota application.

11. Ocala, Hopkins Prairie Unit, general gun (first nine days)—810 by regular quota application.

12. Ocala, Hopkins Prairie Unit, muzzleloading gun—810 by special hunt application.

13. Ocala, Lake Delaney Unit, general gun (first nine days)—1,715 by regular quota application.

14. Ocala, Lake Delaney Unit, muzzleloading gun—1,715 by special hunt application.

15. Ocala, Lake Delaney Unit, spring turkey (each hunt)—100 by spring turkey application (no exemptions):

16. Ocala, Pipeline Unit, general gun (first nine days)—3,775 by regular quota application.

17. Ocala, Church Lake Unit, general gun (first nine days)—225 by regular quota application.

18. Ocala, Church Lake Unit, muzzleloading gun—225 by special hunt application.

19. Ocala, special opportunity alligator hunt—three for the first hunt period, two for the second hunt period, by special opportunity hunt application (no exemptions) (non-transferable):

20. Ocala, Hopkins Prairie Unit, spring turkey (each hunt)—30 by spring turkey application (no exemptions):

21. Ocala, Pipeline Unit, spring turkey (each hunt)—220 by spring turkey application (no exemptions):

22. Ocala, Church Lake Unit, spring turkey (each hunt)—15 by spring turkey application (no exemptions):

23. Richloam, general gun (first nine days)—900 by regular quota application.

24. Richloam, spring turkey (first nine days)—250 by spring turkey application.

25. Richloam, Baird Unit, archery (first through fourth days and fifth through ninth days) (each hunt)—50 by special hunt application (no exemptions):

26. Richloam, Baird Unit, muzzleloading gun—50 by special hunt application (no exemptions):

27. Richloam, Baird Unit, general gun (first through fourth days and fifth through ninth days) (each hunt)—50 by regular quota application (no exemptions):

28. Richloam, Baird Unit, spring turkey (each hunt)—30 by spring turkey application (no exemptions):

29. Three Lakes, general gun (first and second days, third through fifth days, and sixth through ninth days) (each hunt)—625 by regular quota application.

30. Three Lakes, general gun (after the first nine days)—625 at check station.

31. Three Lakes, general gun dog (each hunt)—100 by regular quota application (no exemptions):

32. Three Lakes, archery (first two days)—625 by special hunt application.

33. Three Lakes, archery (after the first two days)—625 at check stations.

34. Three Lakes, muzzleloading gun—625 by special hunt application.

35. Three Lakes, general gun for mobility impaired—150 by mobility impaired application (non-transferable except to persons who have been issued a mobility impaired certificate by the Commission) (no exemptions):

36. Three Lakes, special opportunity alligator hunt—three for the first harvest period, two for the second harvest period, by special opportunity hunt application (no exemptions) (non-transferable).

37. Three Lakes, Prairie Lakes Unit, archery (each hunt)—80 by special hunt application (no exemptions).

38. Three Lakes, Prairie Lakes Unit, muzzleloading gun (each hunt)—80 by special hunt application (no exemptions).

39. Three Lakes, Prairie Lakes Unit, general gun (each hunt)—80 by regular quota application (no exemptions).

40. Three Lakes, Prairie Lakes Unit, spring turkey (each hunt)—25 by spring turkey application (no exemptions).

41. Three Lakes, Prairie Lakes Unit, general gun hog (each hunt)—80 by regular quota application (no exemptions).

42. Tiger Bay, general gun (first nine days)—150 by regular quota application.

43. Tiger Bay, spring turkey (each hunt)—20 by spring turkey application (no exemptions).

44. Tiger Bay, Rima Ridge Unit, spring turkey (each hunt)—20 by spring turkey application (no exemptions).

45. Relay, general gun (first nine days)—500 by regular quota application.

46. Relay, archery—500 at check station.

47. Relay, muzzleloading gun—500 at check station.

48. Tosohatchee, archery (each hunt)—150 by special hunt application (no exemptions).

49. Tosohatchee, muzzleloading gun (each hunt)—150 by special hunt application (no exemptions).

50. Tosohatchee, modern gun (each hunt)—150 by regular quota application (no exemptions).

51. Tosohatchee, spring turkey (each hunt)—35 by spring turkey application (no exemptions).

52. Tosohatchee, general gun hog (each hunt)—150 by regular quota application (no exemptions).

53. Seminole Ranch, archery (each hunt)—50 by special hunt application.

54. Seminole Ranch, muzzleloading gun (each hunt)—50 by special hunt application.

55. Seminole Ranch, modern gun—50 by regular quota application.

56. Seminole Ranch, spring turkey (each hunt)—25 by spring turkey application.

57. Seminole Ranch, small game (each hunt)—25 at check station.

58. Jumper Creek, muzzleloading gun—100 by special hunt application.

59. Jumper Creek, general gun (first nine days)—100 by regular quota application.

60. Rock Springs Run, archery (each hunt)—125 by special hunt application (no exemptions).

61. Rock Springs Run, muzzleloading gun (each hunt)—125 by special hunt application (no exemptions).

62. Rock Springs Run, modern gun (each hunt)—125 by regular quota application (no exemptions).

63. Rock Springs Run, small game (each day)—50 at check station (no exemptions).

64. Guana River, archery (each hunt)—100 by special hunt application.

65. Guana River, muzzleloading gun (each hunt)—100 by special hunt application.

66. Guana River, general gun (each hunt)—100 by regular quota application.

67. Guana River, small game (each hunt)—75 at check station.

68. Guana River, waterfowl (each hunt)—100 at check station.

69. Guana River, special opportunity alligator hunt—seven by special opportunity hunt application (no exemptions) (non-transferable).

70. Half Moon, archery (each hunt)—75 by special hunt application (no exemptions).

71. Half Moon, muzzleloading gun—75 by special hunt application (no exemptions).

72. Half Moon, general gun (each hunt)—75 by regular quota application (no exemptions).

73. Half Moon, small game (each hunt)—50 at check station (no exemptions).

74. Half Moon, spring turkey (each hunt)—30 by spring turkey application (no exemptions).

75. Caravelle Ranch, archery—125 by special hunt application.

76. Caravelle Ranch, muzzleloading gun—125 by special hunt application.

77. Caravelle Ranch, general gun (first through fourth days and fifth through ninth days) (each hunt)—125 by regular application.

78. Caravelle Ranch, spring turkey (each hunt)—20 by spring turkey application.

79. Caravelle Ranch, special opportunity dove hunt (each hunt)—50 (no exemptions).

80. Lake George, muzzleloading gun—250 by special hunt application.

81. Lake George, general gun (first through fourth days and fifth through ninth days) (each hunt)—250 by regular quota application.

82. Lake George, spring turkey (each hunt)—50 by spring turkey application (no exemptions).

83. Lake George, Dexter/Mary Farms Unit, special opportunity turkey hunt, Zone A (each hunt)—four by special opportunity hunt application (no exemptions).

84. Lake George, Dexter/Mary Farms Unit, special opportunity turkey hunt, Zone B (each hunt)—four by special opportunity hunt application (no exemptions).

85. Lake George, Dexter/Mary Farms Unit, special opportunity turkey hunt, Zone C (each hunt) — four by special opportunity hunt application (no exemptions).

86. Lake George, Dexter/Mary Farms Unit, general gun hog (each hunt) — 120 by regular quota application.

87. Lake George, Dexter/Mary Farms Unit, special opportunity dove (daily) — 25.

88. Flying Eagle, early duck — 75 at check station.

89. Flying Eagle, archery (first through fourth days and fifth through ninth days) (each hunt) — 75 by special hunt application.

90. Flying Eagle, muzzleloading gun — 75 by special hunt application.

91. Flying Eagle, general gun (first through fourth days and fifth through ninth days) (each hunt) — 75 by regular quota application.

92. Flying Eagle, small game (each hunt) — 75 at check station.

93. Flying Eagle, spring turkey (each hunt) — 30 by spring turkey application.

94. Seminole Forest, archery (each hunt) — 60 by special hunt application (no exemptions).

95. Seminole Forest, muzzleloading gun — 60 by special hunt application (no exemptions).

96. Seminole Forest, general gun (each hunt) — 60 by regular quota application (no exemptions).

97. Seminole Forest, general gun for mobility-impaired — 60 by mobility-impaired application (non-transferable except to persons who have been issued a mobility-impaired certificate by the Commission) (no exemptions).

98. Seminole Forest, spring turkey (each hunt) — 30 by spring turkey application (no exemptions).

99. Seminole Forest, small game (each day) — 50 at check station.

100. Triple N Ranch, small game (first nine days) — 100 by regular quota hunt application.

101. Triple N Ranch, special opportunity hog hunt (each hunt) — 15 by special opportunity hunt application (no exemptions).

102. Triple N Ranch, special opportunity turkey hunt (each hunt) — five by special opportunity hunt application (no exemptions).

103. Little Big Eeonloekhatchee, Kilbee Unit, archery (each hunt) — 10 by special hunt applications (no exemptions).

104. Little Big Eeonloekhatchee, Kilbee Unit, muzzleloading gun — 10 by special hunt applications (no exemptions).

105. Little Big Eeonloekhatchee, Kilbee Unit, general gun — 10 by regular hunt applications (no exemptions).

106. Little Big Eeonloekhatchee, Kilbee Unit, small game (each day) — 10 at check station.

107. Homosassa, general gun hog (each hunt) — 25 by regular quota hunt application (no exemptions).

108. Homosassa, special opportunity spring turkey hunt (each hunt) — 5 by special opportunity hunt application (no exemptions).

109. Etoniah Creek, archery — 50 by special hunt application (no exemptions).

110. Etoniah Creek, muzzleloading gun — 50 by special hunt application (no exemptions).

111. Etoniah Creek, general gun (first through fourth days and fifth through ninth days) (each hunt) — 50 by regular quota application (no exemptions).

112. Etoniah Creek, spring turkey (each hunt) — 10 by spring turkey application (no exemptions).

113. Lake Panasoffkee, special opportunity turkey hunt (each hunt) — 10 by special opportunity turkey hunt application (no exemptions).

114. Lake Panasoffkee, special opportunity archery (each hunt) — 20 by special opportunity hunt application (no exemptions).

115. Lake Panasoffkee, special opportunity hog still (each hunt) — 30 by special opportunity hunt application (no exemptions).

116. Lake Panasoffkee, special opportunity hog dog (each hunt) — 30 by special opportunity hunt application (no exemptions).

117. Lake Panasoffkee, small game (each hunt) — 30 at the check station.

118. Potts, spring turkey (each hunt) — 20 by spring turkey application (no exemptions).

119. Potts, archery (each hunt) — 30 by special hunt application (no exemptions).

120. Potts, muzzleloading gun (each hunt) — 30 by special hunt application (no exemptions).

121. Potts, general gun hog dog — 30 by regular hunt application (no exemptions).

122. Potts, small game (each hunt) — 20 at the check station.

123. Buck Lake, spring turkey (each hunt) — 20 by spring turkey application.

(3)(2) Antlerless deer permits will be issued on specified wildlife management areas or wildlife and environmental areas during such hunting seasons or portions thereof as may be ordered by the Executive Director Commission. Estimated deer density, estimated carrying capacity of available habitat and management objectives will be considered in determining the number of antlerless deer permits to be issued. Antlerless deer permits shall be transferable. No person shall take any antlerless deer on a management area unless authorized by permit or by area regulations.

(4)(3) No person shall sell, purchase or offer to purchase any quota permit or any antlerless deer permit.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-22-80, 12-29-80, 6-4-81, 8-4-81, 6-21-82, 7-29-82, 7-1-83, 7-5-84, 7-1-85, 9-19-85, Formerly 39-15.05, Amended 5-7-86, 6-10-86, 5-10-87, 6-8-87, 10-8-87, 4-13-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 3-30-95, 6-20-95, 8-15-95, 4-1-96, 6-27-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 11-23-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 5-13-99, Formerly 39-15.005, Amended 12-9-99.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Timothy A. Breault  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Specific Regulations for Type I Wildlife Management Areas – South Region

RULE NO.: 68A-15.061

PURPOSE AND EFFECT: The purposes of the proposed rule changes are to adjust hunting season dates on all South Region Wildlife Management Areas (WMAs) to conform with proposed 2000-2001 hunting season dates for the appropriate hunting zones and to make needed changes in other regulations to allow the agency to more efficiently manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule would adjust all applicable hunting season dates and other references to such dates on WMAs in the South Region to conform with 2000-2001 hunting season dates for the appropriate hunting zones. Changes also would establish or revise specific area regulations on WMAs as follows:

Croom WMA – The possession of guns would be prohibited on the Withlacoochee State Trail and hunters would be required to use designated crossings to transport guns across the Trail.

Green Swamp WMA, West Unit – Only hogs would be legal to take during special-opportunity hog-still and special-opportunity hog-dog seasons. No more than 3 dogs would be allowed per quota hunt permit during the special-opportunity hog-dog season. During the special-opportunity hog-dog season, a permit would be required for each group of two hunters and only one gun would be allowed per permit. The bag limit for hogs would be removed.

Fred C. Babcock/Cecil M. Webb WMA – Archery season would be shifted from February 5-6 to September 9-10. A forked antler restriction (at least one forked antler with two points one inch or greater in length) would be established for antlered deer.

Upper Hillsborough WMA – Rule language addressing pedestrian, bicycle, horseback and motorized vehicle use and access would be clarified.

Hickory Hammock WMA – New seasons would be established for muzzleloading gun (October 28-29) and general gun (November 11-12) and one additional hunt would be established for special-opportunity hog (January 13-14). A forked antler restriction (at least one forked antler with two points one inch or greater in length) would be established for antlered deer and the bag limit for antlered deer would be one per quota hunt permit. Rule language regarding use of dogs for hunting during the small game season would be clarified. Operation of vehicles on named or numbered roads would be permitted during muzzleloading gun, general gun and spring turkey hunts. Checking of deer and wild hog at the check station would be required.

Hilochee WMA – New open seasons would be established for muzzleloading gun (November 3-5), general gun hog (December 8-10, January 5-7 and 19-21) and small game (February 16-18). Open seasons for special-opportunity dove hunts would be limited to the first, second and fourth Saturdays of the first phase of the dove season; the first and third Saturdays of the second phase; and the first, third and fifth Saturdays of the third phase. All legal game and furbearers would be established as legal to take. A forked antler restriction (at least one forked antler with two points one inch or greater in length) would be established for antlered deer. There would be no size or bag limit restrictions on wild hogs. During the general gun hog season, only wild hogs would be legal to take and during the special-opportunity dove hunts, only mourning and white-winged doves would be legal to take. During hunting seasons, entry or exit at locations other than designated entrances would be prohibited. The prohibition on possession of firearms other than shotguns during special-opportunity dove hunts would be deleted. Use of dogs with a shoulder height of 15 inches or less would be permitted during small game season. Vehicular access would be permitted one day prior to muzzleloading gun and general gun hog seasons. Checking of deer or wild hog at a check station would be required.

Lake Marion Creek WMA – New open seasons would be established for archery (September 23-25 and September 29 – October 1), muzzleloading gun (October 28-30), general gun (November 11-13 and 17-19) and small game (December 8-10 and 15-17). All legal game and furbearers would be established as legal to take. The bag limit for antlerless deer would be no more than one per archery quota permit and taking of antlerless deer would be by permit only during the muzzleloading and general gun seasons. There would be no size or bag limit restrictions on wild hogs. Checking of deer or wild hogs at a check station would be required.

Entry or exit at locations other than designated entrances would be prohibited. Hunting with dogs other than bird dogs and retrievers would be prohibited, except that during small game seasons, dogs with a shoulder height of 15 inches or less could be used.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** It is estimated that the proposed action will cost the agency approximately \$480 for administrative preparation and \$235 for advertising. No other significant economic impacts are expected.

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:** Art. IV, Sec. 9, Fla. Const.

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Fla. Const., 375.313 FS.

**A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:**

**TIMES AND DATES:** 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

**PLACE:** Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS:** James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.061 Specific Regulations for Type I Wildlife Management Areas – South Region.

(1) Croom Wildlife Management Area

(a) Open season:

1. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.

2. General gun – November ~~11~~ ~~13~~ through December ~~3~~ ~~5~~.

3. Small game – December ~~4~~ ~~6~~ through March ~~4~~ ~~5~~.

4. Spring turkey – March ~~20-22~~ ~~21-23~~, April ~~3-5~~ ~~4-6~~ and April ~~17-19~~ ~~18-20~~.

5. No change.

(b) through (c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited November ~~11~~ ~~13~~ – December ~~3~~ ~~5~~. Hunting with dogs other than bird dogs is prohibited December ~~4~~ ~~6~~ – December ~~13~~ ~~15~~, except that dogs may be used for hunting fox, raccoon or bobcat during the fox, raccoon and bobcat season, and dogs with a shoulder height of 15 inches or less may be used to hunt small game during the small game season in the portion of the area south of the Tucker Hill Croom graded road, bounded on the east by Croom-Rital Road to its juncture with Interstate 75 and thence bounded by said interstate.

2. through 6. No change.

7. The possession of guns is prohibited on the Withlacoochee State Trail. Hunters shall only use designated crossings to transport guns across the State Trail.

(2) Green Swamp Wildlife Management Area

(a) Open season:

1. General gun – November ~~11~~ ~~13~~ through January ~~7~~ ~~9~~.

2. Archery – September ~~23~~ ~~25~~ through October ~~22~~ ~~24~~, Fridays, Saturdays and Sundays only.

3. Small game – January ~~13~~ ~~15~~ through February ~~11~~ ~~13~~, Saturdays and Sundays only.

4. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

5. Fishing and frogging – Permitted during periods in which hunting is allowed; and Saturdays and Sundays from May ~~5~~ ~~7~~ to June ~~17~~ ~~18~~. Fishing and frogging is permitted at all other times provided that access is by foot only.

(b) through (c) No change.

(d) General regulations:

1. through 7. No change.

8. Camps shall be removed by 9 p.m. October ~~22~~ ~~24~~, and by 8 p.m. January ~~7~~ ~~9~~, February ~~11~~ ~~13~~, April ~~22~~ ~~23~~ and June 18.

9. No change.

(3) Green Swamp Wildlife Management Area – West Unit

(a) Open season:

1. Special-opportunity turkey – March ~~17-20~~ ~~18-21~~ and ~~27-30~~ ~~28-31~~, March 31 – April 3 ~~April 1-4~~, ~~10-13~~ ~~11-14~~, and ~~14-17~~ ~~15-18~~.

2. Special-opportunity archery – September ~~23-26~~ ~~25-28~~ and October ~~3-6~~ ~~5-8~~.

3. Special-opportunity general gun – November ~~11-14~~ ~~13-16~~ and ~~18-21~~ ~~20-23~~, and December ~~12-15~~ ~~14-17~~.

4. Special-opportunity hog-still – February ~~9-11~~ ~~11-13~~.

5. Special-opportunity hog-dog – February ~~21-23~~ ~~23-25~~.

6. Small game – January ~~5-7~~ ~~7-9~~ and ~~12-14~~ ~~14-16~~.

7. through 8. No change.

(b) Legal to take: All legal game and wild hogs. Turkeys may be taken only during the special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit. One antlered deer may be taken per special-opportunity deer hunt permit. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Only hogs may be taken during the special-opportunity hog-still and special-opportunity hog-dog seasons. No bag Bag-limit on wild hogs, two per permit. Fish and frogs throughout the year.

(c) No change.

(d) General regulations:

1. through 6. No change.

7. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season, is prohibited except that no more than three dogs per quota hunt permit may be used during the special-opportunity hog-dog season.

8. During the special-opportunity hog-dog season, a permit shall be required for each group of two hunters, and only one gun may be possessed per permit.

(4) Fred C. Babcock/Cecil M. Webb Wildlife Management Area

(a) Open season:

1. General gun – October ~~28 30~~ through November ~~5 7~~.

2. Small game –

a. November ~~11-19 13-21~~ and

b. November ~~22 24~~ through January ~~14 16~~ on Wednesdays, Thursdays, Saturdays, Sundays only and November ~~24 26~~.

3. No change.

4. Archery – ~~September 9-10 February 5-6~~.

(b) Legal to take:

1. through 3. No change.

4. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length.

(c) No change.

(d) General regulations:

1. through 3. No change.

a. October ~~28 30~~ through November ~~5 7~~, by walking hunters.

b. No change.

c. January ~~27-28 29-30~~.

d. No change.

4. No change.

5. Hunting camps may be set up after 5 p.m. October ~~20 22~~ and shall be removed by 9 p.m. the last day of the small game season. Camping is permitted from 5 p.m. Friday to 9 p.m. Sunday and on Memorial Day, Independence Day and Labor Day during the remainder of the year.

6. Bird dogs may be trained in designated areas during the bird dog training season, September ~~16 18~~ through February ~~11 13~~. Dogs shall be caged or leashed in camp areas. Hunting with dogs during the general gun season is prohibited.

7. through 10. No change.

(5) Fred C. Babcock/Cecil M. Webb Wildlife Management Area – Yucca Pens Unit

(a) Open season:

1. General gun – October ~~28 30~~ through November ~~5 7~~.

2. Small game – November ~~11 13~~ through January ~~14 16~~ on Wednesdays, Thursdays, Saturdays, Sundays only and November ~~24 26~~.

3. Fishing and ~~f~~Frogging – Throughout the year.

(b) through (d) No change.

(6) Upper Hillsborough Wildlife Management Area

(a) Open season:

1. Archery – December ~~9-17 11-19~~ and January ~~6-14 1-9~~, Saturdays and Sundays only.

2. Muzzleloading gun – November ~~11 13~~ through December ~~3 5~~, Saturdays and Sundays only.

3. Small game – January ~~13 15~~ through February ~~4 6~~, Saturdays and Sundays only.

4. Spring turkey – March ~~21-22 22-23, 28-29 29-30~~, April ~~4-5 5-6, 11-12 12-13~~ and ~~18-19 19-20~~.

5. Fishing and frogging – Permitted year-round. ~~During periods other than when hunting is allowed, access to the area is limited to pedestrians only.~~

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.

3. Tracked vehicles, airboats, motorcycles and all-terrain vehicles are prohibited. Motorized vehicles may be operated only on roads designated as open to vehicular traffic. Bicycles may be operated only on named or numbered roads and designated bicycle trails. Tracked vehicles, airboats, motorcycles or all-terrain vehicles are prohibited. Motorized vehicles are prohibited during closed season. Horses are prohibited during periods when hunting is allowed but permitted at other times with written permission from the Southwest Florida Water Management District.

4. Horses are prohibited during periods when hunting is allowed, but are permitted at other times with written permission from the Southwest Florida Water Management District.

5. Motorized vehicles may be operated only on roads designated as open to vehicular traffic.

6. Bicycles may be operated only on named or numbered roads or designated bicycle trails.

7. During periods not open for hunting, access to the area is limited to pedestrians.

4. through 7. renumbered 8. through 11. No change.

(7) Arbutle Wildlife Management Area

(a) Open season:

1. Archery – October ~~14 16~~ through November ~~3 5~~.

2. Muzzleloading gun – November ~~4-12 6-14~~.

3. General gun hog – November ~~18-26 20-28~~, Saturdays and Sundays only.

4. Spring turkey – March ~~20-22 24-23~~, April ~~3-5 4-6~~ and April ~~17-19 18-20~~.

5. No change.

(b) through (d) No change.

(8) Chassahowitzka Wildlife Management Area

(a) Open season:



1. Archery – September ~~23 25~~ through October ~~22 24~~.
2. Muzzleloading gun – October ~~27-29 29-31~~.
3. General gun – November ~~11 13~~ through January ~~7 9~~.
4. through 5. No change.
- (b) through (d) No change.
- (9) Kicco Wildlife Management Area
  - (a) Open season:
    1. Archery – September ~~23 25~~ through October ~~22 24~~, Saturdays and Sundays only.
    2. Muzzleloading gun – October ~~28 30~~ through November ~~5 7~~, Saturdays and Sundays only.
    3. General gun hog – November ~~11 13~~ through December ~~10 12~~, Saturdays and Sundays only.
    4. Small game – December ~~16 18~~ through January ~~7 9~~.
    5. Spring turkey – March ~~17 18~~ through April ~~22 23~~, Saturdays and Sundays only.
    6. No change.
  - (b) through (d) No change.
- (10) Hickory Hammock Wildlife Management Area
  - (a) Open season:
    1. Special-opportunity wild hog – September ~~16-17 18-19~~ and ~~23-24 25-26~~ and January ~~13-14~~.
    2. Muzzleloading gun – October ~~28-29~~.
    3. General gun – November ~~11-12~~.
    4. ~~2.~~ Small game – November 13 through January ~~7 9~~.
    3. through 5. renumbered 5. through 7 No change.
    8. ~~6.~~ Spring turkey – March ~~22-24 23-25~~ and April ~~12-14 13-15~~.
    7. renumbered 9. No change.
  - (b) Legal to take: All legal ~~small~~ game, fish, frogs and furbearers: except wWild hogs may be taken only during the special-opportunity wild hog hunts. Taking of antlered deer not having at least one forked antler and having one or more antlers at least five inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. The bag limit for antlered deer shall be one per quota hunt permit. No size or bag limits on wild hogs. During spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit.
  - (c) No change.
  - (d) General regulations:
    1. No change.
    2. Hunting with dogs is prohibited except retrievers, bird dogs, and dogs with a shoulder height of 15 inches or less may be used during small game season. The use of dogs, other than retrievers, bird dogs and dogs with a shoulder height of 15 inches or less, is prohibited. The use of dogs during the special-opportunity wild hog hunts is prohibited.

3. All vehicles shall be parked in the designated parking area during the small game season. Vehicles may be operated only on named or numbered roads during the special-opportunity wild hog hunts, muzzleloading gun hunts, general gun hunts, and spring turkey hunts.
4. through 6. No change.
7. No ~~deer, wild hog, or~~ turkey shall be dismembered until checked at the check station.
- (11) Walk-in-the-Water Wildlife Management Area
  - (a) Open Season:
    1. Archery – September ~~23 25~~ through October ~~8 10~~.
    2. Muzzleloading gun – October ~~27-29 29-31~~.
    3. General gun hog – November ~~4-12 6-14~~.
    4. Small game – November ~~18 20~~ through December ~~10 12~~ and December ~~23 25~~ through January ~~7 9~~.
    5. No change.
  - (b) through (d) No change.
- (12) Hilochee Wildlife Management Area
  - (a) Open Seasons:
    1. Special-opportunity dove – The first, second, and fourth Saturdays only during the first phase; the first and third Saturdays only during the second phase; and the first, third, and fifth Saturdays only during the third phase of Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.
    2. Spring turkey – March ~~23-25 24-26~~ and April ~~6-8 7-9~~.
    3. Muzzleloading gun – November 3-5.
    4. General gun hog – December 8-10, January 5-7, 19-21.
    5. Small game – February 16-18.
  - (b) Legal to take: Mourning doves, white-winged doves, and turkeys. All legal game and furbearers. Taking of antlered deer not having one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. There shall be no size or bag limit restrictions on wild hogs. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit. During the general gun hog season, only wild hogs may be taken. During the special-opportunity dove hunts, only mourning and white-winged doves may be taken.
  - (c) No change.
  - (d) General Regulations:
    1. through 2. No change.
    3. During periods when the area is open to hunting, entry or exit at locations other than designated entrances is prohibited. The possession of firearms other than shotguns is prohibited during special opportunity dove hunts.
    4. Hunting with dogs other than bird dogs and retrievers is prohibited, except that during small game season dogs with a shoulder height of 15 inches or less may be used.
    5. through 8. No change.

9. During periods when the area is closed to hunting, public access other than by foot or bicycle is prohibited, except that motorized vehicles shall be permitted one day prior to the muzzleloading gun, general gun hog, and spring turkey hunts.

10. No deer, wild hog, or turkey shall be dismembered until checked at a check station.

(13) Lake Marion Creek Wildlife Management Area

(a) Open Seasons:

1. Archery – September 23-25 and September 29 – October 1.

2. Muzzleloading gun – October 28-30.

3. General gun – November 11-13 and 17-19.

4. Small game – December 8-10 and 15-17.

~~5. Spring turkey – March 17-19 18-20, March 30 31 through April 1 2, and April 13-15 14-16.~~

~~6. Fishing and Frogging – Permitted throughout the year.~~

(b) Legal to take: All legal game, fish and furbearers. Turkeys, fish and frogs. One antlered deer may be taken per quota hunt permit. No more than one antlerless deer may be taken per archery quota permit. Antlerless deer may be taken by permit only during the muzzleloading and general gun seasons. There shall be no size or bag limit restrictions on wild hogs. During the spring turkey season, the bag limit for turkeys shall be one gobbler (or bearded turkey) per quota hunt permit.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. No deer, wild turkey or wild hog shall be dismembered until checked at a check station.

5. Entry into or exit from the area at locations other than designated entrances is prohibited.

6. Hunting with dogs other than bird dogs and retrievers is prohibited, except that during small game season dogs with a shoulder height of 15 inches or less may be used.

(14) Fisheating Creek Wildlife Management Area

(a) through (b) No change.

(c) Camping: Permitted at the Fisheating Creek campground throughout the year at designated campsites only. Primitive camping is permitted throughout the area during periods closed to hunting, and, during periods open to hunting, at designated sites only.

(d) No change.

(15) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 10-1-84, 7-1-85, 9-19-85, 5-7-86, 5-10-87, 6-8-87, 10-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 8-7-97, 7-1-98, 10-20-98, 12-28-98, 7-1-99, Formerly 39-15.061, Amended 12-9-99, 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Specific Regulations for Type I Wildlife

RULE NO.:

Management Areas – Northeast Region 68A-15.062

PURPOSE AND EFFECT: The purposes of the proposed rule changes are to adjust hunting season dates on all Northeast Region Wildlife Management Areas (WMAs) to conform with proposed 2000-2001 hunting season dates for the appropriate hunting zones and to make needed changes in other regulations to allow the agency to more efficiently manage fish and wildlife resources and public use on WMAs.

SUMMARY: Proposed rule changes would adjust all applicable hunting season dates and other references to such dates on WMAs in the Northeast Region to conform with 2000-2001 hunting season dates for the appropriate hunting zones. Changes also would establish or revise specific area regulations on WMAs as follows:

Camp Blanding WMA – Rule language specifying that antler restrictions do not apply during supervised youth hunts would be clarified and wild hogs would be established as legal game with no bag limit during supervised youth hunts.

Cypress Creek WMA – Camping would be prohibited during periods open for hunting and allowed by permit from the Suwannee River Water Management District during periods closed to hunting.

Osceola WMA – Changes to the configuration and size of dog hunt areas would be established as follows: The western dog hunt area would include that portion of the area bounded on the west by Forest Service Road 237; on the south by Forest Service road 263 and County Road 250; on the east by Forest Service Roads 233, 232, 262, 214, 272 and 270; and on the north by the National Forest Service boundary to the junction with Forest Service Road 237. The eastern dog hunt area would include that portion of the area bounded on the north by the National Forest Service boundary; on the west by Forest Service Road 235 and eastward on Forest Service Road 232 and County Roads 250 and 229; and on the south and east by the National Forest Service property line to the intersection with County Road 125 and then along County Road 125 to the beginning point on the National Forest Service boundary. Vehicles would be restricted to numbered roads appearing on the hunt map during the periods November 1 through January 15 in that portion of the still hunt area south of Interstate 10 and east of Forest Road 236 and August 1 through January 15 in that portion of the western dog hunt area north of Forest Road 262. Transportation of dogs (other than bird dogs or

retrievers) through the still hunt area would be permitted only on Forest Road 263; on Forest Road 262 east from US 441; on Forest Road 233 north from County Road 250; and on Forest Road 233 east from US 441 to its juncture with Forest Road 237 and then north on Forest Road 237 to the boundary of the dog hunt area..

Big Bend WMA, Spring Creek and Hickory Mound Units – Raccoon and opossum hunting would be permitted during small game season.

Big Bend WMA, Jena Unit – The entire WMA would be opened for small game hunting during the area's small game season.

Aucilla WMA – References to portions of the WMA lying south of U.S. 98 would be deleted to accommodate establishment of the proposed Flint Rock WMA. Hunting on the small remaining portion (680 acres) of the WMA south of U.S. 98 would be restricted to small game only.

PCS Phosphate WMA – Requirements for checking in and out would be clarified.

Raiford WMA – Public access for scouting would be allowed the weekend prior to each hunting period.

Big Shoals WMA – Operation of vehicles and horseback riding on named or numbered roads would no longer be restricted to daylight hours.

Twin Rivers WMA, Blue Springs Unit – The special-opportunity quail season and associated rules would be deleted and the bird dog training season would no longer be established as special-opportunity. Permits for bird dog training would be issued at the Olustee Field Office on a first-come, first-served basis. Hiking, bicycling and horseback riding would be permitted year-round.

Jennings Forest WMA – Primitive camping would be allowed year-round by permit from the Division of Forestry. Public access would not be restricted to quota hunt permittees during small game and supervised small game hunts. During periods closed to hunting, public access would be permitted during daylight hours only. Horses would be permitted on roads, firelines and designated trails during periods closed to hunting and during all small game seasons. Possession of guns on permanent wildlife viewing structures would be prohibited and bicycles would be permitted on roads and firelines throughout the year.

Holton Creek WMA – A landowner permit would not be required to use horses on the area.

Steinhatchee Falls WMA – The bag limits of one deer and one turkey per quota hunt permit would be removed.

Goethe WMA – Specifies that feral hogs may be taken during any period possession of a gun is otherwise authorized.

San Pedro Bay WMA – The prohibition on taking of hogs by the use of dogs would be removed.

Flint Rock WMA – Open seasons would be established for general gun (November 11 – January 7); small game (January 8 – March 4); spring turkey (March 17 – April 22); archery

(September 23 – October 22); early duck, duck and coot (in accordance with Rule 68A-13.003, FAC.); fishing and frogging (when open for access); and trapping (January 8 – March 1). All legal game, fish, frogs and furbearers would be established as legal to take and wild hogs would be legal to take only during archery season and the first 23 days of general gun season. Camping would be prohibited. Hunting with dogs other than waterfowl retrievers and bird dogs would be prohibited. Hunters would be required to check in and out at a check station. Access would be restricted to individuals possessing a valid recreational user permit only except as provided by Florida Statute 372.57 and only during periods open to hunting and 7 days before each open hunting season. Operation of vehicles would be permitted only on designated roads and vehicular access would be restricted to designated entrances. Taking of wildlife by use of a gun on or from the right-of-way of State Road 59 would be prohibited. Fires would be prohibited and the use of all-terrain vehicles would be prohibited.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** It is estimated that the proposed action will cost the agency approximately \$530 for administrative preparation and \$243 for advertising. No other significant economic impacts are expected.

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:** Art. IV, Sec. 9, Fla. Const.

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Fla. Const., 375.313 FS.

**A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:**

**TIMES AND DATES:** 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

**PLACE:** Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS:** James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.062 Specific Regulations for Type I Wildlife Management Areas – Northeast Region.

(1) Camp Blanding Wildlife Management Area

(a) Open season:

1. General gun – November ~~11~~ <sup>11</sup> through January ~~7~~ <sup>9</sup>.

2. Spring turkey – March ~~19-23~~ <sup>19-23</sup> and April ~~16-20~~ <sup>16-20</sup> ~~17-21~~ in Zones A, B, C, D and E.

3. Archery – September ~~27-29~~ ~~September 29 through October 1~~, and October ~~4-6~~ ~~6-8~~, north of State Road 16 and County Road 215 and east of County Road 225 only, and November ~~11 13~~ through January ~~7 9~~ in designated archery area west of County Road 225 and north of Yerkes Road only.

4. Supervised youth – October ~~14-15~~ ~~16-17~~ and October ~~28-29~~ ~~30-31~~, south of State Road 16 only.

5. Muzzleloading gun – October ~~11-13~~ ~~13-15~~ and October ~~18-20~~ ~~20-22~~, north of State Road 16 and County Road 215 only.

6. through 7. No change.

(b) Legal to take: All legal game, fish and furbearers. Turkeys of either sex may be taken during the archery and muzzleloading gun seasons and the Monday, Tuesday and Wednesday before Thanksgiving Day. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. Antler restrictions ~~This prohibition~~ shall not apply during the supervised youth hunt. During the supervised youth hunts, only wild hogs and one antlered or antlerless deer may be taken per youth.

(c) through (d) No change.

(2) Cypress Creek Wildlife Management Area

(a) Open season:

1. Spring turkey – March ~~17-25~~ ~~18-26~~.
2. Archery – September ~~23 25~~ through October ~~8 10~~.
3. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.
4. through 5. No change.

(b) Legal to take: Deer, turkey, hogs, gray squirrel, rabbit, raccoon, and fish. No size or bag limit on hogs.

(c) Camping: Prohibited during periods when the area is open to hunting. During the periods closed to hunting, camping is by permit only from the Suwanee River Water Management District.

(d) No change.

(3) Gulf Hammock Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.
2. Spring turkey – March ~~17 18~~ through April ~~22 23~~.
3. Archery – September ~~23 25~~ through October ~~22 24~~.
4. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Wild hogs may not be taken after December ~~5 7~~.

(c) through (d) No change.

(4) Lake Butler Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.
2. Small game – January ~~8 10~~ through March ~~4 5~~ in still hunt areas only.
3. Spring turkey – March ~~17 18~~ through April ~~22 23~~.

4. Archery – September ~~23 25~~ through October ~~22 24~~ in the still hunt area only.

5. through 6. No change.

7. Trapping – January ~~8 10~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Licensed trappers may possess .22 rimfire rifles or pistols from January ~~8 10~~ through March 1.

3. No change.

4. Dogs may be taken into the dog hunting area November ~~11 13~~ and shall be removed by January ~~7 9~~.

5. through 8. No change.

(5) Lochloosa Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.
2. Spring turkey – March ~~17 18~~ through April ~~22 23~~.
3. Archery – September ~~23 25~~ through October ~~22 24~~.
4. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.
5. through 6. No change.
7. Trapping – December 1 through January ~~7 9~~ in the still hunt portion of the area only.

(b) through (d) No change.

(6) Nassau Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.
2. Small game – January ~~8 10~~ through March ~~4 5~~.
3. Spring turkey – March ~~17 18~~ through April ~~22 23~~.
4. Archery – September ~~23 25~~ through October ~~22 24~~.
5. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.
6. No change.
7. Trapping – January ~~8 10~~ through March 1.

(b) Legal to take: All legal game, fish, frogs and furbearers. Wild hogs may not be taken after November ~~27 29~~.

(c) through (d) No change.

(7) Osceola Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.
2. Small game – January ~~8 10~~ through March ~~4 5~~.
3. Spring turkey – March ~~17 18~~ through April ~~22 23~~.
4. Archery – September ~~23 25~~ through October ~~15 17~~.
5. Muzzleloading gun – October ~~20-27~~ ~~22-29~~ in the still hunt area only.

6. Fox, raccoon, opossum and bobcat – August ~~5 7~~ through September ~~26 28~~ in the dog hunt portion of the area only from sunset to sunrise.

7. through 8. No change.

9. Trapping – January ~~8 10~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. The western dog hunt area includes that portion of the area bounded on the west by Forest Service Road 237; on the south by Forest Service Road 263 and County Road 250; on the east by Forest Service Roads 233, 232, 262, 214, 272 and 270; and on the north by the National Forest Service boundary to the junction with Forest Service Road 237. The eastern dog hunt area includes that portion of the area bounded on the north by the National Forest Service boundary; on the west by Forest Service Road 235 and eastward on Forest Service Road 232 and County Roads 250 and 229; and on the south and east by the National Forest Service property line to the intersection with County Road 125 and then along County Road 125 to the beginning point on the National Forest Service boundary. Except for these areas, the possession or use of dogs other than bird dogs or retrievers is prohibited. However, leashed or caged dogs may be kept at the East Tower, Sandhill and West Tower hunt camps during the general gun season. In the still hunt area which includes that portion of the area bounded on the west and north by Interstate 10 and Forest Service Roads 236, 233, 234, 272 and 272A; on the north by the National Forest property line and Forest Service Road 232; on the east by County Roads 250 and 229 and the National Forest property line; and on the south by U.S. 90 and Forest Road 730, and that portion of the area north of the town of Taylor and west of the Eddy Grade known as the Pinhook Unit,

2. Deer dogs may be trained from October ~~28~~ ~~30~~ through November ~~6~~ ~~8~~, except in the still hunt area.

3. No change.

4. Taking of wildlife by use of a gun on or from the rights-of-way of Interstate 10, County Roads 250, 250A, 229 and 125 and Forest Service Road 236 (between U.S. 90 and C.R. 250), is prohibited as provided by Rule 68A-4.008, F.A.C.

5. Vehicles shall be restricted to numbered roads appearing on the hunt map during the periods November 1 through January 15 in that portion of the still hunt area south of Interstate 10 and east of Forest Road 236, and August 1 through January 15 in that portion of the western dog hunt area north of Forest Road 262. In that portion of the area south of Interstate 10 and east of Forest Road 236 and during the period November 1 through January 15 vehicles may be operated only on those numbered roads appearing on the hunt map.

6. through 8. No change.

9. No person shall transport dogs, other than bird dogs or retrievers, through the still hunt area to the western dog hunt area except on Forest Road 263; on Forest Road 262 east from US 441; on Forest Road 233 north from County Road 250; and on Forest Road 233 east from US 441 to its juncture with Forest Road 237 and then north on Forest Road 237 to the boundary of the dog hunt area.

(8) Big Bend Wildlife Management Area – Tide Swamp Unit

(a) Open season:

1. General gun – November ~~11~~ ~~13~~ through January ~~7~~ ~~9~~.

2. Archery – September ~~23~~ ~~25~~ through October ~~22~~ ~~24~~.

3. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.

4. Small game – January ~~8~~ ~~10~~ through March ~~4~~ ~~5~~.

5. through 7. No change.

8. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

9. Trapping – January ~~8~~ ~~10~~ through March 1.

(b) through (d) No change.

(9) Big Bend Wildlife Management Area – Spring Creek Unit

(a) Open season:

1. General gun – November ~~11~~ ~~13~~ through January ~~7~~ ~~9~~.

2. Archery – September ~~23~~ ~~25~~ through October ~~22~~ ~~24~~.

3. Small game – January ~~8~~ ~~10~~ through March ~~4~~ ~~5~~.

4. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

5. Trapping – January ~~8~~ ~~10~~ through March 1.

6. through 8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 8. No change.

9. Hunting raccoon and opossum as specified in Rule 68A-24.002(2)(b), F.A.C., is permitted only during the general gun and small game seasons ~~season~~.

10. No change.

(10) Big Bend Wildlife Management Area – Hickory Mound Unit

(a) Open season:

1. General gun – November ~~11~~ ~~13~~ through January ~~7~~ ~~9~~.

2. Small game – January ~~8~~ ~~10~~ through March ~~4~~ ~~5~~.

3. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

4. Archery – September ~~23~~ ~~25~~ through October ~~22~~ ~~24~~.

5. through 7. No change.

8. Trapping – January ~~8~~ ~~10~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. through 8. No change.

9. During the general gun and small game seasons ~~season~~, hunting as specified by Rule 68A-24.002(2)(b), F.A.C., is permitted.

10. through 12. No change.

(11) Big Bend Wildlife Management Area – Jena Unit

(a) Open season:

1. General gun – November ~~11~~ ~~13~~ through January ~~7~~ ~~9~~.

2. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

3. Small game – January ~~8~~ ~~10~~ through March ~~4~~ ~~5~~ ~~south of County Road 358, west of Gentle Woods Road (north of Rocky Creek) and west of County Road 361 (south of Rocky Creek) only.~~

4. through 6. No change.

7. Trapping – January ~~8~~ ~~10~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Licensed trappers may possess .22 rimfire rifles or pistols only from January ~~8~~ through March 1.

3. through 8. No change.

(12) Aucilla Wildlife Management Area

(a) Open season:

1. General gun – November ~~11~~ through January ~~7~~ 9.

2. Small game – January ~~8~~ through March ~~4~~ 5.

3. Spring turkey – March ~~17~~ through April ~~22~~ 23.

4. Archery – September ~~23~~ through October ~~22~~ 24.

5. Early duck – In the September season established by Rule 68A-13.003, F.A.C. ~~except south of U.S. 98 and west of the Aucilla River.~~

6. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C., ~~except that in the portion of the area south of U.S. 98 and west of the Aucilla River where ducks and coots may only be taken during that part of the duck and coot season established by Rule 68A-13.003 that coincide with open seasons for this area.~~

7. No change.

8. Trapping – January ~~8~~ through March 1 ~~except in those portions of Jefferson and Wakulla counties located south of U.S. 98.~~

(b) Legal to take: All legal game, fish, frogs and furbearers. Wild hogs may be taken only during the archery season and the first 23 days of general gun season. Antlerless deer may not be taken during the archery season ~~north of U.S. 98.~~

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Hunters entering the area via the Western Sloughs check station must possess a daily hunt permit (available at the check station) and shall check all game taken. ~~Hunters shall check in and out at a check station when entering and exiting that portion of the area south of U.S. 98 in Jefferson, Wakulla, and Taylor counties, and shall check all game taken during the archery, general gun, and spring turkey seasons.~~

4. Public access is prohibited north of U.S. Highway 98 and west of the Wacissa River, other than during periods when public hunting is allowed, and seven days before each open hunting season except that portion of the area bounded on the west by Firebreak 14, on the east by the Wacissa River, on the north and west by the southern boundary of Section 11, the western boundary of Sections 12 and 1, and the northern boundary of Section 1, Township 3 South, Range 3 East, and on the south by the western and northern boundaries of Section 12, the eastern boundary of Section 1, Township 4 South, Range 3 East, and the northern boundary of Section 6, Township 4 South, Range 4 East, which will be open for public

access throughout the year. ~~Public access is prohibited south of U.S. Highway 98 and west of C.R. 14, except during periods open to hunting and 7 days before each open hunting season.~~

5. No change.

6. During the general gun and small game seasons, hunting as specified by Rule 68A-24.002(2)(b), F.A.C., is permitted ~~except south of U.S. 98 and west of C.R. 14.~~

~~7. Entry or exit by vehicle in that portion of the area south of U.S. 98 in Jefferson and Wakulla counties shall be only on a road upon which a check station is maintained, whether or not such check station is manned.~~

~~7.8.~~ Taking of wildlife by use of a gun on or from the rights-of-way of U.S. 98 and County Road 14 is prohibited as provided by Rule 68A-4.008, F.A.C.

~~9. Hunting, fishing and frogging in that portion of Jefferson and Wakulla counties south of U.S. 98 is permitted only during the archery, general gun and spring turkey seasons.~~

10. through 12. renumbered 8. through 10. No change.

~~13. During the archery, general gun and spring turkey seasons a daily hunt permit, issued at the check stations, is required upon entering that portion of the area south of U.S. 98 and must be in possession while on the area.~~

~~11.14.~~ No change.

12. On that portion of the area south of U.S. 98, hunting shall be restricted to small game.

(13) No change.

(14) Raiford Wildlife Management Area

(a) Open season:

1. Archery – September ~~23~~ through October ~~8~~ 10.

2. Muzzleloading gun – October ~~27-29~~ 29-31.

3. Archery and muzzleloading gun – November ~~11-19~~ 13-21.

4. Spring turkey – March ~~17-25~~ 18-26.

5. No change.

(b) through (c) No change.

(d) General regulations:

1. through 7. No change.

8. Public access is prohibited except during periods open to hunting and the weekend two days prior to each hunting period. No person shall enter the area during the muzzleloading gun, archery/muzzleloading gun and spring turkey seasons except those hunters possessing Raiford quota hunt permits for the appropriate season and those hunters exempt from quota hunt permit requirements pursuant to Rule 68A-15.005, F.A.C.

(15) Cedar Key Scrub Wildlife Management Area

(a) Open season:

1. General gun – November ~~11-19~~ 13-21.

2. Archery – September ~~23~~ through October ~~8~~ 10.

3. Muzzleloading gun – October ~~27-29~~ 29-31.

(b) through (d) No change.

## (16) Cary Wildlife Management Area

## (a) Open season:

1. Archery – October ~~14-15~~ ~~16-17~~, November ~~4-5~~ ~~6-7~~ and ~~18-19~~ ~~20-21~~, December ~~9-10~~ ~~11-12~~ and ~~23-24~~ ~~25-26~~.

2. Muzzleloading gun – ~~December 30-31~~ ~~January 1-2~~ and January ~~13-14~~ ~~15-16~~.

3. No change.

(b) through (d) No change.

## (17) Andrews Wildlife Management Area

## (a) Open season:

1. Archery – September 29 through October 1 ~~1-3~~ and October ~~6-8~~ ~~8-10~~.

2. Muzzleloading gun – October ~~27-29~~ ~~29-31~~ and November ~~3-5~~ ~~5-7~~.

3. General gun – November ~~17-19-21~~.

4. Small game – January ~~5-7-9~~ and ~~12-14-16~~.

5. Spring turkey – March ~~23-25~~ ~~24-26~~ and April ~~13-15~~ ~~14-16~~.

6. Supervised deer-hog youth hunt – October ~~14-15~~ ~~16-17~~ and ~~21-22~~ ~~23-24~~.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit shall be one deer per quota hunt permit. No size or bag limit on wild hogs.

(c) through (d) No change.

## (18) Big Shoals Wildlife Management Area

## (a) Open season:

1. Archery – September ~~25-30~~ ~~27 through October 2~~, October ~~2-7~~ ~~4-9~~ and October ~~9-14~~ ~~11-16~~.

2. Muzzleloading gun – October ~~27-29~~ ~~29-31~~ and November ~~3-5~~ ~~5-7~~.

3. Small game – December ~~18-23~~ ~~20-25~~ and December ~~25-30~~ ~~27 through January 1~~.

4. Spring turkey – March ~~22-24~~ ~~23-25~~ and April ~~12-14~~ ~~13-15~~.

5. No change.

(b) through (c) No change.

## (d) General regulations:

1. through 4. No change.

5. Vehicles may be operated only on designated portions of named or numbered roads. ~~During periods closed to hunting, vehicle use of these roads is restricted to daylight hours only.~~ The use of tracked vehicles, motorcycles, airboats or all-terrain vehicles is prohibited on the area. Horses are permitted ~~during daylight hours~~ on roads open to vehicular use or on designated horse trails.

6. through 7. No change.

## (19) Twin Rivers Wildlife Management Area

## (a) Open season:

1. Archery – September ~~23~~ ~~25~~ through October ~~8~~ ~~10~~.

2. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.

3. General gun – November ~~11-21~~ ~~13-23~~.

4. Small game – December ~~2-24~~ ~~4-26~~.

5. Spring turkey – March ~~23-25~~ ~~24-26~~ and April ~~13-15~~ ~~14-16~~.

6. No change.

(b) through (d) No change.

(20) Twin Rivers Wildlife Management Area – Blue Springs Unit

## (a) Open season:

1. ~~Special Opportunity Quail – December 3-5, December 17-19, December 31 through January 2, and January 14-16.~~

2. ~~Special Opportunity Bird Dog Training – October 3-26 5-28, Tuesdays and Thursdays only.~~

~~(b) Legal to take: Quail only. The bag limit for each half day hunt is 12 quail per hunting group. A group for the purpose of quail hunting shall include up to 2 persons.~~

~~(b)(c)~~ No change.

~~(c)(d)~~ General regulations:

1. ~~A special opportunity quail hunt permit as provided by Rule 68A-9.007, F.A.C., shall be required of each person entering the area to hunt. Each special opportunity quail hunt permit shall entitle the holder to participate in one special opportunity quail hunt. One special opportunity quail hunt shall include one afternoon hunt beginning at 1:00 p.m. and ending at 5:00 p.m. and the following morning hunt beginning at 8:00 a.m. and ending at 12:00 p.m.~~

~~1.2.~~ No change.

~~2.3.~~ A ~~special opportunity~~ bird dog training permit, as provided by Rule 68A-9.007, F.A.C., shall be required of each group entering the area to train bird dogs. A group for the purpose of bird dog training shall include up to four persons and up to six dogs.

~~3.4.~~ ~~Special opportunity B~~ bird dog training hours shall be from 8:00 a.m. until 5:00 p.m.

~~4.5.~~ No change.

5. Bird dog training permits are available first-come, first-served at the Olustee Field Office.

~~6. Hunters shall check in at a designated check station when entering and exiting the area and record all game taken.~~

~~6.7.~~ No change.

~~7.8.~~ The possession or use of firearms other than shotguns is prohibited during the special opportunity quail season. The possession of firearms other than blank-firing pistols is prohibited during the special opportunity bird dog training season.

~~8.9.~~ Public access is permitted for hiking, bicycling, and horseback riding ~~is permitted except during special opportunity quail hunts. Special opportunity quail hunt permittees may ride horseback during special opportunity quail hunts.~~

~~9.10.~~ Fires are prohibited.

~~11. Horses are prohibited during special opportunity quail hunts and special opportunity bird dog training.~~

(21) Jennings Forest Wildlife Management Area

(a) Open season:

1. Archery – September ~~23 25~~ through October ~~8 10~~.
2. Supervised small game – October ~~14-22 16-24~~, east of Black Creek only.
3. Muzzleloading gun – October ~~27-29 29-31~~.
4. General gun – November ~~11-26 13-28~~.
5. Small game – January ~~12 14~~ through February ~~11 13~~, Fridays, Saturdays and Sundays only.
6. Spring turkey – March ~~17-20 18-21~~ and ~~21-25 22-26~~.
7. No change.

(b) No change.

(c) Camping: Primitive camping allowed year-round at designated sites, by permit from the Division of Forestry. ~~Prohibited.~~

(d) General regulations:

1. through 3. No change.

4. During all hunting periods, access shall ~~will~~ be restricted to individuals with a valid quota hunt permit, except during the small game and supervised small game seasons.

5. During periods closed to hunting, public access is permitted during daylight hours only. Horses are permitted on roads, firelines and designated trails during periods closed to hunting and during small game and supervised small game seasons. ~~prohibited when the area is open to hunting. During periods when the area is closed to hunting, horses are permitted during daylight hours on roads open to vehicular traffic and on designated trails.~~

6. through 7. No change.

8. The possession of guns is prohibited in or on permanent wildlife viewing structures.

9. Bicycles are permitted throughout the year and shall be restricted to roads and firelines.

(22) Holton Creek Wildlife Management Areas

(a) Open season:

1. Mobility-impaired general gun – ~~September 29 through October 1-3, October 13-15-17, October 27-29-31~~ and November ~~3-5-7~~.

2. Mobility-impaired spring turkey – March ~~23-25 24-26~~ and April ~~13-15 14-16~~.

3. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. ~~Horses are prohibited without a landowner permit.~~ Horses are permitted only during daylight hours on designated roads and only during periods closed to hunting.

5. through 9. No change.

(23) Steinhatchee Falls Wildlife Management Area

(a) Open season:

1. Archery – September ~~23 25~~ through October ~~8 10~~.
2. Muzzleloading gun – October ~~27-29 29-31~~.
3. General gun – November ~~11-19 13-21~~.
4. Small game – December ~~2-17 4-19~~.
5. Spring turkey – March ~~17 18~~ through April ~~1 2~~.
6. No change.

(b) Legal to take: Antlered deer, wild hogs, gray squirrel, rabbit and all legal fish. Bearded turkey may be taken only during the archery and spring turkey season. Migratory game birds may be taken only during the small game seasons. ~~The bag limit shall be one deer and one turkey per quota hunt permit.~~ There shall be no bag or size limit on wild hogs.

(c) through (d) No change.

(24) Goethe Wildlife Management Area

(a) Open season:

1. Archery – September ~~23 25~~ through October ~~8 10~~.
2. Muzzleloading gun – October ~~27-29 29-31~~.
3. General gun (still hunt) – November ~~11-14 13-16~~.
4. General gun (dog hunt) – November ~~15-19 17-21~~.
5. Small game – November ~~25 27~~ through December ~~10 12~~.
6. Spring turkey – March ~~17-25 18-26~~.
7. No change.

(b) Legal to take: All legal game and furbearers. Feral hogs may be taken during any period when possession of a gun is otherwise authorized with ~~There shall be no size or bag limit restrictions on wild hogs.~~ All legal fish.

(c) through (d) No change.

(25) San Pedro Bay Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.
2. Small game – January ~~8 10~~ – March ~~4 5~~.
3. Spring turkey – March ~~17 18~~ through April ~~22 23~~.
4. Archery – September ~~23 25~~ through October ~~22 24~~.
5. Muzzleloading gun – October ~~27-29 29~~ ~~through October 31~~.

6. through 7. No change.

8. Trapping – January ~~8 10~~ through March 1.

(b) through (c) No change.

(d) General regulations:

~~1. The taking of hogs by the use of dogs is prohibited.~~

1. through 8. renumbered 2. through 9. No change.

(26) Flint Rock Wildlife Management Area

(a) Open season:

1. General gun – November 11 through January 7.
2. Small game – January 8 through March 4.
3. Spring turkey – March 17 through April 22.
4. Archery – September 23 through October 22.



- 5. Early duck – In the September season established by Rule 68A-13.003, F.A.C.
  - 6. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.
  - 7. Fishing and frogging – Permitted during periods the area is open for access.
  - 8. Trapping – January 8 through March 1.
    - (b) Legal to take: All legal game, fish, frogs, and furbearers. Wild hogs may be taken only during the archery season and the first 23 days of general gun season.
    - (c) Camping: Prohibited.
    - (d) General regulations:
      - 1. Hunting with dogs other than waterfowl retrievers and bird dogs is prohibited.
      - 2. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken.
      - 3. Access is permitted only by individuals possessing a valid recreational user permit except as provided by 372.57, F.S., and only during periods open to hunting and 7 days before each open hunting season.
      - 4. Vehicles may be operated only on designated roads, and vehicular access is restricted to designated entrances.
      - 5. Taking of wildlife by use of a gun on or from the right-of-way of State Road 59 is prohibited as provided by Rule 68A-4.008(4), F.A.C.
      - 6. Fires are prohibited.
      - 7. The use of all-terrain vehicles (ATVs) is prohibited.
- (27) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Timothy A. Breault  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 3, 2000

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Specific Regulations for Type I Wildlife Management Areas – Northwest Region  
RULE NO.: 68A-15.063

PURPOSE AND EFFECT: The purposes of the proposed rule changes are to adjust hunting season dates on all Northwest Region Wildlife Management Areas (WMAs) to conform with proposed 2000-2001 hunting season dates for the appropriate

hunting zones and to make needed changes in other regulations to allow the agency to more efficiently manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule would adjust all applicable hunting season dates and other references to such dates on WMAs in the Northwest Region to conform with 2000-2001 hunting season dates for the appropriate hunting zones. Changes also would establish or revise specific area regulations on WMAs as follows:

Apalachee WMA – The open season for quail hunting would be limited to Zone A and shifted from November 29 through December 10 to December 19 through January 7, with Mondays, Wednesdays and Fridays closed to hunting. A quota permit would be required to take quail in Zone A during the quail season. The use of bird dogs and retrievers would be permitted during muzzleloading gun season. Hunters would be required to check in and out at a check station only when entering and exiting Zone A. Zone tags would no longer be required for hunting in Zone B.

Blackwater WMA – Specifies that feral hogs may be taken during any period when possession of a gun is otherwise authorized with no bag or size limit.

Blackwater WMA, Hutton Unit – Size and bag limits for wild hog would be removed.

Blackwater WMA, Carr Unit – New open seasons for special-opportunity released bird quail hunting would be established (November 11-14, 16-19, 23-26, November 30 – December 3, December 7-10, 14-17, 21-24, 28-31, January 4-7, 11-14, 18-21, 25-28; February 1-4, 8-11, 15-18 and 22-25). Groups of up to 4 hunters would be permitted to release pen-raised quail and take up to 12 quail per person, per day. Camping would be prohibited. A special-opportunity permit (no exemptions) would be required. Release of quail would be permitted only within designated boundaries as indicated on the hunt map and release of quail would be permitted only on the day of the hunt and the day before the first day of each hunt. Rules would require purchase of released quail from a licensed game farm and transportation in accordance with rule 68A-12.006(3), FAC. Operation of vehicles would be permitted only on named or numbered roads and access would be restricted to designated entrances only. Hunters would be required to sign in when entering the area and sign out and record all game taken when exiting the area. Hunting with dogs other than bird dogs and retrievers, possession or use of all-terrain vehicles, possession or use of firearms other than shotguns and fires would be prohibited.

Edward Ball WMA – Operation of vehicles would be prohibited from March 15 – September 15.

Joe Budd WMA – Weekend small game hunting opportunities would be expanded (October 7 – December 3, Saturdays and Sundays) and small game hunts on Wednesdays would be eliminated. Taking of doves would be permitted on Saturdays only during the established dove season.

Champion International WMA – A new open season would be established for muzzleloading gun season (November 17-19). Access would be limited to persons with a recreational user permit except as provided in Florida Statute 372.57 and pre-hunt scouting would be allowed only one day prior to the muzzleloading gun, general gun and spring turkey seasons. Display or use of guns would be prohibited within 300 yards of an active timber harvest or tree planting operation.

Moore's Pasture WMA – A forked antler restriction would be implemented where the taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler would be required to have at least two points one inch or greater in length.

Point Washington WMA – Size and bag limits for wild hog would be removed.

Talquin WMA – Size and bag limits for wild hog would be removed.

Ochlockonee River WMA – Size and bag limits for wild hog would be removed.

Tate's Hell WMA – Size and bag limits for wild hog would be removed. A camping permit from the Division of Forestry would be required for camping during hunting seasons.

Tate's Hell WMA, Womack Creek Unit – The order of the open seasons established for general gun-dog and general gun-still would be reversed. Size and bag limits for wild hog would be removed. A camping permit from the Division of Forestry would be required for camping during hunting seasons. The requirement for vehicle entry only at designated entrances would be removed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$430 for administrative preparation and \$255 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const., 375.313 FS.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.063 Specific Regulations for Type I Wildlife Management Areas – Northwest Region.

(1) Apalachee Wildlife Management Area

(a) Open season:

1. General gun – November ~~23-26~~ ~~25-28~~ and December ~~9~~ ~~11~~ ~~13~~ (Mondays, Wednesdays and Fridays closed to hunting in Zones A and B.).

2. Archery – October ~~14~~ ~~16~~ through November ~~12~~ ~~14~~.

3. Fishing and frogging – Throughout year.

4. Muzzleloading Gun – November ~~17-19~~ ~~19-21~~.

5. through 7. No change.

8. Quail (Zone A) – December 19 through January 7 ~~November 29 through December 10~~.

(b) Legal to take: All legal game, fish, frogs and furbearers. Antlerless deer may be taken during the general gun season by permit only. Quail may be taken in Zone A only during the archery, and muzzleloading gun, and during the quail season by permit only quail seasons.

(c) No change.

(d) General regulations:

1. Hunting with dogs in Zones A and B is prohibited except that bird dogs and retrievers are permitted during the general gun, muzzleloading gun, early duck, duck and coot, dove, and quail seasons.

2. through 4. No change.

5. Hunters shall check in and out at a check station when entering and exiting Zone A ~~the area~~ and shall check all game taken when hunting in Zones A ~~and B~~.

6. through 7. No change.

8. Two hundred zone tags will be issued for Zone A ~~and 100 zone tags will be issued for Zone B~~, on a first-come, first-served basis at the check station. A zone tag is not required in Zones B or C.

9. No change.

(2) Apalachicola Wildlife Management Area

(a) Open season:

1. General gun – November ~~23-26~~ ~~25-28~~ and December ~~9~~ ~~11~~ ~~13~~ through January 31 ~~February 2~~.

2. Small game – November ~~11-22~~ ~~13-24~~, November ~~27~~ ~~29~~ through December ~~8~~ ~~10~~ and February ~~1~~ ~~3~~ through March ~~4~~ ~~5~~.

3. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

4. Archery – October ~~14~~ ~~16~~ through November ~~12~~ ~~14~~.

5. Muzzleloading Gun – November ~~17-19~~ ~~19-21~~.

6. Muzzleloading gun and archery – February ~~15-25~~ ~~17-27~~.

7. No change.

8. Fox, raccoon, opossum and bobcat – October 1 through March ~~4~~ ~~5~~ in that portion of the area in Liberty County lying west of State Road 65 and in that portion in Leon County and Wakulla County south of State Road 267 bounded on the east

by Forest Roads 313, F.H. 13 and 356, on the south by Forest Roads 357 and 349, on the west by Forest Roads 348 and F.H. 13, 314, 309, and 344. No guns may be used prior to November ~~23 25~~.

9. Trapping – February ~~1 3~~ through March 1.

10. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~23-26 25-28~~ and from December ~~9-20 11-22~~. Wild hogs may be taken only during the archery, muzzleloading gun, general gun, archery and muzzleloading and small game hunts. No size or bag limits on wild hogs.

(c) No change.

(d) General regulations:

1. Camping is permitted only on designated campsites during general gun season.

2. Bird dogs may be trained from June 1 through March ~~4 5~~. Deer dogs may be trained from October ~~28 30~~ through November ~~16 18~~ in that portion of the area open to hunting fox, raccoon, opossum and bobcats.

3. No change.

4. During the November ~~11 13~~ through March ~~4 5~~ period, hunting as specified by Rule 68A-24.002(2)(b), F.A.C. is permitted.

5. through 7. No change.

(3) Apalachicola Wildlife Management Area – Bradwell Unit

(a) Open season:

1. General gun – November ~~23-26 25-28~~ and December ~~9-13 11-15~~.

2. Archery – October ~~14-29 16-31~~.

3. Muzzleloading gun – November ~~17-19 19-21~~.

4. Small game – November ~~11-16 13-18~~ and ~~20-22 22-24~~.

5. Spring turkey – March ~~17-18 18-19~~ and March ~~30 31~~ through April ~~1 2~~.

6. through 7. No change.

(b) through (d) No change.

(4) Blackwater Wildlife Management Area

(a) Open season:

1. General gun – November ~~23-26 25-28~~ and December ~~9 11~~ through ~~January 31 February 2~~.

2. Small game – November ~~11-22 13-24~~, November ~~27 29~~ through December ~~8 10~~ and February ~~1 3~~ through March ~~4 5~~.

3. Spring turkey – March ~~17 18~~ through April ~~22 23~~.

4. Archery – October ~~14 16~~ through November ~~12 14~~.

5. Muzzleloading gun – November ~~17-19 19-21~~, in the still hunt area only (except in the field trial area).

6. Muzzleloading gun and archery – February ~~15-25 17-27~~, in the still hunt area only (except in the field trial area). January ~~19-21 21-23~~ in the designated field trial area only.

7. Fox, raccoon, opossum and bobcat – May 1 through March ~~11 12~~, north of State Road 4 (except in the still hunt area).

8. through 9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the January ~~19-21 21-23~~ archery/muzzleloading gun season on the field trial portion of the area any deer (daily bag limit one) except spotted fawns may be taken. Feral hogs may be taken during any period when possession of a gun is otherwise authorized with no size or bag limit on wild hogs.

(c) No change.

(d) General regulations:

1. That portion known as the field trial area which is bounded by Coldwater Creek on the northwest, the western boundary of Blackwater State Forest to the west and south, State Road 191 on the southeast, and on a line running west 3/4 mile from the intersection of State Road 191 and Forest Road 64 (Spanish Trail), then north one mile and then three miles west to Coldwater Creek at a point 1/2 mile northeast of the Coldwater Recreation Area shall be open to deer hunting only during the archery season before November 1 and during the January ~~19-21 21-23~~ archery/muzzleloading gun season and for mourning doves during the first phase of the dove season (Saturdays and Wednesdays only) and the second phase of the dove season (Wednesdays only), and the third phase of the dove season (Wednesdays only) until January 1 on fields posted as open to dove hunting.

2. through 9. No change.

(5) Blackwater Wildlife Management Area – Hutton Unit

(a) Open Season:

1. Archery – October ~~14-22 16-24~~.

2. Muzzleloading gun – November ~~17-19 19-21~~.

3. Quail – November ~~11-12 13-14~~ and ~~22-23 24-25~~; December ~~2-3 4-5~~, ~~11-12 13-14~~, ~~16-17 18-19~~, and ~~25-26 27-28~~; and ~~30-31 January 1-2~~.

4. General Gun – January ~~13-21 15-23~~.

5. Spring turkey – March ~~17-19 18-20~~, March ~~30 31~~ through April ~~1 2~~, and April ~~13-15 14-16~~.

6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers except that only quail may be taken during the quail season. Taking quail is prohibited except during the quail season. The bag limit for quail is 12 per hunting group each day. A group for the purpose of quail hunting shall include up to three persons. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. The bag limit for antlered deer shall be one per quota hunt permit. Antlerless deer may be taken by permit only. During spring

turkey season, the bag limit shall be one gobbler or bearded turkey per quota hunt permit. No size or bag limit on wild hogs.

(c) through (d) No change.

(6) Blackwater Wildlife Management Area – Carr Unit

(a) Open season:

1. Quail: November 11-14, 16-19, 23-26, November 30 through December 3, December 7-10, 14-17, 21-24, 28-31, January 4-7, 11-14, 18-21, 25-28, February 1-4, 8-11, 15-18 and 22-25.

(b) Legal to take: Quail. The daily bag limit is 12 quail per person. For each hunt, one group consisting of no more than four members may release and take quail.

(c) Camping: Prohibited.

(d) General regulations:

1. A special opportunity quail hunt permit (no exemptions) as provided in rule 68A-9.007, F.A.C. shall be required for each group entering the area to release or take quail.

2. Each group may release pen-raised quail within the designated boundaries, as indicated on the hunt map. Release of quail is prohibited, except during each day of the hunt and the day before the first day of each hunt. Released quail shall be purchased from a licensed game farm and transported as provided in rule 68A-12.006(3), F.A.C.

3. Vehicles may be operated only on named or numbered roads, and shall enter and exit only at the designated entrance.

4. Hunters shall sign in and out of the special-opportunity released-quail area when entering and exiting the area, and shall record all game taken.

5. Hunting with dogs other than bird dogs or retrievers is prohibited.

6. The possession or use of all-terrain vehicles is prohibited.

7. The possession or use of firearms other than shotguns is prohibited.

8. Fires are prohibited.

(7)(6) Edward Ball Wildlife Management Area

(a) Open season:

1. General gun – November 23-26 25-28 and December 9 11 through January 31 February 2 (Mondays, Tuesdays and Wednesdays closed to hunting after December 17 19 in the dog-hunt area only).

2. Archery – October 14 16 through November 12 14.

3. Muzzleloading gun and archery – February 15-25 17-27 (Mondays, Tuesdays and Wednesdays closed to hunting).

4. through 8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 6. No change.

7. No person shall operate a vehicle on the area from March 15 through September 15.

7. through 11. renumbered 8. through 12. No change.

(8)(7) Joe Budd Wildlife Management Area

(a) Open season:

1. Archery – December 8 10 through January 7 9 (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – January 12-28 14-30 (Fridays, Saturdays and Sundays only).

3. Small game – October 7 6 through December 3 29, Saturdays and Sundays only. Wednesdays only, and Saturdays from October 7 9 through December 2 4.

4. Spring turkey – March 17 18 through April 22 23 (Saturdays and Sundays only).

5. No change.

(b) Legal to take: All legal game including turkey of either sex, fish, frogs and furbearers. During the small game hunts, doves (Saturdays only, during phases established by rule 68A-13.008, F.A.C.), quail and squirrel may be taken. Antlerless deer may be taken during the archery and muzzleloading gun season by permit only. No size or bag limit on wild hogs.

(c) through (d) No change.

(9)(8) Robert Brent Wildlife Management Area

(a) Open season:

1. General gun – November 23-26 25-28 and December 9 11 through January 31 February 2.

2. Small game – November 11-22 13-24, November 27 29 through December 8 10 and February 1 3 through March 4 5.

3. Spring turkey – March 17 18 through April 22 23.

4. Archery – October 14 16 through November 12 14.

5. Muzzleloading gun – November 17-19 19-21.

6. Archery and muzzleloading gun – February 15-25 17-27.

7. through 9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November 23-26 25-28 and from December 9-20 11-22.

(c) through (d) No change.

(10)(9) Champion International Wildlife Management Area

(a) Open season:

1. General gun – November 23-26 25-28 and December 9 11 through January 31 19.

2. Small game – February 17 18 through March 4 5, Saturdays and Sundays only.

3. Archery – October 14 16 through November 12 14.

4. Spring turkey – March 17 18-21, 23-26, March 30 through April 22 2, April 6-9, 13-16, and 20 23.

5. Archery and muzzleloading gun – February 1-14 January 22-23 and January 29-30.

6. Muzzleloading gun – November 17-19.

6-7. No change.

(b) through (c) No change.

## (d) General regulations:

1. through 3. No change.

4. Access to the area is permitted only by individuals possessing a valid recreational user permit except as provided by 372.57, F.S. and shall ~~Entry onto the area will~~ be limited to designated hunting days and for a period of one week prior to the archery season and one day prior to the muzzleloading gun, general gun, and spring turkey seasons for pre-hunt scouting.

5. through 6. No change.

7. The display or use of a gun on or upon Firebreak 1 or within 300 yards of an active timber harvest or tree planting operation, in a manner capable of taking wildlife is prohibited.

~~(11)(10)~~ Point Washington Wildlife Management Area

(a) Open season:

1. General gun – November 23-26 ~~25-28~~ and December 9 ~~11~~ through January 31 ~~February 2~~.

2. Small game – November 11-22 ~~13-24~~, November 27 ~~29~~ through December 8 ~~10~~ and February 1 ~~3~~ through March 4 ~~5~~.

3. Spring turkey – March 17 ~~18~~ through April 22 ~~23~~.

4. Archery – October 14 ~~16~~ through November 12 ~~14~~.

5. Muzzleloading gun – November 17-19 ~~19-21~~ in still hunt areas only.

6. Archery and muzzleloading gun – February 15-25 ~~17-27~~.

7. through 8. No change.

9. Fox, raccoon, opossum and bobcat – November 11 ~~13~~ through March 4 ~~5~~ in that portion of the dog hunt area west of S.R. 79, and March 5 ~~6~~ through March 16 ~~17~~ and April 23 ~~24~~ through July 15 in that portion of the dog hunt area east of S.R. 79.

(b) Legal to take: All legal game, fish, frogs and furbearers. No size or bag limit on wild hogs.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. During the November 11 ~~13~~ through March 4 ~~5~~ period in all areas where hunting with the use of deer dogs is permitted, hunting as specified by Rule 68A-24.002(2)(b), F.A.C., is permitted.

7. through 9. No change.

~~(12)(11)~~ Moore's Pasture Wildlife Management Area

(a) Open season:

1. Archery – October 14 ~~16~~ through November 12 ~~14~~.

2. Muzzleloading gun – November 17-19 ~~19-21~~.

3. General gun – November 23-26 ~~25-28~~ and December 9 ~~11~~ through January 21 ~~23~~.

4. Archery and muzzleloading gun – February 10-11 ~~12-13~~, 16-18 ~~18-20~~ and February 23-25 ~~25-27~~.

5. Spring turkey – March 17 ~~18~~ through April 22 ~~23~~.

6. through 7. No change.

(b) Legal to take: All legal game and furbearers. Antlerless deer may be taken during the general gun season by permit only. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length.

(c) through (d) No change.

~~(13)(12)~~ Talquin Wildlife Management Area

(a) Open season:

1. General gun – November 24-26 ~~26-28~~ and December 9 ~~11~~ through December 31 ~~January 2~~ (Fridays, Saturdays and Sundays only).

2. Small game – January 5 ~~7~~ through March 4 ~~5~~ (Fridays, Saturdays and Sundays only).

3. Archery – October 14 ~~16~~ through November 12 ~~14~~ (Fridays, Saturdays and Sundays only).

4. Spring turkey – March 17 ~~18~~ through April 22 ~~23~~ (Saturdays and Sundays only).

5. through 6. No change.

(b) Legal to take: All legal game, fish and furbearers. Antlerless deer (daily bag one) may be taken December 30 ~~January 1~~. No size or bag limit on wild hogs.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. Hunters shall check in and out at the check station on December 30 ~~January 1~~ and check all game taken.

5. No change.

~~(14)(13)~~ Ochlockonee River Wildlife Management Area

(a) Open season:

1. Archery and muzzleloading gun – November 24-26 ~~26-28~~ and December 9 ~~11~~ through December 31 ~~January 2~~ (Fridays, Saturdays and Sundays only).

2. Small game – January 5 ~~7~~ through March 4 ~~5~~ (Fridays, Saturdays and Sundays only).

3. Archery – October 14 ~~16~~ through November 12 ~~14~~ (Fridays, Saturdays and Sundays only).

4. Spring turkey – March 17 ~~18~~ through April 22 ~~23~~ (Saturdays and Sundays only).

5. No change.

(b) Legal to take: All legal game including gobblers or bearded turkeys, fish, frogs and furbearers. No size or bag limit on wild hogs.

(c) through (d) No change.

(15) Tate's Hell Wildlife Management Area

(a) Open Season:

1. General gun – November 23-26 ~~25-28~~ and December 9 ~~11~~ through January 31 ~~February 2~~.

2. Small game – November 11-22 ~~13-24~~, November 27 ~~29~~ through December 8 ~~10~~ and February 1 ~~3~~ through March 4 ~~5~~.

3. Archery – October 14 ~~16~~ through November 12 ~~14~~.

- 4. Muzzleloading gun – November ~~17-19~~ 19-21.
- 5. Muzzleloading gun and archery – February 15-25 ~~17-27~~.
- 6. through 8. No change.
- 9. Spring turkey – March ~~17~~ 18 through April ~~22~~ 23.
- 10. through 11. No change.
- (b) Legal to take: All legal game, fish, frogs and furbearers. No size or bag limit on wild hogs.
- (c) Camping – Prohibited, except at designated sites, During hunting seasons, a ~~or by~~ permit from the Florida Division of Forestry is required.
- (d) General regulations:
  - 1. Deer dogs may be trained from October ~~28~~ 30 through November ~~16~~ 18.
  - 2. through 5. No change.
- (16) Tate's Hell Wildlife Management Area – Womack Creek Unit
  - (a) Open Season:
    - 1. Small game – November ~~11~~ 13 through January 31 ~~February 2~~.
    - 2. General gun still ~~General gun dog~~ – November 23-26 ~~25-28~~ and December ~~9-17~~ 11-19.
    - 3. General gun dog ~~General gun still~~ – December 24 through January 5.
    - 4. No change.
    - 5. Spring turkey – March ~~17-18~~ 18-19, March 24-25 ~~25-26~~, March 31 through April ~~1-2~~ and April ~~7-8~~ 8-9.
    - 6. through 7. No change.
  - (b) Legal to take: All legal game, fish, frogs, and furbearers. No size or bag limit on wild hogs.
  - (c) Camping: Prohibited, except at designated sites, During hunting seasons, a ~~or by~~ permit from the Florida Division of Forestry is required.
  - (d) General regulations:
    - ~~1. Persons operating vehicles shall enter and exit at designated entrances only.~~
    - 2. through 5. renumbered 1. through 4. No change.
- (17) This rule shall take effect July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-21-82, Amended 7-1-83, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 9-2-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, ~~7-1-00~~.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Timothy A. Breault  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Specific Regulations for Type I Wildlife

RULE NO.:

Management Areas – Everglades Region 68A-15.064  
PURPOSE AND EFFECT: The purposes of the proposed rule changes are to make needed changes in regulations to allow the agency to more efficiently manage wildlife resources and public use on WMAs and to provide public hunting opportunities. Additionally, changes are proposed to delete references to special-opportunity alligator hunts to provide consistency with the proposed elimination of Rule 68A-25.047, FAC. and the establishment of special-opportunity hunt areas as alligator harvest management units under Rule 68A-25.042, FAC.

SUMMARY: The proposed rule would adjust all applicable hunting season dates and other references to such dates on WMAs in the Central Region to conform with proposed 1999-2000 hunting season dates for the appropriate hunting zones. Changes also would establish or revise specific area regulations on WMAs as follows:

Holey Land WMA – Rule language associated with special-opportunity alligator hunts would be deleted to accommodate rule changes proposed to establish special-opportunity alligator hunt areas as alligator management units.

Everglades and Francis S. Taylor WMA – Rule language associated with special-opportunity alligator hunts would be deleted to accommodate rule changes proposed to establish special-opportunity alligator hunt areas as alligator management units.

Big Cypress WMA – During years when January 1 falls on a Thursday, Friday, or Saturday, the archery season in the Deep Lake Unit would close the following Sunday.

Frog Pond – Dade County – Open seasons for special-opportunity dove hunts would be limited to the first, second and fourth Saturdays of the first phase of the dove season; the first and third Saturdays of the second phase; and the first, third and fifth Saturdays of the third phase. Reference to a special-use permit required for dove hunting would be changed to special-opportunity permit.

Okaloacoochee Slough WMA – New seasons would be established for archery (September 9-15 and 16-24); muzzleloading gun (October 14-16); general gun (October 28-31 and November 1-5); general gun hog (November 18-24); dove (Saturdays only during dove season, except during muzzleloading, general gun and gun hog seasons); and fishing and frogging (throughout the year). All legal game, fish, frogs and furbearers would be legal to take. The bag limit for deer and wild hog would be one each per quota permit during the archery, muzzleloading gun, general gun and general gun hog seasons. Only wild hogs would be legal to take during the

general gun hog season. Only hogs with a shoulder height of 20 inches or greater would be legal to take. Taking of antlerless deer would be prohibited during archery season. Camping would be permitted only at designated campsites during archery, muzzleloading gun, general gun and general gun hog seasons by individuals or parties in possession of a quota hunt permit. During other periods, camping would be permitted by Special-Use Permit issued by the Division of Forestry. Hunting with dogs would be prohibited except that bird dogs and retrievers would be permitted on posted dove fields during established dove hunts. Vehicles would be restricted to named or numbered roads and numbered trails during archery, muzzleloading gun, general gun and general gun hog seasons. Checking of deer or hogs at a check station would be required. Shooting hours for doves would be from noon until sunset and hunters would be permitted to enter dove fields one hour before shooting time and exit within one hour after sunset. Dove hunters would be required to hunt from assigned stations and stations would be transferrable. Dove hunting permits would be issued on a first-come, first-served basis at the check station on the day of each dove hunt.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** It is estimated that the proposed action will cost the agency approximately \$380 for administrative preparation and \$185 for advertising. No other significant economic impacts are expected.

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:** Art. IV, Sec. 9, Fla. Const.

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Fla. Const., 375.313, F.S.

**A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:**

**TIMES AND DATES:** 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

**PLACE:** Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS:** James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.064 Specific Regulations for Type I Wildlife Management Areas – Everglades Region.

(1) J.W. Corbett Wildlife Management Area

(a) Open season:

1. General gun – November ~~4~~ 6 through December 31 ~~January 2~~.

2. Small game – January ~~1~~ 3 through February ~~11~~ 13.  
 3. Spring turkey – March ~~3~~ 4 through April ~~8~~ 9 (Saturdays and Sundays only).

4. Archery – August ~~26~~ 28 through September ~~17~~ 19.  
 5. Muzzleloading gun – September 30 through October 15 ~~October 2-17~~.

6. Raccoon season – January ~~1~~ 3 through February ~~11~~ 13.  
 7. No change.

(b) through (d) No change.  
 (2) Hole Land Wildlife Management Area  
 (a) Open season:

1. General gun – Walk, October ~~21-29~~ 23-31.  
 2. General gun – Vehicle, November ~~4-19~~ 6-21 (tracked vehicles and airboats only). Deer hunting by permit only during the general gun-vehicle season.

3. Archery – August ~~26~~ 28 through September ~~17~~ 19.  
 4. Muzzleloading gun – September 30 through October 15 ~~October 2-17~~.

5. through 6. No change.  
 7. ~~Special opportunity alligator – September 1-15.~~

(b) Legal to take: All legal game (except turkeys), fish, ~~alligators as specified in Rule 68A-25.047, F.A.C.,~~ frogs and furbearers. During the archery season only antlered deer may be taken. The bag limit of hogs shall be one per day; annual bag two. During the general gun-vehicle season, a bag limit of one hog per day per vehicle shall apply. The bag limit of deer shall be one during archery season, one during muzzleloading gun season, one during general gun-walk season and one per tag during the general gun-vehicle season.

(c) No change.  
 (d) General regulations:

1. through 3. No change.  
 4. All hunters, ~~except special opportunity alligator hunt participants when taking alligators,~~ shall check out at a check station and record their game harvest.  
 5. through 18. No change.

(e) Notwithstanding any other provisions of this subsection, ~~special opportunity alligator hunt participants:~~

1. ~~May possess and use guns and baits as specified in Rule 68A-25.047, F.A.C., when taking alligators, and~~  
 2. ~~may~~ may operate airboats throughout the area when taking alligators.

(3) Everglades and Francis S. Taylor Wildlife Management Area

(a) Open season:  
 1. General gun – Walk, October ~~21-29~~ 23-31, Conservation Areas 3A North and 2 only. December ~~1~~ 2-31 in that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal in Conservation Area 3A North only.

2. General gun – Vehicle (airboats and tracked vehicles only), November ~~4-19~~ ~~6-21~~, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area by permit only.

3. Archery – August ~~26~~ ~~28~~ through September ~~17~~ ~~19~~, Conservation Area 3A North only.

4. Muzzleloading gun – September 30 through October 15 ~~October 2-17~~, in Conservation Area 3A North only.

5. through 6. No change.

~~7. Special opportunity alligator – September 1-15 and 16-30.~~

(b) Legal to take: All legal game (except turkeys), fish, ~~alligators as specified in Rule 68A-25.047, F.A.C.~~, frogs and furbearers. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. During the archery season only antlered deer may be taken. The bag limit of hogs shall be one per day and two annually. During the general gun-vehicle season, a bag limit of one hog per day per vehicle shall apply. The bag limit of deer shall be one per season during archery, muzzleloading gun and general gun-walk seasons and one per tag during the general gun-vehicle season.

(c) through (d) No change.

(e) Notwithstanding any other provisions of this subsection, ~~special opportunity~~ alligator hunt participants:

1. No change.

2. ~~May possess and use guns and baits as specified in Rule 68A-25.047, F.A.C., when taking alligators and may transport such guns specified in Rule 68A-15.004, F.A.C., by airboat for the purpose of taking alligators.~~

(4) Rotenberger Wildlife Management Area

(a) Open season:

1. General gun – Walk, October ~~21-29~~ ~~23-31~~.

2. General gun – Vehicle (airboats and tracked vehicles only), November ~~4-19~~ ~~6-21~~ by quota permit only.

3. Archery – August ~~26~~ ~~28~~ through September ~~17~~ ~~19~~.

4. Muzzleloading gun – September 30 through October 15 ~~October 2-17~~.

5. through 6. No change.

(b) through (d) No change.

(5) Big Cypress Wildlife Management Area

(a) Open season:

1. No change.

2. Small game – The day following the close of general gun season through February ~~4~~ ~~6~~.

3. Archery – September ~~2~~ ~~4~~ through October ~~1~~ ~~3~~ in all units, and November ~~11~~ ~~13~~ through January ~~1~~ ~~2~~, except during those years when January 1 falls on a Thursday, Friday or Saturday, in which case the season would close on the following Sunday in the Deep Lake Unit only.

4. Muzzleloading gun – October ~~7-22~~ ~~9-24~~, except in the Deep Lake Unit.

5. Spring turkey – March ~~3~~ ~~4~~ through April ~~8~~ ~~9~~.

6. through 7. No change.

(b) through (d) No change.

(6) Frog Pond – Dade County

(a) Open Season

1. Dove – The first second and fourth Saturdays only during the first phase; the first and third Saturdays only during the second phase; and the first, third, and fifth Saturdays only during the third phase of Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.

(b) through (c) No change.

(d) General Regulations

1. Persons must possess a special-opportunity dove permit special-use permit issued by the Florida Game and Fresh Water Fish Commission or its agent to hunt doves.

2. through 6. No change.

(7) Fort Drum Wildlife Management Area

(a) Open Season:

1. Special-opportunity deer – November ~~11-17~~ ~~13-19~~.

2. Small game – December ~~9-24~~ ~~11-26~~.

3. Special-opportunity turkey – March ~~17-23~~ ~~18-24~~, March 31 through April 6 ~~April 1-7~~ and April ~~14-20~~ ~~15-21~~.

4. Special-opportunity wild Hog – September ~~5-7~~ ~~7-9~~, ~~12-14~~ ~~14-16~~, and 19-21 ~~21-23~~.

5. No change.

(b) through (d) No change.

(8) Okaloacoochee Slough Wildlife Management Area

(a) Open season:

1. Archery – September 9-15 and 16-24.

2. Muzzleloading gun – October 14-16.

3. General gun – October 28-31 and November 1-5.

4. General gun hog – November 18-24.

~~5. Spring turkey – March 3-6 4-7 and 7-11 8-12.~~

6. Dove – Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C., except during muzzleloading, general gun, and general gun hog seasons.

7. Fishing and frogging – Permitted throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery, muzzleloading gun, general gun and general gun hog seasons, the bag limit for deer and wild hogs shall be one each per quota permit. Only wild hogs with a shoulder height of 20 inches or greater may be taken. Only wild hogs may be taken during the general gun hog season. The taking of antlerless deer is prohibited during archery season. Turkeys. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota permit.



(c) Camping: Camping is permitted only at designated campsites during archery, muzzleloading gun, general gun, spring turkey and general gun hog seasons by individuals or parties in possession of a quota hunt permit. During the remainder of the year, camping is permitted by Special-Use Permit issued by Division of Forestry. Only tents, trailers, or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs and retrievers may be used on posted dove fields during established dove hunts.

~~2.1-~~ The use of tracked vehicles, airboats, motorcycles or all-terrain vehicles is prohibited.

~~3.2-~~ Vehicles may be operated only on named or numbered roads and numbered trails during the archery, muzzleloading gun, general gun, and general gun hog seasons by individuals possessing a quota permit. During the remainder of the year, vehicles may be operated only on named roads.

~~4.3-~~ Hunters shall check in and out at a designated check station when entering and exiting the area and shall check all game taken.

~~5.4-~~ No deer, hog or turkey shall be dismembered until checked at a check station.

~~6.5-~~ Fires other than campfires are prohibited.

7. Shooting hours for dove hunts shall be from noon until sunset. Hunters may enter the posted field one hour before shooting time and shall exit the field within one hour after sunset.

8. Dove hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.

9. Dove field permits shall be issued on a first-come, first-served basis at the check station on the day of each dove hunt.

(9) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const., 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-27-83, 9-27-83, 7-5-84, 7-1-85, 5-7-86, 8-5-86, 5-10-87, 8-24-87, 5-1-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-1-92, 7-1-93, 7-1-94, 7-1-95, 8-15-95, 7-1-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.064, Amended 11-17-99, 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE:

RULE NO.:

Specific Regulations for Type I Wildlife

Management Areas – Central Region 68A-15.065

PURPOSE AND EFFECT: The purposes of the proposed rule changes are to adjust hunting season dates on all Central Region Wildlife Management Areas (WMAs) to conform with proposed 2000-2001 hunting season dates for the appropriate hunting zones and to make needed changes in other regulations to allow the agency to more efficiently manage fish and wildlife resources and public use on WMAs. Additionally, changes are proposed to delete references to special-opportunity alligator hunts to provide consistency with the proposed elimination of Rule 68A-25.047, FAC. and the establishment of special-opportunity hunt areas as alligator harvest management units under Rule 68A-25.042, FAC.

SUMMARY: The proposed rule would adjust all applicable hunting season dates and other references to such dates on WMAs in the Central Region to conform with 2000-2001 hunting season dates for the appropriate hunting zones. Changes also would establish or revise specific area regulations on WMAs as follows:

Bull Creek WMA – A special-opportunity dove season would be established (first and third Saturdays of the first and second phases of the dove season and the first and second Saturdays of the third phase. Possession of a special-opportunity dove hunt permit would be required to hunt in posted dove fields. Shooting hours for special-opportunity dove hunts would be from noon until sunset and hunters would be permitted to enter the area one hour before shooting time and required to exit by one hour after sunset. Camping equipment would be permitted on the area after 8 a.m. seven days prior to the opening of archery season until 6 p.m. seven days following the end of the spring turkey season. Camping would be permitted from 8 a.m. one day prior to each hunting season through 6 p.m. the day following each season.

Citrus WMA – There would be no size or bag limit for wild hogs and horses would be restricted to designated horse trails and named or numbered roads.

Miami Corporation WMA – A small game season would be established (January 8-21) and wild hogs would be legal to take during the small game season. Muzzleloading gun hunts would be expanded to include the area north of Maytown Road and access to this area would be via Road B-6 only. The use of airboats or tracked vehicles would be prohibited at all times.

Ocala WMA – Antlerless deer would not be legal game during any season including archery.

Forest Roads 573 and 588 would be added to the list of roads from which hunting is not allowed. Rule language associated with special-opportunity alligator hunts would be deleted to

accommodate rule changes proposed to establish special-opportunity alligator hunt areas as alligator management units.

Richloam WMA – All-terrain vehicles and motorcycles would be prohibited.

Richloam WMA, Baird Unit – A permit from the Division of Forestry would be required for public access other than on foot or bicycle during periods closed to hunting and possession of guns would be prohibited on the James A. Van Fleet Trail except at designated crossing points.

Three Lakes WMA – Rule language associated with special-opportunity alligator hunts would be deleted to accommodate rule changes proposed to establish special-opportunity alligator hunt areas as alligator management units.

Tiger Bay WMA – There would be no size or bag limit for wild hogs.

Tiger Bay WMA, Rima Ridge Unit – Seasons would be established for general gun (November 11-19); archery (September 23 – October 8); muzzleloading gun (October 27-29). Bag limits would be one deer per hunter for archery, muzzleloading and general gun seasons; no size or bag limit for wild hogs; and one gobbler (or bearded turkey) per quota permit during spring turkey season.

Relay WMA – Centerfire rifles other than muzzleloading guns would be prohibited.

Seminole Ranch WMA – A season would be established for general gun-hog (February 10-16). Only wild hogs would be legal to take during general gun hog season. Up to 3 dogs per quota permit would be permitted during the general gun-hog season. During the general gun-hog season, a quota permit would be required for each group of two hunters and only one gun would be allowed per permit.

Guana River WMA – The open season for fishing and other recreational use on a portion of Lake Ponte Vedra and interior freshwater lakes would be extended to begin earlier (February 10 rather than March 1) and end later (November 10 rather than November 1). Redundant language regarding waterfowl scouting and provision for waterfowl scouting after waterfowl hunts would be deleted. Horses and bicycles would be permitted on named or numbered roads, established trails and firelines, except where prohibited; except that horses would be prohibited during archery, muzzleloading gun, general gun and small game seasons. Rule language associated with special-opportunity alligator hunts would be deleted to accommodate rule changes proposed to establish special-opportunity alligator hunt areas as alligator management units.

Caravelle Ranch WMA – Open seasons for special-opportunity dove hunts would be limited to the first and second Saturdays of the first phase of the dove season; the third Saturday of the

second phase; and the first, third and fifth Saturdays of the third phase. An open season for frogging would be established throughout the year and frogs would be added to legal to take.

Lake George WMA – The proposed change would correct an error regarding turkeys of either sex being legal to take during archery season.

Lake George WMA, Dexter/Mary Farms Unit – Open seasons for special-opportunity dove hunts would be limited to the first, second and fourth Saturdays of the first phase of the dove season; the first and third Saturdays of the second phase; and the first, third and fifth Saturdays of the third phase. Dove hunting on posted dove fields would be permitted only on open season dates for special-opportunity dove hunts. During periods closed to hunting, public access would be restricted to the Bluffton Recreation via the St. Johns River Road from sunrise to sunset only and all other access (except during special-opportunity hunts) would be allowed by permit from the Division of Forestry.

Seminole Forest WMA – Fishing in Oaks and Bear Ponds would be restricted to daylight hours only and horses would be allowed during the small game season.

Triple N Ranch WMA – A season for special-opportunity deer (November 11-17) would be established. One antlered deer (at least one antler with 4 or more points) per special-opportunity deer hunt permit and antlerless deer (except spotted fawns) by antlerless deer permit only would be established as legal to take. The current small game season would be shifted two weeks later in the year to accommodate the proposed special-opportunity deer hunt. Checking of deer at the hunt headquarters would be required and public access would be prohibited from 8 p.m. until 5 a.m., unless authorized for camping during hunts. The provision regarding special-opportunity permit requirements would be deleted to eliminate contradictions with changes proposed for rule 15.004, FAC.

Etoniah Creek WMA – The current small game season (December 4-19 and January 22 through February 13) would be shifted to Thanksgiving day through the first weekend in January. Camping would be authorized by permit from the Division of Forestry. Public access by horseback would be permitted during periods closed to hunting. Horses would be prohibited during periods open to hunting, except during the small game season. The rule prohibiting public access from 8:00 p.m. to 5:00 a.m. would be deleted.

Little Big Econlockhatchee WMA, Kilbee Unit – There would be no size or bag limits on wild hogs.

Lake Panasoffkee WMA – Only hogs would be legal to take during special-opportunity hog-still and special-opportunity hog-dog seasons. No more than 3 dogs would be allowed per special-opportunity permit during the special-opportunity hog-dog season. A permit would be required for each group of two hunters and only one gun would be allowed per permit. The bag limit for wild hogs would be removed.

Potts WMA – Only hogs would be legal to take during general gun hog-dog season. No more than three dogs would be allowed per quota permit. A permit would be required for each group of two hunters and only one gun would be allowed per permit.

Buck Lake WMA – New seasons would be established for archery (September 23 – October 1 and October 2-8); muzzleloading gun (October 27-29); general gun (November 11-14 and 15-19); small game (December 2-17) and fishing and frogging (throughout the year). All legal game, fish, frogs, and furbearers (except bobcat, mink and otter) would be established as legal to take. The bag limit for deer would be one antlerless and one antlered deer per person per hunt provided antlerless deer shall be taken by permit only during muzzleloading gun and general gun season. There would be no size or bag limit on wild hogs. Use of bird dogs during small game season would be permitted. Checking of deer and wild hog at a check station would be required.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$525 for administrative preparation and \$285 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const., 375.313 FS.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m. March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.065 Specific Regulations for Type I Wildlife Management Areas – Central Region.

(1) Bull Creek Wildlife Management Area

(a) Open season:

1. General gun – November ~~11~~ 13 through January ~~7~~ 9.
2. Small game – January ~~8~~ 10 through March ~~4~~ 5.
3. Spring turkey – March ~~17~~ 18 through April ~~22~~ 23.

4. Archery – September ~~23~~ 25 through October ~~22~~ 24. A special quota permit will be required for the September ~~23-24~~ 25-26 hunt.

5. Muzzleloading gun – October ~~27-29~~ 29-31.

6. Special-opportunity dove – The first and third Saturdays only during the first and second phase of the mourning dove and white-winged dove season as established in Rule 68A-13.008, F.A.C., and the first and second Saturdays only during the third phase of the mourning dove and white-winged dove season established in Rule 68A-13.008, F.A.C. No dove hunting is allowed on posted dove fields other than on these dates.

~~7.6.~~ Fishing and frogging – Throughout year.

(b) No change.

(c) Camping: Permitted only at designated campgrounds during periods in which hunting is allowed and throughout the year at designated campsites on the Florida National Scenic Trail provided that access to area is via the Trail. Camping equipment may be taken onto the area after 8 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6 p.m. one day following each season. Only tents, trailers or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. through 8. No change.

9. All persons shall possess a special-opportunity dove hunt permit to hunt in posted dove fields.

10. Shooting hours for special-opportunity dove hunts shall be from noon until sunset. Hunters may enter the area one hour before shooting time, and shall exit by one hour after sunset.

(2) Citrus Wildlife Management Area

(a) Open season:

1. Modern gun – December ~~16-17~~ 18-19 and January ~~6-7~~ 8-9.

2. Small game – January ~~8~~ 10 through March ~~4~~ 5.

3. Muzzleloading gun – December ~~9-10~~ 11-12 and ~~December 30-31~~ January 1-2.

4. Archery – November 11 ~~13~~ through December ~~3~~ 5.

5. No change.

(b) Legal to take: All legal game (except turkeys), fish, frogs and furbearers. During the muzzleloading gun and modern gun seasons, antlerless deer may be taken by permit only. Antlerless deer may be taken during the first 9 days of the archery season, but only one antlerless deer may be harvested per quota permit or per person exempted from license and stamp requirements by s. 372.57(1) and (6), F.S. No size or bag limit for wild hogs.

(c) No change.

(d) General regulations:

1. through 13. No change.

14. Horses are restricted to named or numbered roads and designated horse trails.

(3) Miami Corporation Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~. Hunting is prohibited on Wednesdays and Thursdays, except the first nine days, Thanksgiving Day, Christmas Day and New Year's Day.

2. Fishing and frogging – November ~~11 13~~ through January ~~7 9~~ or as authorized by permit from the landowner.

3. Archery – September ~~23 25~~ through October ~~22 24~~, in the still hunt area, Saturdays and Sundays only.

4. Muzzleloading gun – October ~~27-29 29-31~~, only in the still hunt area and north of Maytown Road.

5. Small game – January 8-21.

(b) Legal to take: All legal game, fish, frogs and furbearers. Gobblers or bearded turkeys may be taken throughout the general gun season. No size or bag limit on wild hogs. Wild hogs may be taken during small game hunts.

(c) No change.

(d) General regulations:

1. through 4. No change.

5. The use of airboats or tracked vehicles is prohibited ~~for taking fish or wildlife.~~

6. through 9. No change.

10. During the muzzleloading gun hunt, access to the area north of Maytown Road will be via Road B-6 only.

(4) Ft. McCoy Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.

2. Small game – January ~~8-28 10-30~~.

3. Archery – September ~~23 25~~ through October ~~22 24~~.

4. Muzzleloading gun – October ~~27-29 29-31~~.

5. Spring turkey – March ~~17 18~~ through April ~~22 23~~.

6. No change.

(b) through (d) No change.

(5) Georgia-Pacific Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.

2. Small game – January ~~8 10~~ through March ~~4 5~~.

3. Spring turkey – March ~~17 18~~ through April ~~22 23~~.

4. Archery – September ~~23 25~~ through October ~~22 24~~.

5. No change.

(b) through (d) No change.

(6) Ocala Wildlife Management Area

(a) Open season:

1. General gun – November ~~11 13~~ through January ~~7 9~~.

2. Small game – January ~~8 10~~ through March ~~4 5~~.

3. Archery – September ~~23 25~~ through October ~~22 24~~.

4. Muzzleloading gun – October ~~27-29 29-31~~, on the Church Lake, Hopkins Prairie and Lake Delancy Management Units only.

5. Fox, bobcat and raccoon – November ~~11 13~~ through April ~~15 16~~.

6. No change.

7. Spring turkey – March ~~24-25 25-26~~, March 31 – April 1 ~~April 1-2, 7-8 8-9~~ and ~~14-15 15-16~~, except that portion of the Pipeline Unit south of S.R. 40 and west of S.R. 19.

8. through 9. No change.

~~10. Special opportunity alligator – September 1-15 and 16-30, only on the waters of Wildcat Lake, Half Moon Lake, and Salt Springs Run beginning at a point 50 yards west of the mouth at Lake George to the Salt Springs boat ramp.~~

(b) Legal to take:

1. All legal game (except antlerless deer), fish, ~~alligators as specified in Rule 68A-25.047, F.A.C.,~~ frogs and furbearers. During the spring turkey season the bag limit shall be one gobbler or bearded turkey per quota hunt permit. ~~Antlerless deer may be taken only on the Hopkins Prairie and Lake Delancy Management Units and only during the archery season and by special permit during the muzzleloading gun season and the last three days of the general gun season.~~ Deer may only be taken in the Church Lake Unit during the archery season, muzzleloading gun season and the first 9 days of the general gun season. Deer daily bag one, no season bag.

2. Furbearing animals – During the November ~~11 13~~ through March 1 period, hunting as specified in Rule 68A-24.002(2)(b), F.A.C., is permitted only in the Pipeline and Church Lake Management Units. Raccoons may also be hunted, with dogs only, from March ~~5 7~~ through April ~~15 16~~ only in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV, and west of S.R. 19. The hunting of fox and bobcat by the use of dogs only shall be permitted from January ~~8 10~~ through April ~~15 16~~, only in that portion of the Pipeline Management Unit south of S.R. 40, east of County Road 183 AV, and west of SR 19.

(c) No change.

(d) General regulations:

1. through 4. No change.

5. Taking of wildlife by use of a gun on or from rights-of-way of all paved roads, Forest Road 573, Forest Road 588, Blue Creek Lodge Road, Forest Road 10 east of Forest Road 65, Forest Road 65 south of Forest Road 10, Forest Road 79 south of Forest Road 76 or that portion of any road adjacent to posted lands, and all Forest Service, county and state roads in the Church Lake Unit is prohibited as provided by Rule 68A-4.008, F.A.C.

6. through 7. No change.

8. Dogs may be used to pursue rabbits from January ~~8 10~~ through April ~~15 16~~ in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV, and west of S.R. 19.

9. The possession of center-fire rifles is prohibited during the spring turkey season.

~~(e) Notwithstanding any other provisions of this subsection, special opportunity alligator hunt participants may possess and use guns and baits as specified in Rule 68A-25.047, F.A.C., when taking alligators.~~

~~(e)(f)~~ No change.

(7) Richloam Wildlife Management Area

(a) Open season:

1. General gun – November ~~11-13~~ through January ~~7-9~~.

2. Spring turkey – March ~~17-18~~ through April ~~22-23~~.

3. Archery – September ~~23-25~~ through October ~~22-24~~.

4. No change.

5. Trapping – January ~~8-10~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. through 4. No change.

5. Airboats, all-terrain vehicles, motorcycles and tracked vehicles are prohibited.

6. through 11. No change.

(8) Richloam Wildlife Management Area – Baird Unit

(a) Open season:

1. Archery – September ~~23-25~~ through October ~~8-10~~.

2. Muzzleloading gun – October ~~27-29-29-31~~.

3. General gun – November ~~11-19-13-21~~.

4. Spring turkey – March ~~17-19-18-20~~, March ~~23-25-24-26~~, and March ~~30-31~~ through April ~~1-2~~.

5. Small game – December ~~2-17-4-19~~ and January ~~20-22~~ through February ~~11-13~~.

6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. During periods when the area is closed to hunting, public access other than on foot (pedestrian) or bicycle is prohibited except by permit from the Division of Forestry ~~prohibited~~.

5. through 8. No change.

9. Possession of guns is prohibited on the James A. Van Fleet State Trail except at designated crossings. Hunters shall transport guns across the State Trail only at designated crossings.

(9) Three Lakes Wildlife Management Area

(a) Open season:

1. General gun – November ~~11-13~~ through January ~~7-9~~.

2. Small game – January ~~8-10~~ through March ~~4-5~~.

3. Spring turkey – March ~~17-18~~ through April ~~22-23~~.

4. Archery – September ~~23-25~~ through October ~~22-24~~.

5. No change.

6. Muzzleloading gun – October ~~27-29-29-31~~.

7. General gun for mobility-impaired – November ~~3-5-5-7~~.

8. General gun-dog – December ~~7-10-9-12~~, ~~21-24-23-26~~ and December ~~28-31-30~~ through January ~~2~~ in that area between the Florida Turnpike and U.S. 441 only.

9. No change.

~~10. Special opportunity alligator – September 1-15 and 16-30.~~

(b) through (c) No change.

(d) General regulations:

1. through 7. No change.

8. All users shall enter and exit the area through designated entrances except persons hiking through on the Florida Trail. ~~Hunters, except special opportunity alligator hunt participants when taking alligators,~~ shall check in and out at a check station when entering and exiting the area and shall check all game taken.

9. through 13. No change.

(e) Notwithstanding any other provisions of this subsection, ~~special opportunity alligator hunt participants:~~

~~1. May possess and use guns and baits as specified in Rule 68A-25.047, F.A.C., when taking alligators, and~~

~~2. may May~~ operate airboats throughout the area when taking alligators except that airboats are not allowed in those portions of the area posted as restricted to airboat access for the protection of environmentally sensitive areas as specified above.

(10) Prairie Lakes Unit, Three Lakes Wildlife Management Area

(a) Open season:

1. Archery – ~~September 29 through October 1~~ ~~October 1-3~~ and ~~6-8-8-10~~.

2. Muzzleloading gun – October ~~27-29-29-31~~.

3. General gun – November ~~17-19-19-21~~ and ~~24-26-26-28~~.

4. Small game – December ~~9-24-11-26~~.

5. Spring turkey – March ~~17-19-18-20~~, March ~~30-31~~ through April ~~1-2~~ and ~~13-15-14-16~~.

6. No change.

7. General gun hog – December ~~1-3-3-5~~ and January ~~5-7-7-9~~.

(b) through (d) No change.

(11) Tiger Bay Wildlife Management Area

(a) Open season:

1. General gun – November ~~11-13~~ through January ~~7-9~~.

2. Archery – September ~~23-25~~ through October ~~22-24~~.

3. Muzzleloading gun – October ~~27-29-29-31~~.

4. Small game – January ~~8-10~~ through March ~~4-5~~.

5. Spring turkey – March ~~17-19-18-20~~, March ~~30-31~~ through April ~~1-2~~ and ~~13-15-14-16~~.

6. No change.

(b) Legal to take: All legal game, fish, except as provided below, frogs and furbearers. No size or bag limit on wild hogs.

1. through 2. No change.

(c) through (d) No change.

(12) Tiger Bay Wildlife Management Area – Rima Ridge Unit

(a) Open Season:

1. General gun – November 11-19.

2. Archery – September 23 through October 8.

3. Muzzleloading gun – October 27-29.

4. ~~4.~~ Small game – November 23 ~~44~~ through December 31 ~~3~~ and December 23 through January 7.

5. ~~2.~~ Spring turkey – March 17-19 ~~18-20~~, March 30 ~~31~~ through April 1 ~~2~~ and 13-15 ~~14-16~~.

3. through 4. renumbered 6. through 7. No change.

(b) Legal to take: All legal ~~small~~ game, turkeys, fish, frogs and furbearers. During the archery, muzzleloading gun and general gun seasons, the bag limit for deer shall be one per hunter. No size or bag limit on wild hogs. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota permit.

(c) through (d) No change.

(13) Relay Wildlife Management Area

(a) Open season:

1. General gun – November 11 ~~13~~ through January 7 ~~9~~.

2. Archery – September 23 ~~25~~ through October 22 ~~24~~ (Fridays, Saturdays and Sundays only).

3. Muzzleloading gun – October 27-29 ~~29-31~~.

4. Small game – January 8 ~~10~~ through March 4 ~~5~~.

5. Spring turkey – March 17 ~~18~~ through April 22 ~~23~~.

6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. Possession of centerfire rifles (other than muzzleloading) or pistols is prohibited.

5. No change.

(14) Tosohatchee Wildlife Management Area

(a) Open season:

1. Archery – September 28 ~~30~~ through October 1 ~~3~~ and October 5-8 ~~7-10~~.

2. Muzzleloading gun – October 12-15 ~~14-17~~ and 19-22 ~~21-24~~.

3. Modern gun – November 16-19 ~~18-21~~ and 24-26 ~~26-28~~.

4. Spring turkey – March 17-19 ~~18-20~~, March 30 ~~31~~ through April 1 ~~2~~, and 13-15 ~~14-16~~.

5. General gun-hog – January 12-18 ~~14-20~~ and January 26 ~~28~~ through February 1 ~~3~~.

(b) through (d) No change.

(15) Seminole Ranch Wildlife Management Area

(a) Open season:

1. Archery – October 6-8 ~~8-10~~ and 13-15 ~~15-17~~.

2. Muzzleloading gun – October 28-29 ~~30-31~~ and November 4-5 ~~6-7~~.

3. Modern gun – November 17-19 ~~19-21~~.

4. Small game – November 25-26 ~~27-28~~, December 2-3 ~~4-5~~ and 9-10 ~~11-12~~.

5. Spring turkey – March 17-19 ~~18-20~~, 23-25 ~~24-26~~ and March 30 ~~31~~ through April 1 ~~2~~.

6. General gun hog – February 10-16.

~~7.6.~~ Fishing and frogging – Permitted throughout the year.

(b) Legal to take: All legal game, fish and furbearers (except bobcat, mink and otter). A limit of one antlerless and one antlered deer per person per hunt is established. Any deer (except spotted fawn) may be taken during the archery season. Antlerless deer may be taken by permit only during the muzzleloading and modern gun seasons. There shall be no size limit or bag limit restrictions on wild hogs. Only wild hogs may be taken during the general gun-hog season.

(c) No change.

(d) General regulations:

1. through 4. No change.

5. Hunting with dogs is prohibited, except that dogs may be used during the general gun-hog season, and other than bird dogs may be used during small game season. During the general gun-hog season, no more than 3 dogs per quota hunt permit shall be allowed.

6. through 9. No change.

10. During the general gun-hog season, a quota permit shall be required for each group of two hunters and only one gun may be possessed per permit.

(16) Jumper Creek Wildlife Management Area

(a) Open season:

1. Archery – September 23 ~~25~~ through October 22 ~~24~~.

2. Muzzleloading gun – October 27-29 ~~29-31~~.

3. General gun – November 11 ~~13~~ through January 7 ~~9~~.

4. Small game – January 8-28 ~~10-30~~.

5. Spring turkey – March 17 ~~18~~ through April 22 ~~23~~.

6. No change.

(b) through (d) No change.

(17) Rock Springs Run Wildlife Management Area

(a) Open season:

1. Archery – September 29 – October 1 ~~October 1-3~~ and 6-8 ~~8-10~~.

2. Muzzleloading gun – October 13-15 ~~15-17~~ and 20-22 ~~22-24~~.

3. Modern gun – November 10-12 ~~12-14~~ and 17-19 ~~19-21~~.

4. Small game – December 2-3 ~~4-5~~, 9-10 ~~11-12~~ and January 6-7 ~~8-9~~.

(b) through (d) No change.

(18) Guana River Wildlife Management Area

(a) Open season:

1. Duck and coot – Lake Ponte Vedra shall be open in the September season established pursuant to Rule 68A-13.003, F.A.C., and the first day of each phase and on Wednesday and Saturday of the duck and coot season established pursuant to Rule 68A-13.003, F.A.C.

2. General gun – November ~~17-19~~ ~~19-21~~ and ~~24-26~~ ~~26-28~~.

3. Muzzleloading gun – October ~~27-29~~ ~~29-31~~ and November ~~3-5~~ ~~5-7~~.

4. Archery – October ~~13-15~~ ~~15-17~~ and ~~20-22~~ ~~22-24~~.

5. Small game – December ~~1-3~~ ~~3-5~~, ~~8-10~~ ~~10-12~~ January ~~5-7~~ ~~7-9~~, ~~12-14~~ ~~14-16~~, ~~19-21~~ ~~21-23~~ and ~~26-28~~ ~~28-30~~.

6. Fishing – Permitted at all times on Lake Ponte Vedra from Guana Dam to a line two miles north of the dam, and on the remainder of Lake Ponte Vedra and the interior freshwater lakes only from ~~February 10~~ ~~March 1~~ through November ~~10~~ ~~1~~.

7. Rails and moorhens – In the rail and moorhen season established by Rule 68A-13.008, F.A.C., and only in the marsh adjacent to the intercoastal waterway.

8. ~~Special opportunity alligator – September 1-15, on Lake Ponte Vedra only.~~

(b) Legal to take: All legal game (except turkeys), fish, ~~alligators as specified in Rule 68A-25.047, F.A.C.~~, frogs and furbearers. Taking of wild hogs during the last two weekends of the small game season is prohibited. Legal shooting hours for ducks and coots: From the beginning of legal shooting hours established pursuant to Rule 68A-13.003, F.A.C., until noon.

(c) Camping: Prohibited.

(d) General regulations:

1. through 7. No change.

8. ~~Hunters, except special opportunity alligator hunt participants when taking alligators,~~ shall check in and out at the check station when entering or exiting the area and shall check all game taken. Hunters shall check out at the check station by 9 p.m. during Daylight Saving Time and 8 p.m. during Eastern Standard Time.

9. That portion of Lake Ponte Vedra from the Guana Dam to a point one-half mile north is closed to hunting except for ~~special opportunity alligator hunting pursuant to Rule 68A-25.042, F.A.C.~~

10. through 18. No change.

19. Lake Ponte Vedra ~~shall will~~ be open for recreational use from Guana Dam to a line two miles north of the dam at all times, and on the remainder of Lake Ponte Vedra and the interior lakes only from ~~February 10~~ ~~March 1~~ through November ~~10~~ ~~1~~. ~~Waterfowl scouting will be allowed on the remainder of Lake Ponte Vedra on the day one week prior to the opening of each phase, of the duck and coot season established in Rule 68A-13.003, F.A.C., and after 12 noon on Saturdays during the duck and coot season.~~

20. ~~Horses and bicycles may be used only on named or numbered roads, established trails and firelines, except where prohibited for public safety. Horses shall be prohibited during the archery, muzzleloading gun, general gun and small game seasons.~~

(e) Notwithstanding any other provisions of this subsection, ~~special opportunity alligator hunt participants:~~

1. ~~May possess and use guns and baits as specified in Rule 68A-25.047, F.A.C., when taking alligators, and~~

2. ~~may May~~ use airboats and outboard motors larger than 10 h.p. on Lake Ponte Vedra when taking alligators.

(19) Half Moon Wildlife Management Area

(a) Open season:

1. Archery – September ~~23-25~~ ~~25-27~~ and ~~September 29 – October 1~~ ~~October 1-3~~.

2. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.

3. General gun – November ~~11-13~~ ~~13-15~~ and ~~17-19~~ ~~19-21~~.

4. Small game – December ~~1-3~~ ~~3-5~~, ~~8-10~~ ~~10-12~~, and ~~15-17~~ ~~17-19~~.

5. Spring turkey – March ~~23-25~~ ~~24-26~~, March ~~30~~ ~~31~~ through April ~~1~~ ~~2~~ and ~~6-8~~ ~~7-9~~.

6. No change.

(b) through (d) No change.

(20) Caravelle Ranch Wildlife Management Area

(a) Open season:

1. Archery – September ~~23~~ ~~25~~ through October ~~1~~ ~~3~~.

2. Supervised small game – October ~~8-16~~ ~~10-18~~.

3. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.

4. General gun – November ~~11-19~~ ~~13-21~~.

5. ~~Special opportunity dove – The first and second Saturdays only during the first phase; the third Saturday only during the second phase; and the first, third and fifth Saturdays only during the third phase of Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C., except during muzzleloading and general gun seasons.~~

6. Small game – November ~~23~~ ~~25~~ through January ~~7~~ ~~9~~, Thursdays, Fridays, Saturdays and Sundays only.

7. Spring turkey – March ~~17-20~~ ~~18-21~~ and ~~21-25~~ ~~22-26~~.

8. Fishing and frogging – Permitted throughout the year.

9. No change.

(b) Legal to take: All legal game, wild hogs, fish, frogs and furbearers, except bobcat, mink and otter. During the archery, muzzleloading gun and general gun seasons the bag limit for deer shall be one per hunter. There shall be no bag or size limit restrictions on wild hogs. During the spring turkey season the bag limit for turkey shall be one gobbler (or bearded turkey) per hunter.

(c) through (d) No change.

(21) Lake George Wildlife Management Area.

(a) Open season:

1. Archery – September ~~23 25~~ through October ~~22 24~~.
2. Muzzleloading gun – October ~~27-29 29-31~~.
3. General gun – November ~~11-26 13-28~~.
4. Small game – November ~~27 29~~ through March ~~4 5~~.
5. Spring turkey – March ~~17-19 18-20~~, March ~~30 31~~ through April ~~1 2~~, and ~~13-15 14-16~~.

6. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, wild hogs, fish, frogs and furbearers, except bobcat, mink and otter. No bag or size limit restrictions on wild hogs. ~~During the archery season turkeys of either sex may be taken.~~

(c) through (d) No change.

(22) Lake George Wildlife Management Area – Dexter/Mary’s Farms Unit

(a) Open season:

1. Small game – November ~~11 13~~ through December ~~3 5~~ and December ~~23 25~~ through January ~~7 9~~.
2. Special-opportunity turkey – March ~~17-23 18-24~~, March ~~31 – April 6 April 1-7~~ and ~~14-20 15-21~~.
3. General gun hog – January ~~13-16 15-18~~, ~~17-22 19-24~~, ~~23-28 25-30~~.

4. Special-opportunity dove – The first, second and fourth Saturdays only during the first phase; the first and third Saturdays only during the second phase; and the first, third and fifth Saturdays only during the third phase of Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C. No dove hunting on posted dove fields is permitted other than on these dates.

5. Fishing and frogging – Permitted throughout the year.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. During periods when the area is closed to hunting, public access is allowed only to the Bluffton Recreation Area via St. Johns River Road. All other access shall be by permit from the Division of Forestry, except individuals in possession of a special-opportunity turkey hunt permit shall have vehicular vehicle access to the area from sunrise to sunset on the Saturday and Sunday preceding the hunt. The Bluffton Recreation Area shall be open for public access only from sunrise to sunset.

5. No change.

~~6. Public access to the area is prohibited during the period from 8:00 pm to 5:00 am, unless camping at designated camping areas during special-opportunity hunts.~~

7. through 11. renumbered 6. through 10. No change.

(e) No change.

(23) Seminole Forest Wildlife Management Area

(a) Open season:

1. Archery – September ~~23-26 25-28~~ and September ~~27 29~~ through October ~~1 3~~.
2. Muzzleloading gun – October ~~27-29 29-31~~.

3. General gun – December ~~2-5 4-7~~ and ~~6-10 8-12~~.

4. Small game – January ~~13-28 15-30~~, Saturdays and Sundays only.

5. Spring turkey – March ~~17-20 18-21~~ and ~~21-25 22-26~~.

6. General gun for mobility-impaired – October ~~20-22 22-24~~.

7. Fishing and frogging – During periods open to hunting and at other times as access is permitted by the Department of Agriculture and Consumer Affairs, Division of Forestry and these rules. Fish may be taken only by hook and line or rod and reel ~~and only during daylight hours.~~ Oaks and Bear Ponds are open to fishing only during daylight hours.

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.

3. The use of horses, tracked vehicles, airboats, motorcycles or all-terrain vehicles is prohibited during periods when hunting is allowed, except that all-terrain vehicles may be used during the general gun ~~for~~ mobility-impaired season, and horses may be used during the small game season. During periods when the area is closed to hunting, public access is regulated by the Division of Forestry ~~regulations.~~

4. through 7. No change.

(24) Flying Eagle Wildlife Management Area

(a) Open season:

1. Archery – ~~September 30 – October 8 October 2-10~~.
2. Muzzleloading gun – October ~~27-29 29-31~~.
3. General gun – November ~~11-19 13-21~~.
4. Small game – November ~~24-26 26-28~~ and December ~~15-17 17-19~~.
5. Spring turkey – March ~~17-20 18-21~~ and ~~21-25 22-26~~.
6. through 7. No change.

(b) through (d) No change.

(25) Triple N Ranch Wildlife Management Area

(a) Open seasons:

1. Special-opportunity hog – October ~~14-15 16-17~~, ~~21-22 23-24~~, October ~~28-29 30-31~~ and November ~~4-5 6-7~~.
2. Special-opportunity deer – November ~~11-17~~.
3. ~~2.~~ Small game – November ~~25 13~~ through January ~~21 9~~.
4. ~~3.~~ Special-opportunity turkey – March ~~17-23 18-24~~, March ~~31 – April 6 April 1-7~~ and ~~14-20 15-21~~.
2. through 3. through 5. through 6. No change.

(b) Legal to take: Wild hogs during the special-opportunity wild hog hunts, with a daily bag of 2, no size limit. One antlered deer may be taken per special-opportunity deer hunt permit. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking antlered deer not having at least one antler with four or more points is prohibited. All legal small game and furbearers during the small game season. Turkey during the



special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit. Fish and frogs throughout the year.

(c) No change.

(d) General regulations:

1. Only tents, trailers or self-propelled camping vehicles may be used for camping.

2. Vehicles or horses may be used only on named and numbered roads. Horses are prohibited during periods when hunting is allowed except that hunters may hunt from horseback during the small game season.

3. through 6. No change.

7. Hogs, deer and turkeys must be checked at the hunt headquarters prior to being dismembered and taken from the area.

8. Public access to the area is prohibited during the period from 8 p.m. to 5 a.m., unless camping at designated camping areas during hunts. A special-opportunity hunt permit shall be required for every person entering the area during special-opportunity hunts.

(26) Homosassa Wildlife Management Area

(a) Open season:

1. General gun hog – September 7-10 ~~9-12~~ and 14-17 ~~16-19~~.

2. Small game – November 11 ~~13~~ through December 3 ~~5~~ and December 23 ~~25~~ through January 7 ~~9~~.

3. Special-opportunity spring turkey – March 17-23 ~~18-24~~ and March 31 through April 6 ~~April 1-7~~.

4. No change.

(b) through (d) No change.

(27) Etoniah Creek Wildlife Management Area

(a) Open season:

1. Archery – September 23 ~~25~~ through October 8 ~~10~~.

2. Muzzleloading gun – October 27-29 ~~29-31~~.

3. General gun – November 11-19 ~~13-21~~.

4. Small Game – Thanksgiving Day through the first weekend in January. ~~December 4-19 and January 22 through February 13.~~

5. Spring turkey – March 17-19 ~~18-20~~, 23-25 ~~24-26~~, March 30 ~~31~~ through April 1 ~~2~~.

6. No change.

(b) No change.

(c) Camping: Authorized only by permit from the Division of Forestry. ~~Prohibited.~~

(d) General regulations:

1. through 3. No change.

4. During periods when the area is closed to hunting, public access other than on foot (pedestrian), horseback (equestrian), or bicycle is prohibited. Horses are prohibited during periods when the area is open to hunting, except during the small game season.

5. No change.

6. ~~Public access to the area is prohibited during the period from 8:00 pm to 5:00 am.~~

(28) Little Big Econlockhatchee Wildlife Management Area – Kilbee Unit

(a) Open season:

1. Archery – October 6-8 ~~8-10~~ and 13-15 ~~15-17~~.

2. Muzzleloading gun – November 3-5 ~~5-7~~.

3. General gun – November 17-19 ~~19-21~~.

4. Small game – December 9-24 ~~11-26~~ (Saturdays and Sundays only).

5. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Antlerless deer may be taken by permit only during the muzzleloading gun and general gun seasons. No size or bag limit on wild hogs.

(c) through (d) No change.

(29) Lake Panasoffkee Wildlife Management Area

(a) Open season:

1. Special-opportunity turkey – March 22-25 ~~23 through March 26~~, and April 3-6 ~~4 through April 7~~, and April 19-22 ~~20-23~~.

2. Special-opportunity archery – September 28 ~~30 through October 1 ~~3~~, October 5-8 ~~7-10~~ and 17-20 ~~19-22~~, November 2-5 ~~4-7~~ and 14-17 ~~16-19~~, November 30 – December 3 ~~December 2-5~~ and 12-15 ~~14-17~~, and January 4-7 ~~6-9~~.~~

3. Special-opportunity hog-still – February 2-4 ~~4-6~~.

4. Special-opportunity hog-dog – February 14-16 ~~16-18~~.

5. Small game – January 19-21 ~~21-23~~ and 26-28 ~~28-30~~.

6. through 7. No change.

(b) Legal to take: All legal game and wild hogs. Turkeys may be taken only during the special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit. One antlered deer may be taken per special-opportunity deer hunt permit. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Only hogs may be taken during the special-opportunity hog-still and special-opportunity hog-dog seasons. No bag Bag limit on wild hogs, two per permit. Fish and frogs throughout the year.

(c) No change.

(d) General regulations:

1. through 9. No change.

10. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season, is prohibited except that dogs may be used during the special-opportunity hog-dog season. During the special-opportunity hog-dog season, no more than 3 dogs per special-opportunity permit shall be allowed.

11. During the special-opportunity hog-dog season, a permit shall be required for each group of two hunters, and only one gun may be possessed per permit.

(30) Potts Wildlife Management Area

(a) Open season:

1. Spring turkey – March ~~17-18~~ through ~~20-21~~ and March ~~21-22~~ through ~~25-26~~.
2. Archery – September ~~23-25~~ through October ~~1-3~~.
3. Muzzleloading gun – October ~~27-29~~ ~~29-31~~.
4. General gun hog-dog – November ~~17-19~~ ~~19-21~~.
5. Small game – December ~~2-10~~ ~~4-12~~.
6. No change.

(b) Legal to take: All legal game, wild hogs, fish, and frogs. The bag limit for turkey shall be one gobbler (or bearded turkey) per spring turkey quota hunt permit. No size or bag limit on wild hogs. Only wild hogs may be taken during the general gun hog-dog hunt.

(c) No change.

(d) General regulations:

1. through 7. No change.

8. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season, is prohibited except that dogs may be used during the general gun hog-dog season. During the general gun hog-dog season, no more than 3 dogs per quota permit shall be allowed.

9. During the general gun hog-dog season, a permit shall be required for each group of two hunters, and only one gun may be possessed per permit.

(31) Ross Prairie Wildlife Management Area

(a) Open Season:

1. Supervised small game – October ~~14-20~~ ~~16-22~~, November ~~18-24~~ ~~20-26~~, December ~~16-22~~ ~~18-24~~ and January ~~13-19~~ ~~15-21~~.

(b) through (d) No change.

(32) Buck Lake Wildlife Management Area

(a) Open season:

1. Archery – September 23 – October 1 and October 2-8.
2. Muzzleloading Gun – October 27- 29.
3. General Gun – November 11-14 and November 15-19.
4. Small Game – December 2-17.
5. ~~4.~~ Spring turkey – March ~~17-20~~ ~~18-21~~ and ~~21-25~~ ~~22-26~~.
6. Fishing and frogging – Permitted throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat, mink and otter). A limit of one antlerless and one antlered deer per person per hunt is established. Antlerless deer may be taken by permit only during muzzleloading gun and general gun season. No size or bag limit on wild hogs. Turkeys, fish and frogs. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit.

(c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs may be used during the small game season.

2. through 4. No change.

5. No deer, wild hog or turkey shall be dismembered until checked at check station.

6. No change.

(33) This rule shall take effect July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 375.313 FS. History—New 6-21-82, Amended 6-29-82, 7-1-83, 7-5-84, 10-1-84, 7-1-85, 5-7-86, 5-10-87, 5-1-88, 7-1-89, 12-19-89, 7-1-90, 7-1-91, 7-2-91, 7-2-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 7-1-99, Formerly 39-15.065, Amended 12-20-99, ~~7-1-00~~.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and wildlife**

RULE TITLE: General Regulations Relating to Type II

RULE NO.:

Wildlife Management Areas 68A-16.004

PURPOSE AND EFFECT: The purpose of the proposed change is to provide rule authority for issuance of permits to authorize raccoon hunting and to specify methods of take and check station requirements for taking alligators on Type II Wildlife Management Areas (WMAs). The effect of the proposed changes would be to increase opportunities for raccoon hunting on WMAs, provide consistency with the proposed elimination of Rule 68A-25.047, FAC. and increase the specificity and clarity of the rules.

SUMMARY: Proposed changes would establish a permit for raccoon hunting with dogs on Type II WMAs during otherwise closed seasons and at times and places designated in the permit. The raccoon hunting permit would be issued to sanctioned raccoon hunting organizations by the Executive Director or a designee. The proposed rule would stipulate that permits may be issued only in areas where raccoon hunting will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions and when raccoon hunting will not be in conflict with other user groups.

Proposed changes would specify that guns and bait may be possessed and used for taking alligators by alligator hunt participants as specified in Rules 68A-25.042 or 68A-25.032, FAC., whichever is applicable and persons taking alligators

pursuant to those rules on Type II WMAs would not be required to check in and out at a check station or check any alligators taken.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** It is estimated that the proposed action will cost the agency approximately \$165 for administrative preparation and \$115 for advertising. No other significant economic impacts are expected.

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:** Art. IV, Sec. 9, Fla. Const.

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Fla. Const.

**A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:**

**TIMES AND DATES:** 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

**PLACE:** Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS:** Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-16.004 General Regulations Relating to Type II Wildlife Management Areas.

(1) through (3) No change.

(4) Dogs:

(a) No change.

(b) No person shall possess any dog on a wildlife management area during any hunting season in which the use of dogs is prohibited on such area provided that pet dogs under restraint may be possessed. The Executive Director or designee may issue permits to raccoon hunting organizations that are sanctioned by the United Kennel Club, American Kennel Club, Professional Kennel Club, or similar sanctioning entity to allow raccoon hunting during otherwise closed seasons and at times and places designated in the permit. Permits may be issued only in areas where this activity will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions, and when not in conflict with other user groups.

(c) No change.

(5) through (9) No change.

(10) Notwithstanding any other provision in Chapter 16, F.A.C., herein, the harvest of alligators, their eggs or hatchlings may be conducted on Type II wildlife management areas in accordance with Commission order(s) and Rules

68A-25.031, 68A-25.032 and 68A-25.042, F.A.C. Guns and bait may be possessed and used for taking alligators by alligator hunt participants as specified in Rules 68A-25.042 or 68A-25.032, F.A.C., whichever is applicable, and persons taking alligators pursuant to those rules on Type II wildlife management areas shall not be required to check in and out at a check station or check any alligators taken. A private landowner making his lands available for use in the Type II wildlife management area system may participate in an alligator management program on such lands in accordance with Rule 68A-25.032, F.A.C.

(11) through (12) No change.

(13) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 8-4-81, 7-29-82, 9-27-83, 7-1-85, Formerly 39-16.04, Amended 8-18-88, 4-4-91, 9-15-94, 8-15-95, 7-1-98, 12-28-98, Formerly 39-16.004, Amended 7-1-00.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Mr. Timothy A. Breault

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Dr. Allan L. Egbert

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** January 13, 2000

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 3, 1998

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

**RULE TITLE:** Specific Regulations on Type II Wildlife Management Areas

**RULE NO.:**

68A-16.005

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to adjust hunting season dates on all Type II Wildlife Management Areas (WMAs) to conform with proposed 2000-2001 hunting season dates for the appropriate hunting zones and to make needed changes in other regulations to allow the agency to more efficiently manage fish and wildlife resources and public use on Type II WMAs.

**SUMMARY:** Proposed rule changes would adjust all applicable hunting season dates and other references to such dates on Type II WMAs to conform with 2000-2001 hunting season dates for the appropriate hunting zones.

Changes also would establish or revise specific area regulations on WMAs as follows:

Eglin Air Force Base – the authority to create open seasons in special archery areas and Unit 3 by order of the Air Base Commander would be deleted; motorized vehicles would be prohibited in Unit 17 except during hunts; wild hogs would no longer be established as a game mammal; small game season would be shifted from January 17 – February 17 to January 1-19 except in Unit 6 and the area north of Range Road 211, west of State Road 85 and east of State Road 87.

Lower Escambia – an additional general gun season (November 23-26) would be established.

Upper St. Johns River Marsh – public access on Levee 74 North would be allowed only at designated entrances.

Ralph E. Simmons Memorial – the archery season would end 7 days earlier (October 1); the spring turkey season dates would be revised to key on zonal season dates (first 3 days of the Central Zone season and the Friday, Saturday and Sunday of the third and fifth weekends of the Central Zone season); vehicular access provisions would be revised to permit vehicles on all hunt days, plus the weekend and day before all hunts, except spring turkey season when vehicles would be permitted only on hunt days and the day before each hunt; and the hunting zones for spring turkey hunts would be eliminated.

Bayard – the spring turkey season dates would be revised to key on zonal season dates (first 3 days of the Central Zone season and the Friday, Saturday and Sunday of the third and fifth weekends of the Central Zone season); vehicular access provisions would be revised to permit vehicles on all hunt days, plus the weekend and day before all hunts, except spring turkey season when vehicles would be permitted only on hunt days and the day before each hunt; and the hunting zones for spring turkey hunts would be eliminated.

Dunns Creek – vehicular access provisions would be revised to permit vehicles on all hunt days, plus the weekend and day before all hunts, except spring turkey season when vehicles would be permitted only on hunt days and the day before each hunt.

Econfina Creek – taking of wildlife by use of a gun on or from rights-of-way of Strickland Road, Porter Pond Road, Duma Jack/Deadening Road, Econfina Road, Greenhead Road and Hampshire Boulevard would be prohibited.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$265 for administrative preparation and \$250 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 9:00 a.m., each day, March 29-31, 2000

PLACE: Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-16.005 Specific Regulations on Type II Wildlife Management Areas.

(1) Eglin Air Force Base – Santa Rosa, Okaloosa and Walton counties

(a) Area regulations:

1. through 10. No change.

11. Motorized vehicles are prohibited in Units ~~3, 4, 5, 8, 9, and 11~~ and 17 and 18 in Units 1, 2, 3, 7 and 16 except during designated hunts.

12. through 13. No change.

(b) Archery hunts

1. Open season

~~a. October 14-16 through November 12-14 in all open, stalk and archery-only areas.~~

~~b. November 25-28 and December 11 through January 16 in special archery areas and in Unit 3 as authorized by the Air Base Wing Commander.~~

2. Legal to take – Antlered deer, antlerless deer before November ~~13-15~~ only, ~~wild hog~~, gray squirrel and rabbit. Furbearers after November 30 only. ~~No size or bag limit on wild hog.~~

(c) Muzzleloading gun

1. Open season – November ~~17-19-21~~.

2. Legal to take – Antlered deer, ~~wild hogs~~, gray squirrels and rabbits. ~~No size or bag limit on wild hog.~~

(d) Mobility-impaired general gun

1. Open season – February ~~3-5-4-6~~.

2. Legal to take – All legal game, and antlerless deer ~~and wild hogs~~. ~~No size or bag limit on wild hog.~~

3. No change.

(e) General gun hunts

1. Open season – November ~~23-25-26-28~~ December ~~9-31~~ ~~January-2~~ and January ~~20-22~~ through February ~~4-6~~, in all Units except Units 6 and 16; November ~~23-25-26-28~~ and December ~~9-11~~ through December 31 ~~January-2~~ in Units 6 and 16; and at other times and in areas designated by the Air Base Wing Commander.

2. Legal to take – All legal game, ~~wild hogs~~ and furbearers. Furbearers may be taken after November 30. Antlerless deer may be taken by permit only. ~~No size or bag limit on wild hog.~~

3. No change.

(f) Small game hunt

1. Open season – January ~~1-19-17~~ through February ~~17~~ in all Units except Unit 6 and the area north of Range Road 211, west of State Road 85 and east of State Road 87. November ~~11-13~~ through February ~~15-17~~ only in Unit 6 and the area north of Range Road 211, west of State Road 85 and east of State Road 87.

2. No change.

3. General regulations – Bird dogs may be used to hunt quail in both the dog and still hunt areas. Dogs may be used to take rabbits in Unit 10 from January ~~15~~ ~~17~~ through February ~~15~~ ~~17~~.

(g) Archery and muzzleloading gun

1. Open season – February ~~9~~ ~~11-12~~ ~~14~~ and ~~16~~ ~~18-18~~ ~~20~~ except in Units 6 and 16.

2. Legal to take – Antlered deer, ~~wild hogs~~, gray squirrel, quail, rabbit and furbearers. ~~No size or bag limit on wild hog.~~

3. No change.

(h) No change.

(i) Spring turkey season

1. Open season – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

2. No change.

(j) Special hunt

1. Open Season – February ~~10~~ ~~12-11~~ ~~13~~.

2. No change.

(k) Trapping

1. Open season – December ~~9~~ ~~11~~ through March 1.

2. No change.

(l) through (n) No change.

(2) Lower Escambia – Escambia and Santa Rosa counties

(a) Open season

1. General gun – ~~November 23-26 and December 9~~ ~~11~~ ~~13~~ through January ~~3~~ ~~5~~ except Parker and Morgan Islands (~~November 23-26 and December 9-31~~) (~~December 11-31~~).

2. Small game – November ~~11~~ ~~13~~ through December ~~8~~ ~~10~~, and January ~~4~~ ~~6~~ through March ~~4~~ ~~5~~ except Parker and Morgan Islands (November ~~11~~ ~~13-16~~ ~~18~~, November ~~20~~ ~~22~~ through December ~~8~~ ~~10~~ and February 1 through March ~~4~~ ~~5~~).

3. No change.

4. Muzzleloading gun – November ~~17~~ ~~19-19~~ ~~21~~.

5. Archery – October ~~14~~ ~~16~~ through November ~~12~~ ~~14~~.

6. Archery and muzzleloading gun – February ~~15~~ ~~17-25~~ ~~27~~ except on Parker and Morgan Islands January 1-31 and February ~~15~~ ~~17-25~~ ~~27~~).

7. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

8. through 10. No change.

(b) No change.

(c) General regulations

1. through 4. No change.

5. Hunting with dogs other than bird dogs is prohibited during daylight hours November ~~11-22~~ ~~13~~, November ~~27~~ through December ~~8~~ ~~10~~ and January ~~4~~ ~~6~~ through March ~~4~~ ~~5~~; also, ~~November 23-26 and December 9~~ ~~11~~ ~~13~~ through January ~~3~~ ~~5~~ in that portion of the area north of State Road 184 Mineral Springs Road in Santa Rosa County and Bogia Road in Escambia County.

6. through 9. No change.

(3) Upper St. Johns River Marsh – Indian River, Brevard, and Osceola counties

(a) Open season

1. Archery – September ~~23~~ ~~25~~ through October ~~22~~ ~~24~~.

2. Muzzleloading gun – October ~~28~~ ~~30~~ through November ~~5~~ ~~7~~.

3. General gun – November ~~11~~ ~~13~~ through January ~~21~~ ~~23~~.

4. Small game – January ~~22~~ ~~24~~ through March ~~4~~ ~~5~~.

5. Spring turkey – March ~~17~~ ~~18~~ through April ~~22~~ ~~23~~.

6. through 9. No change.

(b) Legal to take

All legal game, furbearers, fish and frogs. Antlerless deer may be taken during the archery season and the period November ~~12-13~~ ~~14-15~~. Turkeys of either sex may be taken during the archery and muzzleloading gun seasons. The period of November ~~5~~ ~~7~~ through January ~~1~~ ~~3~~ is open for bearded turkeys only. No bag or size limits on wild hogs. Wild hogs may be taken during the archery, muzzleloading gun, general gun and small game seasons.

(c) General regulations

1. through 18. No change.

19. Public access on Levee 74 North is allowed only at designated entrances.

(4) Tyndall Air Force Base – Bay County

(a) Archery season

1. Hunting – October ~~14~~ ~~16~~ through October ~~22~~ ~~24~~ daily and October ~~23~~ ~~25~~ through November ~~12~~ ~~14~~ on Wednesdays, Saturdays, Sundays and Federal holidays only.

2. No change.

(b) Special Hunt Unit

1. General gun – December ~~16~~ ~~18-17~~ ~~19~~, December 30-31 ~~January 1-2~~ and January ~~27~~ ~~29-28~~ ~~30~~.

2. through 3. No change.

(c) General gun season

1. Hunting – November ~~23~~ ~~25-26~~ ~~28~~ and December ~~9~~ ~~11~~ through February ~~14~~ ~~16~~ on Saturdays, Sundays, Wednesdays, federal holidays from November ~~23~~ ~~25~~ through February ~~14~~ ~~16~~, and daily from December ~~16~~ ~~18~~ through December 31 ~~January 2~~, except Christmas Day. Hunt days are subject to change by order of the Wing Commander.

2. No change.

(d) Special hunt

1. Hunting – November ~~18~~ ~~20-19~~ ~~21~~, 24 ~~26-25~~ ~~27~~, and December ~~9~~ ~~11-10~~ ~~12~~.

2. No change.

(e) No change.

(f) Spring turkey season

1. Hunting – March ~~17~~ ~~18-18~~ ~~19~~, 24 ~~25-25~~ ~~26~~, 31 ~~through~~ April 1-2, 7 ~~8-8~~ ~~9~~, 14 ~~15-15~~ ~~16~~, and 21 ~~22-22~~ ~~23~~ west of DeJarnette Drive.

2. through 3. No change.

(g) through (h) No change.

(5) No change.

(6) Upper Chipola River – Jackson County

(a) Open season

1. General gun – November ~~23 25-26 28~~ and December ~~9 11~~ through January 1.

2. Archery – October ~~14 16~~ through November ~~12 14~~.

3. Muzzleloading gun – November ~~17 19-19 21~~.

4. Small game – November ~~11 13-22 24~~, November ~~27 29~~ through December ~~8 10~~, and January ~~2 4~~ through March ~~4 5~~.

5. Archery and muzzleloading gun – February ~~17 19-18 20~~ and February ~~24 26-25 27~~.

6. Spring turkey – March ~~17 18~~ through April ~~22 23~~.

7. through 11. No change.

(b) through (c) No change.

(7) Apalachicola River – Gulf and Liberty Counties

(a) Open season

1. General gun – November ~~23 25-26 28~~ and December ~~9 11~~ through February ~~14 16~~.

2. Archery – October ~~14 16~~ through November ~~12 14~~.

3. Muzzleloading gun – November ~~17 19-19 21~~.

4. Small game – November ~~11 13-22 24~~, November ~~27 29~~ through December ~~8 10~~, and February ~~15 17~~ through March ~~4 5~~.

5. Archery and muzzleloading gun – February ~~15 17-25 27~~.

6. Spring turkey – March ~~17 18~~ through April ~~22 23~~.

7. through 11. No change.

(b) Legal to take

All legal game, fish, frogs and furbearers. Antlerless deer may be taken only during the archery season. During the general gun season, bearded turkeys or gobblers may be taken only during the period of November ~~23 25-26 28~~ and December ~~9 11-20 22~~.

(c) No change.

(8) Choctawhatchee River – Bay, Walton, Washington and Holmes Counties

(a) Open season

1. General gun – November ~~23 25-26 28~~ and December ~~9 11~~ through February ~~14 16~~ except Holmes Creek Unit and East River Island.

2. Archery – October ~~14 16~~ through November ~~12 14~~.

3. Muzzleloading gun – November ~~17 19-19 21~~.

4. Small game – November ~~11 13-22 24~~, November ~~27 29~~ through December ~~8 10~~, and February ~~15 17~~ through March ~~4 5~~.

5. Archery and muzzleloading gun – February ~~15 17-25 27~~. Holmes Creek Unit and East River Island November ~~23 25-26 28~~ and December ~~9 11~~ through February ~~25 27~~.

6. Spring turkey – March ~~17 18~~ through April ~~22 23~~ only in that portion of the area south of the pipeline right-of-way located up river (north) of Cedar Log Landing (Walton County) and Douglas Ferry Landing (Washington County).

7. through 11. No change.

(b) Legal to take

All legal game (except turkeys shall not be taken in that portion of the area north of the pipeline right-of-way), fish, frogs and furbearers. During the general gun season, bearded turkeys or gobblers may be taken only in the portion of the area south of the pipeline right-of-way during the period of November ~~23 25-26 28~~ and December ~~9 11-20 22~~.

(c) No change.

(9) Little River – Suwannee County

(a) Open season

1. Archery – September ~~23-25 25-27~~; September 30 through October 2-4 and October 7-9-11.

2. Muzzleloading gun – October ~~27-29-31~~.

3. Small game – December ~~2-6 4-8~~ and December ~~23-27 25-29~~.

4. through 7. No change.

(b) through (c) No change.

(10) Middle Aucilla – Madison, Taylor and Jefferson Counties

(a) Open season

1. General gun – November ~~11 13~~ through January ~~7 9~~.

2. Small game – January ~~8 10~~ through March ~~4 5~~.

3. Archery – September ~~23 25~~ through October ~~22 24~~.

4. Muzzleloading gun – October ~~28 30~~ through November ~~5 7~~.

5. Spring turkey – March ~~17 18~~ through April ~~22 23~~.

6. through 9. No change.

(b) through (c) No change.

(11) Troy Springs – Lafayette County

(a) Open season

1. Small game – November ~~11 13~~ through January ~~7 9~~ except on Sundays and only in that portion of the area known as the Adams Tract located northeast of U.S. 27, east and south of County Road 251 and southwest of the Suwannee River.

2. through 4. No change.

(b) through (c) No change.

(12) Ralph E. Simmons Memorial – Nassau County

(a) Open season

1. General gun – November ~~18-26 20-28~~.

2. Archery – September ~~23 25~~ through October ~~1 10~~.

3. Muzzleloading gun – October ~~28 30~~ through November ~~5 7~~.

4. General gun for mobility impaired – October ~~14-17 16-19~~.

5. Small game – December ~~18 20~~ through December 31 ~~January 2~~ and February ~~3-11 5-13~~.

6. through 7. No change.

8. Spring turkey – The first three days of the Central Zone season, and the Friday, Saturday and Sunday of the third and fifth weekends of the Central Zone season, March 24-26, April 7-9 and April 21-23.

9. No change.

(b) No change.

(c) General regulations

1. through 3. No change.

4. Vehicular access is permitted on all hunt days, plus the weekend and day before all hunts, except spring turkey season when it shall be permitted only on hunt days and the day before each hunt the Saturday, Sunday and the day before each hunt period and during all hunt seasons. The use of tracked vehicles, motorcycles or all-terrain vehicles is prohibited.

5. through 10. No change.

(13) No change.

(14) Bayard – Clay County

(a) Open season:

1. Archery – September 23-25 through October 8-10 and November 18-26-20 through November 28.

2. Muzzleloading Gun – October 28-30 through November 5-7.

3. Spring turkey – The first three days of the Central Zone season, and the Friday, Saturday and Sunday of the third and fifth weekends of the Central Zone season, March 24-26; April 7-9, and April 21-23.

4. through 6. No change.

(b) No change.

(c) General regulations

1. through 8. No change.

9. Vehicular access ~~to the area~~ is permitted on all hunt days, plus the weekend and the day before all hunts, except spring turkey season when it shall be permitted only on hunt days and the day before each hunt Saturday, Sunday and the day before each hunt and during hunt periods.

10. through 14. No change.

(15) Dunns Creek – Putnam County

(a) Open season:

1. Archery – September 23-25 through October 8-10 and November 18-26-20-28.

2. Muzzleloading gun – October 28-30 through November 5-7.

3. Spring turkey – March 17-19-24-27; ~~March April 30~~ through April 1-7-9, and April 13-15-21-23.

4. through 6. No change.

(b) No change.

(c) General regulations:

1. through 8. No change.

9. Vehicular access is permitted on all hunt days, plus the weekend and day before all hunts, except spring turkey when it shall be permitted only on hunt days and the day before each hunt to the area is restricted to Saturday, Sunday and the day prior to each hunt and during the hunt periods.

10. through 13. No change.

(16) Upper Choctawhatchee River – Holmes County

(a) Open season:

1. Archery – October 14-16 through November 12-14.

2. Muzzleloading gun – November 17-19-19-21.

3. General gun – November 23-25-26-28 and December 9-11 through February 14-16.

4. Small game – November 11-13-16-18; 20-22-22-24; November 27-29 through December 8-10 and February 26-28 through March 4-5.

5. Archery and muzzleloading gun – February 15-17-25-27.

6. through 9. No change.

(b) through (c) No change.

(17) Yellow River – Santa Rosa County

(a) Open season:

1. Archery – October 14-16 through November 12-14.

2. Muzzleloading gun – November 17-19-19-21.

3. General gun – November 23-25-26-28 and December 9-11 through February 14-16.

4. Small game – November 11-13-16-18; 20-22-22-24, November 27-29 through December 8-10 and February 26-28 through March 4-5.

5. Archery and muzzleloading gun – February 15-17-25-27.

6. Spring turkey – March 17-18 through April 22-23.

7. through 10. No change.

(b) through (c) No change.

(18) Econfina Creek – Bay and Washington counties

(a) Open Seasons except in the mobility-impaired hunt area.

1. Archery – October 14-16 through November 12-14.

2. Muzzleloading gun – November 17-19-19-21.

3. General gun – November 23-25-26-28 and December 9-11 through January 31 February 2.

4. Archery and muzzleloading gun – February 15-17-25-27.

5. Small game – November 11-13 through March 4-5.

6. Spring turkey – March 17-18 through April 22-23.

7. Raccoon – November 11-13 through March 16-17 and April 23-24 through July 31.

8. through 10. No change.

(b) Open Seasons – mobility-impaired hunt area south of S.R. 20 and east of Enfinger Road.

1. General gun – November ~~24 26-26 28~~, January ~~12 14-14 16~~, January ~~19 21-21 23~~, January ~~26 28-28 30~~ and January 31 through February 2-4.

2. Spring turkey – March ~~17 18-18 19~~, ~~23 24-25 26~~, March ~~30 31~~ through April ~~1 2, 6 7-8 9 13 14-15 16~~ and ~~20 21-22 23~~.

3. No change.

(c) through (e) No change.

(e) General regulations:

1. through 5. No change.

6. Taking of wildlife by use of a gun on or from rights-of-way of Strickland Road, Porter Pond Road, Duma Jack/Deadening Road, Econfina Road, Greenhead Road, Hampshire Boulevard, S.R. 20 or C.R. 388 is prohibited.

(19) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 12-3-79, 7-13-80, 8-4-81, 10-15-81, 11-17-81, 8-29-82, 7-27-83, 9-27-83, 8-13-84, 8-21-85, 9-23-85, Formerly 39-16.05, Amended 8-5-86, 8-13-87, 8-18-88, 8-17-89, 8-21-90, 8-22-91, 8-23-92, 9-2-93, 9-15-94, 8-15-95, 9-15-96, 8-7-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-16.005, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: General Regulations Relating to Wildlife and Environmental Areas

RULE NO.: 68A-17.004

PURPOSE AND EFFECT: The purpose of the proposed changes are to restrict take of saw palmetto berries; to delete references to special-opportunity alligator hunts to provide consistency with the proposed elimination of Rule 68A-25.047, FAC. and the establishment of special-opportunity hunt areas as alligator harvest management units under Rule 68A-25.042, FAC.; and to specify methods of take and check station requirements for taking alligators on Wildlife and Environmental Areas (WEAs). The effect of the proposed changes would be to provide consistency with the proposed elimination of Rule 68A-25.047, FAC., protect saw palmetto berries from unrestricted harvest and increase the specificity and clarity of the rules.

SUMMARY: The proposed rule would prohibit possession or removal of saw palmetto berries from any WEA where the Commission is the land owner or lead managing agency without written permission. Proposed changes would delete

references to special-opportunity alligator hunts and specify that guns and bait may be possessed and used for taking alligators by alligator hunt participants as specified in Rules 68A-25.042 or 68A-25.032, FAC., whichever is applicable and persons taking alligators pursuant to those rules on WEAs would not be required to check in and out at a check station or check any alligators taken.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$165 for administrative preparation and \$105 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) through (3) No change.

(4) Legal to Hunt: Legal game shall be only those game species identified in specific area regulations.

(a) Notwithstanding provisions in Rule 68A-13.004, F.A.C., turkeys of either sex may be taken as provided by specific area regulation ~~and on Apalachicola Wildlife and Environmental Area during the archery season and muzzleloading gun seasons.~~

(b) No change.

(5) through (11) No change.

(12) Plants:

(a) No person shall cut or destroy any tree on, or remove any tree, shrub, or protected plant (as designated in s. 581.185, F.S.) from any wildlife and environmental area unless authorized by the landowner or the Commission. Planting of trees, shrubs or other vegetation is prohibited unless authorized by the landowner or the Commission.



(b) No person shall possess or remove saw palmetto berries from any wildlife and environmental area where the Commission is the landowner or lead managing agency without written permission.

(13) No change.

(14) Alligators: Notwithstanding any other provision in Chapter 17, F.A.C., herein, the harvest of alligators, their eggs or hatchlings may be conducted on wildlife and environmental areas in accordance with Commission order(s) and Rules 68A-25.031, 68A-25.032, and 68A-25.042, and ~~68A-25.047~~, F.A.C. Guns and bait may be possessed and used for taking alligators by ~~special opportunity~~ alligator hunt participants as specified in Rules 68A-25.042~~7~~ or 68A-25.032, F.A.C., whichever is applicable, and persons taking alligators pursuant to those rules on wildlife and environmental areas shall not be required to check in and out at a check station or check any alligators taken.

(15) through (17) No change.

(18) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.57 FS. History—New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: RULE NO.:

Specific Regulations for Wildlife and Environmental Areas 68A-17.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adjust hunting season dates on all Wildlife and Environmental Areas (WEAs) to conform with proposed 2000-2001 hunting season dates for the appropriate hunting zones, to delete rule provisions that are redundant with general regulations for WEAs established under rule 17.004, FAC. and to make needed changes in other regulations to allow the agency to more efficiently manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule would adjust all applicable hunting season dates and other references to such dates on WEAs to conform with 2000-2001 hunting season dates for the appropriate hunting zones and delete specific rule provisions that are redundant with general regulations for WEAs established under rule 17.004, FAC.

Changes also would establish or revise specific area regulations on WMAs as follows:

John G. and Susan H. Dupuis Jr. WEA – the bag limit for deer would be one per quota permit;

Apalachicola River WEA – the use of possession of dogs would be prohibited during spring turkey season; L. Kirk Edwards WEA – an open season for gray squirrel and migratory game birds would be established consistent with the appropriate statewide seasons.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$215 for administrative preparation and \$235 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.005 Specific Regulations for Wildlife and Environmental Areas.

- (1) No change.
- (2) Little Gator Creek – Pasco County
  - ~~(a) Hunting or the possession of guns is prohibited.~~
  - ~~(a)(b)~~ The designated wood stork rookery area is closed to public access.
  - ~~(c) Fires are prohibited.~~
  - (d) through (g) renumbered (b) through (e) No change.
- (3) Santa Fe Swamp – Bradford County
  - (a) Open season (hunting prohibited at other times):
    1. Archery – September ~~23 25~~ through October ~~22 24~~.
    2. Muzzleloading gun – October ~~27-29-31~~.
    3. Archery and muzzleloading gun – November ~~11 13~~ through January ~~7 9~~.
    4. Spring turkey – March ~~17 18~~ through April ~~22 23~~.
    5. No change.
  - (b) No change.

(c) General regulations:

1. through 4. No change.

~~5. The possession or use of guns is prohibited except during periods when hunting is allowed.~~

~~6. Fires are prohibited.~~

~~7. Driving nails or spikes into or cutting or removing trees or plants is prohibited.~~

~~8. Camping is prohibited.~~

~~5.9.~~ No change.

(4) Southern Glades – Dade County

(a) Open seasons:

1. Archery – September ~~2~~ ~~11~~ through October ~~8~~ ~~10~~.

2. Muzzleloading gun – October ~~13-15~~ ~~15-17~~.

3. General gun – October ~~28~~ ~~30~~ through December ~~3~~ ~~5~~.

4. through 5. No change.

6. Frogging – December ~~1~~ ~~6~~ through March ~~1~~ ~~4~~.

(b) No change.

(c) General regulations:

~~1. Driving a metal object into any tree or hunting from a tree in which a metal object has been driven is prohibited.~~

~~2. Fires are prohibited.~~

~~3. No persons shall bring building materials, onto the area or erect permanent structures.~~

4. through 5. renumbered 1. through 2. No change.

~~6. The possession of firearms is prohibited during periods when the area is not open to hunting with firearms.~~

7. through 9. renumbered 3. through 5. No change.

~~10. Camping is prohibited.~~

(5) Chinsegut – Hernando County

(a) Hunting or possession of guns is prohibited:

~~(a)(b)~~ No change.

~~(c) The disturbance or removal of any manmade or natural materials is prohibited.~~

(d) through (e) renumbered (b) through (c) No change.

(6) John G. and Susan H. Dupuis Jr. – Palm Beach County

(a) Open season:

1. Archery – September ~~9-11~~ ~~11-13~~, ~~16-18~~ ~~18-20~~ and ~~22-24~~ ~~24-26~~.

2. Muzzleloading gun – October ~~7-9~~ ~~9-11~~, ~~14-16~~ ~~16-18~~ and ~~20-22~~ ~~22-24~~.

3. General gun – October ~~28-30~~ ~~30~~ through November ~~1~~ and November ~~4-6~~ ~~6-8~~.

4. General gun for mobility-impaired – November ~~11-12~~ ~~13-14~~.

5. General gun hog – November ~~14-16~~ ~~16-18~~, ~~21-23~~ ~~23-25~~, November ~~28-30~~ ~~30~~ through December ~~2~~ and December ~~5-7~~ ~~7-9~~. Wild hogs only. No bag or size limit.

6. Spring turkey – March ~~6-8~~ ~~7-9~~, ~~17-19~~ ~~18-20~~ and ~~24-26~~ ~~25-27~~.

7. Small game – December ~~2~~ ~~11~~ through January ~~28~~ ~~30~~.

8. through 10. No change.

(b) Legal to take:

1. Antlered deer with at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline. The forked antler shall have at least two points one inch or greater in length. Antlerless deer (except spotted fawns) may be taken during the archery season and by permit only during the muzzleloading gun, general gun and general gun mobility-impaired seasons. The bag limit for antlered deer shall be one per quota hunt permit. Wild hogs may be taken with no size or bag limit.

2. through 3. No change.

(c) No change.

(d) General regulations:

~~1. A wildlife management area stamp is required to hunt on this area.~~

~~2. Driving a metal object into any tree or hunting from a tree in which a metal object has been driven is prohibited.~~

3. through 4. renumbered 1. through 2. No change.

~~5. The release of wildlife on the area is prohibited.~~

6. through 7. renumbered 3. through 4. No change.

~~8. Public access is prohibited in areas posted as closed for the protection of endangered or threatened species.~~

~~5.9.~~ No change.

~~10. The possession of a gun is prohibited during any period in which hunting is not allowed.~~

~~6.11.~~ No change.

~~12. The possession of any firearm containing shells or cartridges, or any capped or primed muzzleloading gun is prohibited at the check station or designated campsite.~~

13. through 15. renumbered 7. through 9. No change.

~~10.16.~~ During the archery, muzzleloading gun, general gun, general gun for mobility impaired, spring turkey and general gun hog seasons hunters shall check in and out at the check station at Gate 3 and check all game taken. No deer, hog or turkey may be dismembered until checked at the check station. During the small game season, hunters shall enter and exit the area through Gate ~~1~~ ~~6~~.

~~11.17.~~ During the small game season and periods when the area is closed to hunting, vehicle access is through Gate ~~1~~ ~~6~~ and hiking access is through Gate 2 by foot only.

18. through 25. renumbered 12. through 19. No change.

(7) Apalachicola River – Gulf, Franklin and Liberty Counties

(a) Hunting shall be allowed only during the open seasons established for migratory birds in Rules 68A-13.003 and 68A-13.008, F.A.C., and during open seasons established for deer, turkey, quail, squirrel and wild hogs in Rule 68A-13.004, F.A.C., except for the following:

~~1.(4)~~ antlerless deer may only be taken during the archery season;

2. turkeys of either sex may only be taken during the archery and muzzleloading gun seasons;

~~3.(2)~~ general gun season shall open the fourth Thursday in November and close 3 days thereafter and reopen the second Saturday in December and close 53 days thereafter; and

~~4.(3)~~ during the first phase of dove seasons established by Rule 68A-13.008, F.A.C., doves may be taken in posted dove fields on Saturdays only.

(b) Furbearers may be taken in accordance with the provisions of Rule 68A-24.002, F.A.C., except the use or possession of dogs is prohibited during the spring turkey season.

(c) General regulations:

1. through 8. No change.

9. Fires, other than campfires, are prohibited.

(8) No change.

(9) Brannan Field Mitigation Park – Duval and Clay Counties

This Mitigation Park is established for the purpose of mitigating the impacts of land development on listed wildlife populations.

(a) No change.

~~(b) Fires are prohibited.~~

~~(c) Disturbance or removal of any trees or plants is prohibited.~~

(d) through (e) renumbered (b) through (c) No change.

(10) No change.

(11) Lake Placid – Highlands County

~~(a) Hunting or possession of firearms or guns is prohibited.~~

~~(b) Fires are prohibited.~~

~~(c) Disturbance or removal of any trees or plants is prohibited.~~

~~(a)(d)~~ The use of motorized vehicles is prohibited.

~~(e) Camping is prohibited.~~

~~(b)(f)~~ Horseback riding is allowed by permit only.

(12) CREW – Collier and Lee Counties

(a) Open season:

1. Archery hog hunt – September ~~9-17~~ ~~11-19~~, Corkscrew Marsh Unit only.

2. Muzzleloading gun hog hunt – October ~~14-22~~ ~~16-24~~, Corkscrew Marsh Unit only.

3. Trapping – Prohibited.

(b) through (c) No change.

(d) General regulations:

~~1. Constructing or erecting a permanent or semi permanent structure is prohibited.~~

2. through 4. renumbered 1. through 3. No change.

~~5. Unauthorized planting of trees, shrubs, or other vegetation is prohibited.~~

~~6. No person shall place, expose, or distribute any grain or other food for wildlife except as authorized by permit from the Executive Director. No person shall take wildlife on any land or water upon which grain or other food has been deposited.~~

~~7. No person shall release wildlife of any species on the area unless authorized by permit from the Executive Director.~~

~~8. Public access is prohibited in areas posted as "Restricted" for protection of threatened or endangered species or environmentally sensitive areas.~~

~~9. The possession or discharge of guns is prohibited except during hunting seasons.~~

~~4.10.~~ No change.

~~11. No motor vehicle shall be operated on any part of the area designated as closed to vehicular traffic or temporarily closed by administrative action and posting notice of such because of inclement weather, poor road conditions, construction or management activities or wildlife surveys.~~

~~12. No person shall park any vehicle in a manner which obstructs a road, gate, or firelane.~~

~~5.13.~~ The use of tracked vehicles, motorcycles, all-terrain vehicles or vessels, except canoes or kayaks, is prohibited.

~~6.14.~~ Vehicles may be operated only on named or numbered roads designated for vehicles.

~~7.15.~~ The use or possession of horses is restricted to designated equestrian trails.

~~8.16.~~ Persons may enter and exit the area only at designated access points and hunters must check in and out at the designated check station.

~~9.17.~~ Persons may not enter the Corkscrew Marsh Unit before sunrise and must exit the area before sunset.

(13) Hickey Creek Mitigation Park – Lee County  
This Mitigation Park is established for the purpose of mitigating the impacts of land development on listed wildlife populations.

(a) Hunting or possession of guns is prohibited.

(b) Unauthorized removal, cutting or possession of live or dead trees or plants is prohibited.

(c) Camping or campfires are prohibited.

(d) The possession of dogs, horses, or other pets or livestock is prohibited.

(e) Access is restricted to foot traffic only.

(f) The release of any wildlife on the area is prohibited.

(14) Platt Branch Mitigation Park – Highlands County

This Mitigation Park is established for the purpose of mitigating the impacts of land development on listed wildlife populations.

(a) Hunting or possession of guns is prohibited.

(b) Unauthorized removal, cutting or possession of live or dead trees or plants is prohibited.

(c) Camping or campfires are prohibited.

(d) The possession of dogs, horses, or other pets or livestock is prohibited.

- (e) Access is restricted to foot traffic only.
- (f) The release of any wildlife on the area is prohibited.
- (15) Lake Wales Ridge – Highlands County
- ~~(a) Hunting or possession of firearms or guns is prohibited.~~
- ~~(b) Fires are prohibited.~~
- ~~(c) Disturbance or removal of any trees or plants is prohibited.~~
- ~~(a)(d)~~ The use of motorized vehicles is prohibited.
- ~~(e) Camping is prohibited.~~
- ~~(b)(f)~~ Horseback riding is allowed by permit only.
- (16) Florida Keys – Monroe County
- (a) Hunting or possession of firearms or guns is prohibited.
- (b) Fishing – Permitted throughout the year.
- (c) Camping is prohibited.
- (d) General regulations:
  1. Fires are prohibited.
  2. Constructing or erecting a permanent or semi-permanent structure is prohibited.
  3. Dogs are prohibited, except that dogs not normally used for hunting and kept under restraint may be possessed. No person shall allow any dog to pursue or molest wildlife.
  4. Unauthorized disturbance, detachment, possession or removal of any plant or animal, dead or alive, is prohibited.
  5. Unauthorized planting of trees, shrubs, or other vegetation is prohibited.
  6. No person shall place, expose, or distribute any grain or other food for wildlife except as authorized by permit from the Executive Director.
  7. No person shall release wildlife or any species on the area.
  8. The disturbance or removal of any man-made, cultural or natural materials or features, or non-renewable resources is prohibited.
  9. Vehicles may be operated only on named or numbered roads.
  10. No person shall park any vehicle in a manner which obstructs a road, gate, or firelane.
  11. Public access is prohibited in areas posted as "Restricted" for protection of threatened or endangered species or environmentally sensitive areas.
  12. The use of tracked vehicles, motorcycles, all-terrain vehicles is prohibited.
  13. Vessels may be launched at designated ramps only.
- (17) Fort White Mitigation Park – Gilchrist County – This Mitigation Park is established for the purpose of mitigating the impacts of land development on listed wildlife populations.
  - (a) The possession of dogs, horses, or other pets or livestock is prohibited.

- (b) Access is restricted to foot traffic only.
- (18) Bullfrog Creek Mitigation Park – Hillsborough County
- This Mitigation Park is established for the purpose of mitigating the impacts of land development on listed wildlife populations.
  - (a) The possession of dogs, horses, or other pets or livestock is prohibited.
  - (b) Access is restricted to foot traffic only.
- (19) L. Kirk Edwards – Leon County
  - (a) Open season: Gray squirrel – during the open season for gray squirrel established in Rule 68A-13.004, F.A.C.
  - (b) Migratory game birds may be taken during seasons established in Rules 68A-13.003 and 68A-13.008, F.A.C.
- (20) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-1-83, Amended 11-30-83, 7-1-84, 8-21-85, Formerly 39-17.05, Amended 6-1-86, 8-13-87, 8-18-88, 8-17-89, 4-11-90, 7-1-91, 10-31-91, 4-14-92, 4-20-93, 7-1-94, 9-15-94, 3-30-95, 8-15-95, 7-1-96, 4-3-97, 10-28-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-17.005, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mr. Timothy A. Breault  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Specific Fish Management Area Regulations  
RULE NO.: 68A-20.005  
PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to make changes in numbers of fish management areas (FMA), regulations governing bag and length limits on freshwater fish taken in fish management areas and other technical changes to standardize wording and streamline provisions to allow the agency to more efficiently manage public use and provide quality and high-quality fisheries on FMAs. Proposed changes eliminate references to special-opportunity alligator hunts to provide consistency with the proposed elimination of Rule 68A-25.047, Florida Administrative Code (FAC.) and the establishment of special-opportunity hunt areas as alligator harvest management units under Rule 68A-25.042, FAC.  
SUMMARY: The proposed rule would established the following regulations

(a) Northwest Region FMAs: Hurricane Lake, Okaloosa County – increases the minimum black bass length at harvest from 12 inches total length to 18 inches total length. Karick Lake, Okaloosa County – makes black bass harvest catch and release only.

(b) Northeast Region FMAs: Lochloosa, Orange and Newnans lakes – makes technical changes for to ensure no daily bag limit for channel catfish applies to all three lakes; Suwannee Lake, Suwannee County – changes the black bass minimum length limit from 14 inches to 18 inches and implements a black crappie minimum length limit of 10 inches; Watertown Lake, Columbia County – establishes a 16-inch black bass minimum length limit, a 10-inch minimum length limit and 10 fish daily bag limit for black crappie and reduces the panfish daily bag limit from 50 to 20; Montgomery Lake, Columbia County – proposes a 10-inch minimum length limit on crappie, a black crappie daily bag limit of 10 and a daily panfish bag limit of 20; Lowbush Bay, Hamilton County – repeals provisions that establish the area as an FMA; Lang Lake, Hamilton County – changes the minimum black bass length at harvest from 16 inches to 18 inches and establishes a black crappie minimum length limit of 10 inches.

(c) Central Region FMAs: Establishes Pellicer Pond FMA in Flagler County. Proposed regulations are as provided in the general regulations for FMAs in Rule 68A-20.004, FAC. The proposed rule deletes Lake Beauty in Orange County, Lake Cherokee in Orange County and Lake Estelle in Orange County. The proposed rule repeals the black bass catch and release regulation and the 20 panfish daily bag limit on Clear Lake in Orange County. The proposed rule repeals the 20 fish daily panfish bag limit, the 10 fish daily bag limit for black crappie and the 10-inch minimum length limit for black crappie on Lake Lawne in Orange County. The proposed rule prohibits use of gasoline motors on boats except for special events sanctioned by the City of Orlando or the Commission on Turkey Lake in Orange County. The proposed rule establishes Bear Creek Park in Orange County. Proposed regulations are as follows: swimming, possession of firearms, possession of alcoholic beverages, or use or possession of cast nets are prohibited; the proposed daily aggregate panfish bag limit is 20. The proposed rule establishes Cane-Marsha Park in Orange County. Proposed regulations are as follows: swimming, possession of firearms, possession of alcoholic beverages, or use or possession of cast nets are prohibited; the bluegill daily bag limit is five fish and the minimum length at harvest is established at twelve inches; a catch and release regulation is proposed for black bass; the channel catfish daily bag limit is established at one fish and the minimum length at harvest is established at 30 inches. The proposed rule establishes Kirkman Pond in Orange County. Proposed regulations are as follows: swimming, possession of firearms, possession of alcoholic beverages, or use or possession of cast nets are prohibited; the bluegill daily bag limit is five fish and the bluegill minimum length at harvest is established at twelve

inches; a catch and release regulation is proposed for black bass. The proposed rule establishes Starke Lake in Orange County. Proposed regulations are as follows: use or possession of cast nets is prohibited; no daily bag limit for channel catfish.

(d) South Region FMAs: the black bass harvest length limit on Lake Istokpoga is changed from a 14-inch minimum length limit to a 15- to 24-inch slot-length limit (i.e., no black bass may be taken that is 15 inches or greater in total length and less than 24 inches in total length) and the black bass daily bag limit is reduced from five fish to three only one of which may be 24 inches in total length or longer. The proposed rule eliminates references to special-opportunity alligator hunts on Tenoroc and proposes technical changes, which standardize bag limit wording, streamline provisions that prohibit use of internal combustion engines on certain Tenoroc lakes and makes Tenoroc headquarters the checkpoint for entry and exit.

(e) Everglades Region FMAs: Lake Okeehchee in Palm Beach County – establishes an eight-inch minimum length at harvest on bluegill and redear sunfish. Northern most Tropical Park Lake in Dade County – changes the black bass minimum length at harvest from 16 inches to catch and release, establishes a panfish daily aggregate bag limit of 20 and proposes an eight-inch minimum length limit for harvest of bluegill or redear sunfish. Plantation Heritage Park Lake in Broward County – changes the black bass minimum length harvest limit from 16 inches to catch and release and establishes an eight-inch minimum length at harvest for bluegill or redear sunfish. Caloosa Park Lake in Palm Beach County – changes the black bass minimum length at harvest from 16 inches to catch and release and establishes an eight-inch minimum length at harvest for bluegill or redear sunfish.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Florida has an estimated 1.137 million freshwater anglers that may be likely to comply with proposed rule amendments. However numbers are considerably less for each specific fish management area. Agency costs for rule promulgation and administrative preparation are estimated at \$1,940. Other agency costs are estimated to total \$2,700 for items such as signs and pamphlets informing the public of the rule changes. A fishing license may be required for certain anglers fishing on newly established fish management areas. In addition, black bass tournament operators who ask for exemptions to proposed length limits for tournaments to be held on lakes with new length limit regulations will be required to apply for exemption permits. Proposed rule amendments are designed primarily to provide quality and high quality fisheries for the angling public to maintain or increase angler usage in fish management areas. As a result, proposed rule amendments should have a positive benefit on state and local revenues, small business and small counties and cities.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 1000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations.

(1) Northwest Region:

(a) through (c) No change.

(d) Hurricane Lake, Okaloosa County:

1. No person shall kill or possess any black bass less than 18 inches in total length.

1. through 2. renumbered 2. through 3. No change.

(e) Karick Lake, Okaloosa County:

1. No person shall kill or possess any black bass.

1. through 2. renumbered 2. through 3. No change.

(f) through (i) No change.

(2) Northeast Region:

(a) No change.

(b) Lakes Lochloosa, Orange and Newnans, Alachua County:

1. No change.

2. No daily bag limit for channel catfish.

~~3.2.~~ Orange Lake, including waters lakeward (south and east) of County Road 346 and in waters west of U.S. Highway 301:

~~a.~~ No person shall kill or possess any black bass that is 15 inches or more in total length and less than 24 inches in total length and no person shall take in any one day more than three black bass.

~~b.~~ No daily bag limit for channel catfish.

~~4.3.~~ Lochloosa Lake, including Tadpole Creek, Lochloosa Creek, and Cross Creek:

~~a.~~ No person shall kill or possess any black bass that is 15 inches or more in total length and less than 24 inches in total length and no person shall take in any one day more than 3 black bass.

~~b.~~ No daily bag limit for channel catfish.

(c) Suwannee Lake, Suwannee County:

1. through 6. No change.

7. No person shall kill or possess any black bass less than 18 inches in total length.

8. No person shall kill or possess any black crappie less than 10 inches in total length.

(d) No change.

(e) Watertown Lake, Columbia County:

1. through 2. No change.

3. No person shall kill or possess any black bass less than 16 inches in total length.

4. No person shall take in any one day more than 10 black crappie. No person shall kill or possess any black crappie less than 10 inches in total length.

5. No person shall take in any one day more than 20 panfish, in the aggregate.

(f) St. Augustine Road Ponds, St. Augustine Road, North Pond and South Pond – Duval County:

1. No change.

2. No person shall kill or possess any black bass less than 16 inches in total length. The possession of black bass less than 16 inches in total length is prohibited.

3. through 5. No change.

(g) through (k) No change.

(l) Montgomery Lake, Columbia County:

1. through 2. No change.

3. No person shall take in any one day more than 10 black crappie. No person shall kill or possess any black crappie less than 10 inches in total length.

4. No person shall take in any one day more than 20 panfish, in the aggregate.

(m) No change.

~~(n) Lowbush Bay, Hamilton County: closed to fishing from one-half hour after sunset until one-half hour before sunrise.~~

~~1. Access to the area from one-half hour after sunset to one-half hour before sunrise is prohibited. Vehicles may be operated only on designated and posted access area roads.~~

~~2. Boats are restricted to idle speed no wake.~~

~~3. No person shall kill or possess any black bass.~~

~~4. No person shall take in any one day more than 20 panfish, in the aggregate.~~

~~5. No person shall kill or possess any black crappie that is less than 12 inches in total length.~~

~~6. No person shall kill or possess any bluegill or redear sunfish less than 8 inches in total length.~~

~~7. The northern posted portion of Lowbush Bay shall be established as a Special Opportunity Fishing Lake. Fishing is authorized only by special use permit issued pursuant to Rule 68A-9.007, F.A.C.~~

(o) through (p) renumbered (n) through (o) No change.

~~(p)(q)~~ Lang Lake, Hamilton County:

1. through 4. No change.

5. No person shall kill or possess any black crappie less than 10 inches in total length.

(3) Central Region:

(a) through (c) No change.

~~(d)~~ Pellicer Pond, Flagler County

~~(d) through (m) renumbered (e) through (n) No change.~~

~~(o)~~ All waters in Bear Creek Park, Orange County:

1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.

2. Use or possession of cast nets is prohibited.

3. No person shall take in any one day more than 20 panfish, in the aggregate.

~~(p)~~ All waters in Cane-Marsha Park, Orange County:

1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.

2. Use or possession of cast nets is prohibited.

3. No person shall take in any one day more than five bluegill. No person shall kill or possess any bluegill less than 12 inches in total length.

4. No person shall kill or possess any black bass.

5. No person shall take in any one day more than one channel catfish. No person shall kill or possess any channel catfish less than 30 inches in total length.

~~(n)~~ Lake Beauty, Orange County:

1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.

2. Boats propelled by gasoline motors are prohibited.

3. Cast nets are prohibited.

4. No person shall take in any one day more than 20 panfish, in the aggregate.

5. No person shall kill or possess any black bass.

~~(o)~~ Lake Cherokee, Orange County:

1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.

2. Boats propelled by gasoline motors are prohibited.

3. Cast nets are prohibited.

4. No person shall take in any one day more than 20 panfish, in the aggregate.

5. No person shall kill or possess any black bass.

~~(q)(r)~~ Clear Lake, Orange County:

1. through 2. No change.

3. No person shall take in any one day more than 20 panfish, in the aggregate.

4. No person shall kill or possess any black bass.

~~(q)~~ Lake Estelle, Orange County:

1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.

2. Cast nets are prohibited.

~~3. No person shall take in any one day more than 20 panfish, in the aggregate. No person shall kill or possess any bluegill or redear sunfish less than 8 inches in total length.~~

~~4. No person shall take in any one day more than 10 black crappie. No person shall kill or possess any black crappie less than 10 inches in total length.~~

~~5. No person shall kill or possess any black bass.~~

~~(r)~~ Kirkman Pond, Orange County:

1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.

2. Use or possession of cast nets is prohibited.

3. No person shall take in any one day more than five bluegill. No person shall kill or possess any bluegill less than 12 inches in total length.

4. No person shall kill or possess any black bass.

~~(s)(t)~~ Lake Lawne, Orange County:

1. through 2. No change.

3. No person shall take in any one day more than 20 panfish, in the aggregate.

4. Daily bag limit: black crappie 10. No person shall kill or possess any black crappie less than 10 inches in total length.

~~(t)~~ Starke Lake, Orange County:

1. No daily bag limit for channel catfish.

2. Use or possession of cast nets or minnow seines is prohibited.

~~(u)(v)~~ Turkey Lake, Orange County:

1. through 4. No change.

5. Use of boats propelled by gasoline motors is prohibited, except for special events sanctioned by the city of Orlando or the Commission.

(t) through (x) renumbered (v) through (z) No change.

(4) South Region:

(a) through (i) No change.

(j) Tenoroc Fish Management Area:

1. General regulations:

a. All visitors shall check in and out at the Tenoroc Fish Management Area headquarters, the designated entry point.

b.a. Fishing, hunting, or trapping is allowed only by permit issued by the commission. All anglers and hunters, except special opportunity alligator hunt participants when taking alligators, shall check in and out at the Tenoroc Fish Management Area headquarters and deposit their valid fishing or hunting license with the custodian unless otherwise instructed.

c.b. Days and hours of operation and quotas shall be as designated by the Commission and posted at the area headquarters. Quotas for each lake shall be specified predicated upon an objective of achieving a catch rate (measured as number of bass caught per hour of fishing) of 0.30 largemouth bass per hour for each lake. If angler success for largemouth bass in any lake remains below 0.30 largemouth bass per hour for three consecutive months, quotas

may be adjusted until success reaches or exceeds 0.30 largemouth bass per hour. Fishing is permitted in designated lakes only. All other lakes and restricted areas so posted are closed to public fishing. Any lake may be temporarily closed to public access for management purposes or in the event that access to the lake exposes the public to danger by posting notice in the headquarters, Tenoroc check station office. Quotas for open lakes may be temporarily increased by up to 50 percent of the specified quota in the event other lakes are closed due to fish management efforts, special recreational events, construction projects, road repairs or unsafe access conditions. Normal lake quotas will be reinstated upon completion of management efforts, special events, construction projects, road repairs, or improvement of unsafe access conditions.

~~d.e. No person shall take in any one day more than six Daily bag limit for sunshine bass on any Tenoroc lake shall be six unless otherwise specified for a Tenoroc lake by this rule section.~~

~~e.d. No person shall take in any one day more than 10 Daily bag limit for black crappie on any Tenoroc lake shall be 10 unless otherwise specified for a Tenoroc lake by this rule section.~~ No person shall kill or possess any crappie that is less than 10 inches in total length.

f.e. Fish may not be filleted, nor their head or tail fin removed, until the angler has checked out at the headquarters completed fishing for the day.

g.f. No person shall kill or possess any black bass ~~on any Tenoroc lake~~ unless otherwise specified for a Tenoroc lake by this rule section.

g. through j. renumbered h. through k. No change.

l.k. Motor vehicles may be operated only on named roads, designated parking areas, and boat fishing ramps as designated in the area use brochure.

l. through n. renumbered m. through o. No change.

~~o. Special opportunity alligator hunting is restricted to Lake B and Lake 5.~~

p. No person shall operate any boat propelled by an internal combustion engine unless otherwise specified for a Tenoroc lake by this rule section.

2. Specific regulations:

a. Lakes A, C, D, Shop, 2, 3 and 4

~~I. No person shall operate any boat propelled by an internal combustion engine.~~

II. No person shall kill or possess any black bass.

~~a.b.~~ Lakes B and 5

I. through III. No change.

b.e. Picnic Lake

~~I. No person shall operate any boat propelled by an internal combustion engine.~~

II. through III. renumbered I. through II. No change.

c.d. Lakes East Pasture, West Pasture and Derby

I. No change.

II. Closed to fishing unless authorized by permit issued by the commission for commission-sanctioned events or as specified in 68A-20.005(4)(j)(n)2.c.e. III and IV below.

III. through IV. No change.

~~V. No person shall kill or possess any black bass.~~

VI. through VII. renumbered V. through VI. No change.

d.e. Cemetery Lake

I. No change.

~~II. No person shall possess or kill any black bass.~~

III. through IV. renumbered II. through III. No change.

~~e.f.~~ Hydrilla Lake shall be established as a Special-Opportunity Fishing Lake. Fishing is authorized only by special-use permit issued pursuant to Rule 68A-9.007, F.A.C.

~~I. No person shall operate any boat propelled by an internal combustion engine.~~

II. No person shall kill or possess any black bass.

III through V. renumbered I through III. No change.

(k) through (p) No change.

(q) Lake Istokpoga, Highlands County:

1. Lake Istokpoga Fish Management Area including Arbuckle Creek south of HWY 98, Istokpoga Creek and Istokpoga Canal west of County Road 621, C41-A Canal west of S-68 water control structure and Josephine Creek east of Seaboard Coast Line Railroad: no person shall kill or possess any black bass that is 15 inches or more in total length and less than 24 inches in total length. No person shall take in any one day more than 3 black bass of which only one may be 24 inches or longer.

1. through 2. renumbered 2. through 3. No change.

(r) through (s) No change.

(5) Everglades Region

(a) through (b) No change.

(c) Lake Okecheelee, Palm Beach County:

1. through 2. No change.

3. No person shall take in any one day more than 20 panfish, in the aggregate. No person shall kill or possess any bluegill or redear sunfish less than eight inches in total length.

(d) The north most Tropical Park Lake, Dade County:

1. No person shall kill or possess any black bass ~~less than 16 inches in total length.~~

2. No person shall take in any one day more than 20 panfish, in the aggregate. No person shall kill or possess any bluegill or redear sunfish less than eight inches in total length. Daily bag limit: channel catfish—six.

(e) Plantation Heritage Park Lake, Broward County:

1. No person shall kill or possess any black bass ~~less than 16 inches in total length.~~



2. No person shall take in any one day more than 20 panfish, in the aggregate. No person shall kill or possess any bluegill or redear sunfish less than eight inches in total length.

(f) Caloosa Park Lake, Palm Beach County:

1. No person shall kill or possess any black bass ~~less than 16 inches in total length.~~

2. No person shall take in any one day more than 20 panfish, in the aggregate. No person shall kill or possess any bluegill or redear sunfish less than eight inches in total length.

(6) Proposed changes to Paragraphs 68A-20.005(3)(o), (p), (r) and (t) will become effective 20 days after filing rule for adoption; all other proposed changes will become effective July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 12-12-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-1-92, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 3-24-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Darrell L. Scovell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: RULE NO.:

General Methods of Taking Freshwater Fish 68A-23.002

PURPOSE AND EFFECT: The proposed rule amendment eliminates certain harvest restrictions for taking freshwater catfish to reduce the regulatory burden on freshwater anglers and increase potential for expanded recreational fishing.

SUMMARY: The proposed rule would delete the provision that excludes catfish from the species of nongame fish that may be taken at night with gigs and bow and arrow and during daylight hours by manually operated spears, gigs, snatch hooks, crossbow, or bow and arrow from a boat or from shore, except at spillways of the Eureka, Rodman, or Jim Woodruff Dams or in Dade County canals south of the C-4 and east of the L-31N and L-31W canals inclusively.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Costs for administrative preparation and advertising are estimated at \$140.29. Some small increase in state and local revenues and income to small businesses may accrue do to increased participation in recreational fishing (e.g., expenditures such as boat gas, purchase of gigs). However, it is not expected to be significant. Any new fishermen entering the fishery as a result of the proposed

change would be required to purchase a freshwater fishing license (unless otherwise exempted by law). Cost of this license ranges between \$12 and \$100 depending on residency requirements (i.e., resident or nonresident) and type of fishing (i.e., recreational or commercial).

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.002 General Methods of Taking Freshwater Fish.

(1) through (2) No change.

(3) Nongame fish may be taken by hook and line, rod and reel or by trotlines, set lines or bush hooks (as specified in Rule 68A-23.004, F.A.C.), or by traps, nets or other devices as specified in Rule 68A-23.003, F.A.C. Nongame fish may be taken for personal use by any person possessing a valid freshwater fishing license by the use of not more than one slat basket or one wire trap, made as specified in Rule 68A-23.003, F.A.C., in those waters where the use of wire traps or slat baskets is permitted for commercial purposes as specified in Rule 68A-23.003(2), F.A.C. Nongame fish, ~~except catfish~~, may be taken at night by bow and arrow and gigs and during daylight hours by manually operated spears, gigs, snatch hooks, crossbow or bow and arrow from a boat or from shore except at the spillways of the Eureka and Rodman Dams on the Oklawaha River or on the spillway of the Jim Woodruff Dam on the Apalachicola River or in Dade County canals south of the C-4 and east of the L-31N and L-31W canals inclusively. Nongame fish may be taken by the use of cast nets in the South Region, except that possession or use of cast nets in waters adjoining Saddle Creek Fish Management Area, Polk County, confined by Morgan Combee Road, U.S. Highway 92 and Fish Hatchery Road are prohibited. Nongame fish may be taken with cast nets in the Central Region, with the exception of those St. Johns River Water Management Areas of Lake County formerly known as Long Farm, S.N. Knight Lisbon

Farm (both parcels north and south of the Yale-Griffin canal), S.N. Knight Leesburg Farm, Lowrie Brown Farm, Eustis Muck Farm, and Walker Ranch.

(4) through (11) No change.

(11) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-84, Formerly 39-23.02, Amended 6-1-86, 4-13-88, 7-1-89, 7-1-90, 4-20-93, 7-1-93, 7-1-94, 7-1-95, 4-1-96, 7-1-98, 4-15-99, Formerly 39-23.002, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Darrell L. Scovell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: RULE NO.:

Bag Limits, Length Limits, Open Season: 68A-23.005

PURPOSE AND EFFECT: The proposed rule amendments increase protection for certain size classes of largemouth bass to produce higher quality largemouth bass fishing opportunities for freshwater anglers in lakes Talquin and Weohyakapka (Walk-in-Water).

SUMMARY: The proposed rule would change the minimum length at which anglers can take black bass on Lake Talquin from 14 inches total length to 18 inches total length and change the length at harvest for black bass on Lake Weohyakapka (Walk-in-Water) to a 15- to 24-inch slot-length limit (i.e., no harvest of black bass 15 inches or greater and less than 24 inches in total length) and reduce the daily bag limit on Lake Weohyakapka (Walk-in-Water) from five black bass to three.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated the proposed action will cost the agency \$205.59 for administrative preparation and advertising. Additional costs to inform the public through distribution of signs and pamphlets is estimated at \$1,000. Initially, proposed rule amendments should have a minimal impact on small businesses in areas surrounding lakes Talquin and Walk-in-Water. The regulation change should have positive effects on small businesses in Leon and Polk counties. The benefits of a high-quality black bass fishery and associated angler use should create increased recreational opportunities and local revenues.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.005 Bag Limits, Length Limits, Open Season: Freshwater Fish.

(1) through (6) No change.

(7) In that portion of the state north and west of the Suwannee River (including in the Suwannee River and in any tributary river, creek or stream of the Suwannee River), bag or length limits are as follows:

(a) through (c) No change.

(d) Lake Talquin (including that portion of the Ochlockonee River lying between Lake Talquin and the railroad trestle that is located immediately below U.S. Highway 90, that portion of the Little River lying between Lake Talquin and County Road 268, that portion of the Rocky Comfort Creek lying between Lake Talquin and County Road 65-B, and that portion of Bear Creek lying between Lake Talquin and Bear Creek Road, those portions of Ocklawaha and Hammock creeks lying between Lake Talquin and State Road 267, those portions of Blount's, Freeman [Stoutamire], and Harvey and Polk creeks lying between Lake Talquin and State Road 20):

1. Black bass – No person shall kill or possess any black bass less than 18 ~~14~~ inches in total length.

2. No change.

(e) No change.

(8) In that portion of the state south and east of the Suwannee River to the line established by reference to certain counties in section (9) below, bag or length limits or areas closed to fishing are as follows:

(a) through (g) No change.

(h) Lake Weohyakapka (Walk-in-Water), Polk County, including all contiguous residential waterways, Weohyakapka (Walk-in-Water) Creek north to the point located 100 yards south of State Road 60, and Tiger Creek west to the point 100

yards west of Walk-in-the-Water Rd.: No person shall kill or possess any black bass that is 15 inches or more in total length and less than 24 inches in total length. No person shall take in any one day more than 3 black bass of which only one may be 24 inches or longer.

(i)(4) No change.

(9) No change.

(10) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, Formerly 39-23.05, Amended 2-27-86, 5-10-87, 3-1-88, 4-13-88, 7-1-89, 4-11-90, 7-1-92, 8-23-92, 4-20-93, 7-1-94, 9-15-94, 4-1-96, 7-1-98, 10-20-98, Formerly 39-23.005, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Darrell L. Scovell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: RULE NO.:

Use of Fish for Bait 68A-23.007

PURPOSE AND EFFECT: The rule amendment prohibits use of peacock bass as bait to protect and conserve the peacock bass fishery resource.

SUMMARY: The proposed rule would prohibit the use of peacock bass as bait.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated the proposed action will cost the agency \$104.55 for administrative preparation and advertising. The proposed change will help sustain peacock bass angler expenditures totaling over \$320,000 annually and a fishery valued at \$6.6 million. No other significant economic impacts are anticipated.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.007 Use of Fish for Bait.

(1) No person shall use any species of black bass, peacock bass or any part thereof as bait. Whole pickerel or bream or portions thereof may be used for bait purposes by persons catching the fish but in no case shall they be used as bait for trotlines, bush hooks or in any manner other than on pole and line or rod and reel. Fish commonly called panfish produced by persons possessing a valid certificate of registration from the Department of Agriculture and Consumer Services may be sold and used for bait provided fish are four inches or less in total length.

(2) through (3) No change.

(4) This rule shall take effect on July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, Formerly 39-23.07, Amended 7-1-98, Formerly 39-23.007, Amended 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Darrell L. Scovell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: RULE NO.:

General Provisions for Taking, Possession and Sale of Reptiles 68A-25.002

PURPOSE AND EFFECT: The purposes of the proposed changes are to codify procedures for transporting alligators by persons permitted pursuant to s. 372.921, F.S., specify restrictions on possession of crocodilians and their parts and eliminate a reference to the special-opportunity alligator hunt rule. The effects will be to remove an administrative impediment to the lawful transportation of alligators by permitted exhibitors, clarify possession requirements of crocodilians and their parts and to provide for consistency with proposed changes to Rules 68A-25.003, 68A-25.032 and 68A-25.042, FAC. and the proposed elimination of Rule 68A-25.047, FAC.

SUMMARY: The proposed rule would codify procedures for transporting alligators by persons permitted pursuant to s. 372.921, F.S., specify restrictions on possession of crocodylians and their parts and remove a reference to the special-opportunity alligator hunt rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$355 for administrative preparation and \$152 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.002 General Provisions for Taking, Possession and Sale of Reptiles.

(1) No person shall buy, sell, take, possess, ~~or transport, or import~~ any American alligator, or any part thereof, or the nests or eggs of any American alligator or crocodile except under permit from the executive director, ~~or~~ as otherwise provided by this Title, or as follows: these Rules

(a) Lawfully acquired, unskinned alligator carcasses with CITES tags legally affixed; skinned alligator carcasses with the CITES tag number and, if applicable, harvest tag number recorded on an attached tag; untanned hides with CITES tags legally affixed; and alligator feet, viscera, and skeletal parts may be bought, sold, possessed, transported, and imported without a permit provided that untanned alligator hides may only be bought by persons licensed pursuant to s. 372.66, F.S., and that records of transfers of alligator feet, viscera, and skeletal parts shall be maintained as specified in Rule 68A-25.052, F.A.C.

(b) Persons permitted pursuant to s. 372.921, F.S., and their employees may transport live, lawfully-possessed, untagged alligators to Florida locations for exhibition purposes and persons permitted pursuant to s. 372.921, F.S., may sell, and they and their employees may transport, such alligators to:

1. other persons permitted pursuant to s. 372.921, F.S.;  
2. to persons permitted to receive such alligators; or  
3. to persons out of state, provided that all transports/transfers conducted pursuant to 68A-25.002(b)1., 2. and 3., F.A.C., shall be documented on a Captive Alligator and Egg Transportation/Transfer Document (FWC Form 1006AF).

4. All originating exhibitor/seller(s) acting pursuant to this paragraph shall complete and sign the Captive Alligator and Egg Transportation/Transfer Document before the transport, obtain the signature of the recipient on the document, if appropriate, and forward the document to the Commission's Division of Law Enforcement, Tallahassee office, within 30 days following the date of transport. A copy of the completed document must accompany the alligators during transport.

~~(2) Notwithstanding other provisions in this Title, untagged, Persons licensed pursuant to s. 372.6673, F.S., may possess any legally acquired and tagged alligator taken pursuant to Rules 68A-25.003, 68A-25.032, or 68A-25.042, F.A.C., provided that a completed copy of the harvest report form (GFC Form 1001AT) accompanies the carcass.~~

~~(3) Nothing in this section, however, shall prohibit the importation without a permit or possession of lawfully-acquired, cured, and mounted crocodylian trophies; untagged, tanned crocodylian hides; and articles manufactured from the skins or hides or other parts of alligators and crocodyles.~~

~~(4) Cured and mounted trophies and manufactured goods wholly or partly composed of crocodylian hide, organs, teeth, or other parts may be possessed, transported, and imported without a permit, but skull or other skeletal material may only be sold in accordance with the following:~~

~~(a) through (c) No change.~~

~~(3)(5) No change.~~

~~(6) Alligators, or any parts thereof, lawfully obtained outside the state may be imported only under permit from the executive director as provided in Rules 68A-5.004, 68A-9.002, and 68A-27.002, F.A.C., except that alligator meat may be imported as provided in Rule 68A-25.052, F.A.C.~~

~~(4)(7) No change.~~

~~(5)(8) No person shall use, be in possession of or attend any hook, peg or other such device baited in such a manner as to be capable of taking alligators and suspended so that the bait is above water or submerged less than six inches except nuisance-alligator trappers taking nuisance alligators pursuant to Rule 68A-25.003, F.A.C., and except as otherwise provided in Rules 68A-25.032, and 68A-25.042, and 68A-25.047, F.A.C.~~

~~(9) through (10) renumbered (6) through (7) No change.~~

~~(8)(11) No person shall possess more than 50 eggs taken from the wild in the aggregate of species of freshwater turtle native to Florida except as authorized by permit from the Executive Director as provided in Rules 68A-5.004, 68A-9.002, and 68A-27.002, F.A.C. Eggs of those turtle~~

species enumerated in Rule 68A-25.002(6)(9), F.A.C., are subject to the same possession limits as apply for those turtles. The purchase or sale of turtle eggs taken from the wild is prohibited.

(12) through (17) renumbered (9) through (14) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. 372.6672, 372.6673, 372.86, 372.921, 372.922 FS. History--New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-25.02, Amended 6-1-86, 5-10-87, 10-8-87, 4-13-88, 7-1-89, 7-1-90, 4-14-92, 4-1-96, 9-15-96, 4-12-98, 7-1-99, Formerly 39-25.002, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Timothy E. O'Meara

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Taking and Disposal of Nuisance

RULE NO.: 68A-25.003

Alligators Statewide

68A-25.003

PURPOSE AND EFFECT: The purposes of the proposed changes are to eliminate references to hide validation requirements, allow for the issuance of CITES tags in lieu of harvest tags, require nuisance-alligator trappers to return unused CITES tags and completed copies of harvest report forms, delete the requirement that alligators may be skinned and tagged hides held only at designated sites, establish a provision to expend \$5 on marketing and education for each CITES tag used and allow for nuisance trappers to have up to three agents. In addition to eliminating unnecessary provisions, the effects will be to validate hides for export at time of harvest, account for CITES tag use and ensure timely reporting of harvest data, maintain a commitment to provide revenues for marketing and education activities and provide flexibility for trappers to more efficiently respond to nuisance-alligator complaints.

SUMMARY: In addition to providing for rule clarifications and incorporating necessary provisions of Rule 68A-25.021, FAC., which is proposed for repeal, the proposed rule would eliminate references to hide validation requirements, allow for the issuance of CITES tags in lieu of harvest tags, require nuisance-alligator trappers to return unused CITES tags and completed copies of harvest report forms, delete the requirement that alligators may be skinned and tagged hides held only at designated sites, establish a provision to expend \$5 on marketing and education for each CITES tag used and allow for nuisance trappers to have up to three agents.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$590 for administrative preparation and \$108 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.003 Taking and Disposal of Nuisance Alligators Statewide.

(1) through (3) No change.

(4) Conditions governing operations of authorized nuisance-alligator trappers:

(a) through (b) No change.

(c) Nuisance-alligator trappers may collect oviducal eggs from gravid nuisance alligators and the orphaned eggs from the nests of female nuisance alligators, as authorized by the commission, for the transfer of said eggs to alligator farms permitted as eligible to receive eggs and hatchlings from the wild pursuant to rule 68A-25.004, F.A.C.

(d) No alligator shall be taken by the use or aid of a firearm without specific written authorization or without authorization by a commission law enforcement officer at the scene.

(e) An alligator CITES nuisance-alligator harvest tag furnished by the commission shall be locked through the skin of the alligator within six (6) inches of the tip of the tail immediately upon killing, attached to any alligator killed by the nuisance-alligator trapper. The identifying alligator CITES tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. CITES tags shall be used only one time, and the possession of any alligator hide not tagged as prescribed herein is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under the provisions of s. 372.73, F.S. No person shall possess any untagged alligator hide.

(f) An alligator harvest report form (FWC GFC Form 1001AT, incorporated by reference herein, effective April 1, 1996) provided by the commission shall be completed by the trapper within 24 hours of taking each alligator and prior to the transfer of the carcass to another person to a permitted alligator processing facility. The trapper shall submit a legible copy of each completed alligator harvest report form to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600 for receipt by January 15 of the following year.

(g) All unused CITES tags must be returned by the permittee to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600, by January 15 of the following year. It shall be a violation of this section for any person to possess any unused CITES tag(s) from the previous year after January 15. Alligators shall be skinned only at specific designated sites. The hides of the alligators taken may be held by the nuisance alligator trapper at a designated specific site for purposes of salt curing, but shall be validated and sold in accordance with rule 68A-25.021.

(h) Five dollars (\$5) shall be expended by the Commission or its designee on marketing and education for each CITES tag used under the provisions of this rule contingent upon an annual appropriation by the legislature for marketing and education activities. The possession of any alligator hide not validated as prescribed in rule 68A-25.021 is prohibited, and such hides shall be subject to seizure and forfeiture to the commission under provisions of s. 372.73, F.S.

(i) The meat from alligators taken that is not discarded shall be processed or sold in accordance with rules ~~68A-25.051 and~~ 68A-25.052, F.A.C.

(j) Each nuisance-alligator trapper may have up to three ~~one~~ alligator trapping agents, licensed under s. 372.6673, F.S. Such agents are ~~is~~ authorized to conduct nuisance-alligator trapping activities under the direction of the nuisance-alligator trapper. Such activities may be performed by the agents in the absence of the nuisance-alligator trapper. The nuisance-alligator trapper shall be held accountable for the conduct of his ~~the~~ agents. Any confirmed misconduct may result in termination of the nuisance-alligator trapper's contract or the revocation of the nuisance-alligator trapper's or agents's licenses as prescribed by Rule 68A-5.004, F.A.C.

(k) CITES Nuisance-alligator harvest tags shall remain the property of the commission until affixed as provided herein. No person except an authorized nuisance-alligator trapper and his agents shall possess any unused CITES nuisance-alligator harvest tag at any time, and such nuisance-alligator trapper shall insure that all CITES harvest tags issued to him shall remain in his or his agents's possession.

(l) Assignments of alligators to be taken and the issuance of CITES nuisance-alligator harvest tags to a nuisance-alligator trapper shall be discontinued upon receipt of verified information and belief by the executive director that the nuisance-alligator trapper has:

1. Attempted to generate alligator complaints,
2. Taken alligators in excess of authorization,
3. Failed to promptly respond to an assigned complaint,
4. Been convicted of a violation of any regulation concerned with the commercialization of wildlife or freshwater fish,
5. Violated any portion of this rule, or
6. Demonstrated an inability to carry out the assigned duties as required by contract or rule. Following a review by the appropriate regional review board in which the alleged misconduct is confirmed, the contract of the nuisance-alligator trapper shall be breached and terminated.

(5) Sale of alligator parts: Parts of alligators may only be sold in accordance with rules 68A-25.052~~1~~ and 68A-25.002~~7~~, F.A.C.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672, 372.6673 FS. History—New 8-1-79, Amended 10-23-79, 6-22-80, 6-4-81, 6-21-82, 7-1-85, Formerly 39-25.03, Amended 6-1-86, 12-23-87, 5-5-88, 2-14-89, 4-11-90, 4-14-92, 3-30-95, 4-1-96, Formerly 39-25.003, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tim Breault  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Regulations Governing the Operation of Alligator Farms  
RULE NO.: 68A-25.004

PURPOSE AND EFFECT: The purposes of the proposed changes are to specify that alligators, eggs and hides may be sold by alligator farmers, reincorporate a certified form and add language regarding CITES tag use requirements. The effects will be to increase rule specificity, have a form reflective of proposed changes to Rule 68A-25.002, FAC. and provide for rule language consistent with other alligator management rules.

SUMMARY: The proposed rule would specify that alligators, eggs and hides may be sold by alligator farmers, reincorporate a certified form and add language regarding CITES tag use requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$236 for administrative preparation and \$77 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.004 Regulations Governing the Operation of Alligator Farms.

Alligator farms may be established and operated and alligators, eggs, and hides may be possessed by alligator farmers and their agents subject to the following:

(1) No change.

(2) Licensing and permitting:

(a) No change.

(b) Alligator farm permittees and their agents shall be licensed at a fee of \$250.00 and \$50.00, respectively, as required by s. 372.6673, F.S.

(c) through (j) No change.

(3) Record keeping requirements:

(a) Permittees shall maintain inventory records of the number of alligator eggs and alligators in each incubator, tank, pond, and enclosure. The source and disposition of eggs and alligators added to or removed from each incubator, rearing tank, and breeding stock enclosure shall be accurately recorded. Such inventory, source, and disposition records shall be kept on the farm on an Alligator Farm Inventory Record (FWC GFC Form 1004AF, effective June 30, 1992, which is incorporated herein by reference and may be obtained at the Commission's Tallahassee office) or in a manner that is substantially in compliance with the required record keeping.

(b) Shipping tickets, invoices or bills of lading, Hatchling Collection Forms (FWC GFC Form 1002AF), Alligator Egg and Hatchling Transfer Documents (FWC GFC Form 1003AF), Public Waters Alligator Egg Transfer Documents

(FWC GFC Form 1005AF), Captive Farm Alligator and Egg Transportation/Transfer Documents (FWC GFC Form 1006AF), and records of all hide sales or transfers shall be maintained and kept at the farm to show source of supply or disposition of alligator stock.

(c) No change.

(4) Reporting requirements:

(a) An Alligator Farm Annual Report (FWC GFC Form 1000AF, effective July 1, 1994, which is incorporated to this rule by reference and may be obtained at the Commission's Tallahassee office) shall be completed at the conclusion of each calendar year and submitted to the Commission's division of law enforcement by January 31.

(b) No change.

(5) through (6) No change.

(7) Harvest of alligators:

(a) Any alligator killed under the authority of this section or that dies on a farm shall be recorded in the farm inventory records and either tagged within 24 hours with a CITES tag, furnished at no cost to the alligator farm permittee by the Commission, or destroyed. The CITES Such tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. CITES tags shall be used only one time. The possession of any alligator hide or carcass not tagged as prescribed herein or any unskinned, untagged, frozen alligator carcass is prohibited, and such hides and carcasses shall be subject to seizure and forfeiture to the Commission under the provisions of s. 372.73, F.S. at all times, and it shall be unlawful for any alligator farm permittee to possess any untagged alligator hide or carcass other than as provided for herein. All alligators that die on a farm shall be tagged within 24 hours or destroyed and recorded in the farm inventory records. The possession of any unskinned, untagged, frozen alligator carcass or untagged hide is prohibited.

(b) through (f) No change.

(8) Transfer of alligator eggs and live, untagged alligators from alligator farms:

(a) Alligator eggs and live, untagged alligators may only be sold and may be transferred but only from alligator farms to other licensed alligator farms; to exhibitors licensed pursuant to s. 372.921, F.S.; to persons permitted to receive such eggs or alligators; or to persons out of state.

(b) The transfer of any alligator egg or live, untagged alligator from an alligator farm premises shall be documented on a Captive Farm Alligator and Egg Transportation/Transfer Document (FWC GFC Form 1006AF, effective \_\_\_\_\_ April 1, 1996, which is incorporated herein by reference and may be obtained at the Commission's Tallahassee office). The originating farm permittee shall complete and sign the Captive Farm Alligator and Egg Transportation/Transfer Document before the transfer, obtain the signature of the recipient on the document, and forward the document to the Commission's Division of Law Enforcement, Tallahassee office, within 30

days following the date of transfer. A copy of the completed document must accompany the alligators or alligator eggs during transport.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6673 FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-25.04, Amended 8-24-87, 6-7-88, 2-14-89, 4-11-90, 4-4-91, 4-15-92, 7-1-94, 3-30-95, 4-1-96, 9-15-96, 11-12-98, Formerly 39-25.004, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Timothy E. O’Meara

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Regulations Governing the Validation and Sale of Alligator Hides

RULE NO.: 68A-25.021

PURPOSE AND EFFECT: The purpose of the proposed change is to repeal this rule. The effects will be to eliminate Commission-sponsored hide validations and eliminate CITES tag fees for alligators taken under Rules 68A-25.003 and 68A-25.032, FAC.

SUMMARY: The proposed repeal would eliminate Commission-sponsored hide validations and eliminate CITES tag fees for alligators taken under Rules 68A-25.003 and 68A-25.032, FAC. All other necessary provisions of this rule are proposed for incorporation into Rules 68A-25.003, 68A-25.032 and 68A-25.042, FAC.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$256 for administrative preparation and \$116 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.021 Regulations Governing the Validation and Sale of Alligator Hides.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.6674 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672, 372.6674 FS. History—New 5-5-88, Amended 2-14-89, 4-11-90, 10-22-92, 4-29-93, 3-30-95, 4-1-96, 4-27-98, Formerly 39-25.021, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tim Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs on Private Lands

RULE NO.: 68A-25.031

PURPOSE AND EFFECT: In addition to providing for clarifications and correcting rule citations, the purposes of the proposed changes are to lengthen the deadlines by which hatchling tag fees and requests for transfer of collection areas must be received and reduce the hatchling tag fee from \$10 to \$5. The effects will be to remove unnecessary provisions which impede legitimate business transactions and stimulate participation in statewide alligator hatchling collections.

SUMMARY: In addition to providing for rule clarifications and correcting rule citations, the proposed rule would lengthen the deadlines by which hatchling tag fees and requests for transfer of collection areas must be received and reduce the hatchling tag fee from \$10 to \$5.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$236 for administrative preparation and \$155 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.031 Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs on Private Lands.

(1) Conditions governing alligator hatchling collections:

(a) Only alligator farmers permitted as eligible to receive hatchlings from the wild as specified in Rule 68A-25.004(2)(f)(4), F.A.C., and licensed as specified in s. 372.6673, F.S., (hereinafter referred to as farm permittees) and their agents licensed as specified in s. 372.6673, F.S., shall be authorized to take alligator hatchlings under this subsection. Alligator hatchlings may only be taken according to provisions of a hatchling collection permit and only from locales specifically designated in the permit.

(b) through (c) No change.

(d) Assignment of all alligator hatchling collection areas to farm permittees will be conducted at least once every three (3) years, and the assignment of relinquished collection areas will be conducted in intervening years. Farm permittees who wish to request the assignment of hatchling collection areas will identify their preferred collection areas and total number of alligator hatchlings requested for the year on application forms (FWC GFC form 1001AF, effective date April 1, 1996, incorporated herein by reference and available at the Commission's Tallahassee office) provided by the Commission. Completed applications must be received by the Commission by June 15 of each year. For purposes of this rule, receipt shall mean actual receipt in the Commission's Tallahassee office, on or before the deadline, by U.S. Mail, express delivery, hand-delivery or by facsimile (fax) copy. Applications received after June 15 will not be accepted irrespective of the postmark date.

(e) Each farm permittee selected in the assignment process will be authorized to receive a hatchling collection permit and a number of hatchling tags up equal to the combined collection quotas for the hatchling collection areas assigned to him. Each farm permittee shall remit hatchling tag fees by October 1 of each year for the total collection quota of each hatchling

collection area that is assigned to him and from which he would like to take hatchlings the total number of hatchling tags he is authorized to receive. Upon receipt of the total hatchling tag fees ~~due~~, the Commission will issue a hatchling collection permit and the total authorized number of hatchling tags to the farm permittee. The fee for alligator hatchling tags provided under this section shall be fixed, pursuant to s. 372.6674, F.S., at a cost of \$~~5~~ 40 each.

(f) Any assigned alligator hatchling collection area may be voluntarily surrendered or transferred to another eligible farm permittee prior to issuance of the hatchling collection permit for the area in a given year provided that a written request for such surrender or transfer and payment for transferred area quotas is received by ~~submitted to~~ the Commission by December ~~October~~ 1 of each year.

(g) Alligator hatchling collection areas and their associated collection quotas for which hatchling tag fees are not received by December ~~October~~ 1 of each year shall revert to a pool of available collection areas and may be reassigned the following year. In years in which all collection areas are not assigned, any new farm permittee not previously assigned collection areas shall be given priority in the reassignment of areas from the pool of available collection areas until each new farm permittee is assigned the minimum quota established each year under paragraph (1)(b).

(h) through (k) No change.

(l) Alligator hatchlings shall be immediately tagged upon capture with alligator hatchling tags, except that hatchlings captured from a boat shall be tagged no later than immediately upon return to shore. A hatchling collection form (FWC GFC form 1002AF, effective date April 1, 1996, incorporated herein by reference) provided by the Commission must be completed prior to leaving the collection site and shall accompany the hatchlings at all times until they are delivered to the permittee's alligator farm. Hatchling collection forms shall be submitted to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600 by December 16. No person shall possess any untagged alligator hatchlings acquired pursuant to this section.

(m) through (n) No change.

(o) All unused alligator hatchling tags issued pursuant to this section shall be returned to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600 by December 16 each year.

(2) Establishment of Type A egg collection areas, groups, coordinators, and quotas:

(a) through (b) No change.

(c) Farmers permitted as eligible to receive eggs from the wild as specified in Rule 68A-25.004(2)(e)(e), F.A.C., and licensed as specified in s. 372.6673, F.S., who wish to participate in egg collections shall apply and identify, in writing, the collection group in which they elect to participate. Farmers also permitted as eligible to participate in the

collection and distribution of eggs as specified in Rule 68A-25.004(2)(f)(~~d~~), F.A.C., may identify the person for whom they vote to be permitted as the egg collection coordinator (herein referred to as coordinator). Applications must be received by the Commission by April 1 of each year. For purposes of this rule, receipt shall mean actual receipt on or before the deadline in the Commission's Tallahassee office by U.S. Mail, express delivery, hand-delivery, or facsimile (fax) copy. Applications received after April 1 will not be accepted irrespective of the postmark date. The Executive Director shall issue permits to direct and conduct egg collections on behalf of group participants to the individuals receiving the majority of the votes from eligible voting members in each group. Each coordinator shall be licensed as an alligator farmer as specified in s. 372.6673, F.S., prior to being issued a permit.

(d) No change.

(e) The proportion of the total nest quota to be assigned to a collection group will be calculated as the number of farms permitted pursuant to Rule 68A-25.004(2)(f)(~~d~~), F.A.C., participating in that collection group on April 1, divided by the total number of farms permitted pursuant to Rule 68A-25.004(2)(f)(~~d~~), F.A.C., participating in either collection group.

(3) Procedures and requirements for alligator egg collections on Type A egg collection areas:

(a) Coordinators shall solicit the participation of group members as follows:

1. Farmers permitted pursuant to Rule 68A-25.004(2)(f)(~~d~~), F.A.C., shall be given the first opportunity to contribute fee payments for nests assigned to their group.

2. In the event that farmers permitted pursuant to Rule 68A-25.004(2)(f)(~~d~~), F.A.C., do not contribute fee payments for all nests assigned to the group, farmers in the group not permitted pursuant to Rule 68A-25.004(2)(f)(~~d~~), F.A.C., shall be given the opportunity to contribute fee payments for the remaining nest quota.

(b) Within five working days of receiving notice from the Commission of the group's total nest quota and collection area assignments, each coordinator shall purchase 25 egg fee permits at a cost of \$5.00 per egg for each nest in the quota from which he intends to collect eggs and shall indicate the percentage of the fees that was paid by farmers in the group not permitted pursuant to Rule 68A-25.004(2)(f)(~~d~~), F.A.C. If payment is not made for the full nest quota, the coordinator shall provide notice in writing with the fee payment of the areas from which he does not intend to collect eggs and, if a partial quota is to be collected from an area, shall specify the area and the number of nests to be collected from that area. Only one area may be specified from which a partial quota will be collected.

(c) No change.

(d) Coordinators shall be issued Alligator Egg Fee Assessment Records (~~FWC GFC~~ form 1007AF, effective April 1, 1996, which is incorporated herein by reference) by the Commission that document the number of eggs for which payment was received and permits specifying the areas, quotas, and requirements for egg collections.

(e) through (i) No change.

(j) ~~The coordinator shall be responsible for conducting egg collections and distributing eggs to group participants.~~ Farmers in each collection group shall be given equal opportunity to participate in the egg collection and distribution; farmers in each group who are not permitted pursuant to Rule 68A-25.004(2)(f)(~~d~~), F.A.C., shall be entitled to receive a share of the eggs collected from each area in proportion to the percentage of the group's fees that they paid.

(k) No change.

(l) The number of nests ~~that may be~~ opened on each egg collection area shall not exceed the quota established pursuant to paragraph (2)(d). All eggs from each opened nest shall be collected.

(m) The coordinator shall possess Alligator Egg Fee Assessment Records that indicate an available balance of no less than one egg collection permit for each egg collected.

(n) through (o) No change.

(p) Each collection day at the egg inspection site the coordinator shall provide Commission personnel completed copies of ~~FWC GFC~~ form 1005AF (effective June 26, 1994, incorporated herein by reference and available at the Commission's Tallahassee office) signed by the coordinator and indicating the number of eggs to be transferred to each participating farm or to a designated temporary storage facility. Eggs may be temporarily stored at the designated storage facility for up to 15 days following collection before transfer to the participating farms.

(q) Eggs may only be transferred to the designated temporary storage facility or to farms participating in the egg collection group. The coordinator shall be responsible for ensuring that a copy of ~~FWC GFC~~ form 1005AF is completed for each transfer of eggs and that a copy of the completed form, signed by the coordinator, accompanies the eggs during any such transfer. Any physical transfer of eggs must be accomplished within two days of completion and signing of the form by the coordinator.

(r) Each participating farmer receiving eggs shall sign the accompanying copy of ~~FWC GFC~~ form 1005AF and submit it to the Commission within ten days of the transferral date to document the addition of those eggs to their farm inventory.

(s) No change.

(4) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. 372.6672, 372.6673, 372.6674 FS. History—New 8-24-87, Amended 6-7-88, 2-14-89, 4-11-90, 4-15-92, 4-29-93, 6-26-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.031, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Tim Breault  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Dr. Allan L. Egbert, Executive  
 Director  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: July 1, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION  
 COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Regulations Governing the Establishment of  
 Alligator Management Programs on  
 Private Lands

RULE NO.: 68A-25.032

PURPOSE AND EFFECT: The purpose and effect of the  
 proposed rules changes are as follows:

- 1) Changes are proposed to provide for the issuance of CITES tags in lieu of harvest tags. The effect will be to validate a hide for export at time of harvest.
- 2) Changes are proposed to require permittees to return unused CITES tags and completed copies of alligator harvest report forms no later than January 15 of each year. The effect will be to account for CITES tag usage and ensure timely reporting of harvest data.
- 3) Changes are proposed to stipulate that failure of a designee to submit unused tags and required forms may result in permit denial pursuant to Rule 68A-5.004, FAC. The effect will be to inform participants of ramifications of rule non-compliance.
- 4) Changes are proposed to eliminate references to hide validation requirements. The effect will be to provide consistency with the proposed elimination of Rule 68A-25.021, FAC.
- 5) Changes are proposed to extend the non-hatchling harvest period to include the period November through April. The effect will be to provide more opportunity for participants to fill their harvest quotas.
- 6) Changes are proposed to establish a provision to expend \$5 on marketing and education for each CITES tag used under this rule. The effect will be to maintain a commitment to provide revenues for marketing and education activities.
- 7) Changes are proposed to establish December 31 as the expiration date for non-hatchling harvest permits. The effect will be to use the calendar year to mark the beginning and end of the harvest period for administrative purposes.
- 8) Changes are proposed to eliminate the provision for relocating nuisance alligators. The effect will be to remove an unnecessary provision if proposed change 5) is adopted.

SUMMARY: In addition to incorporating necessary provisions of Rule 68A-25.021, FAC., which is proposed for repeal, the proposed rule would make the following changes:

- 1) Provide for the issuance of CITES tags in lieu of harvest tags.
- 2) Require permittees to return unused CITES tags and completed copies of alligator harvest report forms no later than January 15 of each year.
- 3) Stipulate that failure of a designee to submit unused tags and required forms may result in permit denial pursuant to Rule 68A-5.004, FAC.
- 4) Eliminate references to hide validation requirements.
- 5) Extend the non-hatchling harvest period to include the period November through April.
- 6) Establish a provision to expend \$5 on marketing and education for each CITES tag used under this rule.
- 7) Establish December 31 as the expiration date for non-hatchling harvest permits.
- 8) Eliminate the provision for relocating nuisance alligators.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$944 for administrative preparation and \$174 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 2000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.032 Regulations Governing the Establishment of Alligator Management Programs on Private Lands.  
 Alligator management programs designed for the taking of alligator eggs and hatchlings and the trapping of non-hatchling alligators on private lands may only be established under the following conditions:

- (1) Alligator Management Program – Application and review procedures.

(a) The owner or authorized lessee of property containing alligator habitat (as described in FWC GFC form 1000PW) shall make written application, on forms provided by the Commission (Alligator Management Program Application, FWC GFC form 1000PW, effective April 12, 1998, is incorporated to the rule by reference and may be obtained from the Commission's Tallahassee and regional offices), for establishment of an Alligator Management Program each calendar year. A group of landowners or authorized lessees may apply jointly provided their properties are adjoining.

(b) through (d) No change.

(e) Applicants may identify one designee for taking non-hatchling alligators ~~and relocating nuisance alligators~~, one designee for taking alligator eggs, and one designee for taking alligator hatchlings. Requests to change a designee shall be in writing.

(f) No change.

(g) Permits shall be issued to designees within 60 days following receipt of a complete application meeting the criteria established herein (applicants should submit applications at least 60 days prior to the opening of the harvest period to ensure timely issuance of harvest permits and tags prior to the opening of the harvest period season). Permits may be denied, pursuant to Rule 68A-5.004, F.A.C., to designees who have previously failed to return unused tags and completed forms as specified herein.

(2) Procedures governing the issuance of harvest permits and the taking of non-hatchling alligators.

(a) Harvest quotas for non-hatchling alligators may be requested by submitting the following information:

1. A habitat inventory (as described in FWC GFC form 1000PW) demonstrating at least 1,000 acres of alligator habitat, or

2. A habitat inventory (as described in FWC GFC form 1000PW) demonstrating at least 1,000 acres of alligator habitat and an alligator population survey, or

3. No change.

(b) No change.

(c) Upon review of the habitat inventory or the alligator population survey, Commission biologists shall recommend to the executive director or his designee a harvest quota not to exceed 15% of the projected population of alligators greater than 4 feet in length for the permitted property. Such recommended quotas shall be based upon the best biological information that indicates the number of alligators that can be removed from the system without long-term adverse impacts on population levels. Upon approval of harvest quotas by the Executive Director or his designee, the Commission shall furnish the each designee a harvest permit and an alligator CITES harvest tag for each non-hatchling alligator to be taken from the approved area. Harvest permits shall expire on December 31 of each year, and associated CITES tags may not be used after that date.

(d) Alligators greater than nine feet in length and alligators less than six feet in length may be taken from May 1 through August 31 and non-hatchling alligators may be taken from September 1 through April 30 ~~October 31~~. ~~Nuisance alligators may be live captured and relocated on the property by the permittee in accordance with permit provisions.~~

(e) Alligators may be taken by the use of firearms, live traps, sethooks, and snares; baited, wooden pegs less than two (2) inches in length attached to a hand-held restraining line; harpoons, gigs, and snatch hooks; and manually operated spears, spearguns, gig-equipped bang sticks, crossbows, and bows with projectiles attached to a restraining line. Sethooks may only be used during the period September 1 through April 30 ~~October 31~~. The use of firearms other than bang sticks and gig-equipped bang sticks is prohibited from sunset to sunrise.

(f) No change.

(g) Any alligators captured shall be killed before the permittee or his authorized licensee leaves the property described in the Alligator Management Program Application (FWC GFC form 1000PW). An identifying alligator CITES harvest tag issued by the Commission shall be locked through the skin of the alligator within six (6) inches of the tip of the tail immediately upon killing or, if the alligator is killed from or in a boat, no later than immediately upon return to shore and before leaving the property. If there is a permitted alligator processing facility on the property, alligators must be tagged immediately upon capture except that alligators captured from a boat must be tagged no later than immediately upon return to shore and before leaving the property. The identifying alligator CITES harvest tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. CITES tags shall be used only one time, and the possession of any alligator hide not tagged as prescribed herein is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under the provisions of s. 372.73, F.S. at all times until validated in accordance with the provisions of Rule 68A-25.021, F.A.C. No person shall possess any untagged alligator hide.

~~(h) The possession of any alligator hide not validated as prescribed in Rule 68A-25.021, F.A.C., is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under provisions of s. 372.73, F.S. For the purposes of hide validation under Rule 68A-25.021, F.A.C., the non-hatchling alligator harvest period shall end on October 31.~~

(h)(+) An alligator harvest report form (FWC GFC form 1001AT, effective \_\_\_\_\_ April 12, 1998, is incorporated to the rule by reference and may be obtained from the Commission's Tallahassee and regional offices), provided by the Commission, must be completed by the permittee within 24 hours of taking each alligator and prior to the any transfer of the carcass to another person to a permitted alligator processing facility. The permittee shall submit a legible A copy

of each completed ~~the~~ alligator harvest report form to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600 for receipt by January 15 of the following year shall accompany the alligator hide at all times until validation.

(i) Five dollars (\$5) shall be expended by the Commission or its designee on marketing and education for each CITES tag used under the provisions of this rule contingent upon an annual appropriation by the legislature for marketing and education activities.

(3) Procedures governing the issuance of collection permits and the taking of alligator eggs and hatchlings.

(a) Alligator eggs and hatchlings may only be collected from properties containing more than 1,000 acres of alligator habitat as described in an alligator habitat inventory submitted as part of ~~FWC GFC~~ form 1000PW.

(b) Designees who wish to harvest alligator eggs shall submit an alligator nest survey to the Commission by August 1 of each year, and designees who wish to harvest alligator hatchlings shall submit to the Commission an alligator hatchling pod inventory by November 1 of each year, as specified in the Alligator Management Program Application (~~FWC GFC~~ form 1000PW).

(c) Commission biologists shall assess the status of the alligator population based on available habitat and survey information provided by the applicant's designee and recommend to the executive director or his designee the number of alligator eggs and/or hatchlings to be collected.

(d) Upon approval of quotas by the Executive Director or his designee, the Commission shall issue the applicant's designee a harvest permit and alligator hatchling tags or an Alligator Egg Fee Assessment Record (~~FWC GFC~~ form 1007AF) following receipt of hatchling tag or egg permit fees. Alligator hatchling tags provided under this subsection shall be fixed, pursuant to s. 372.6674, F.S., at a cost of \$5-~~00~~ each and alligator egg fee permits provided under this subsection shall be fixed, pursuant to s. 372.6673, F.S., at a cost of \$2-~~00~~ each.

(e) No change.

(f) Alligator eggs and/or hatchlings may be taken only at the times and under the conditions set forth in the collection permit. Hatchlings shall be tagged immediately upon capture with an alligator hatchling tag provided by the Commission, except that hatchlings captured from a boat shall be tagged no later than immediately upon return to shore and before leaving the property. An Alligator Egg Fee Assessment Record (~~FWC GFC~~ form 1007AF, effective April 1, 1996, which is incorporated herein by reference and may be obtained at the Commission's Tallahassee office) must be completed and signed by the permittee to document all retained eggs on the day of collection and prior to transporting the eggs from the property or to a licensed farm facility. A copy of such Alligator Egg Fee Assessment Records must remain with the eggs until the eggs are transferred to a licensed farm facility.

(g) No change.

(h) Persons issued permits shall maintain complete records of eggs or hatchlings taken, and shall complete and return within 15 days an alligator transfer document (~~FWC GFC~~ form 1003AF, effective April 10, 1994) provided by the Commission for eggs or hatchlings transferred to alligator farm facilities permitted under Rule 68A-25.004, F.A.C.

(i) No change.

(4) No change.

(5) All Harvest tags issued under this rule shall and ~~hatchling tags~~ remain the sole property of the Commission until used as provided herein, and may be possessed only by the permittee, licensees he has authorized to take alligators, or his licensed agent(s) prior to such use. The permittee shall be strictly liable in ensuring that all unused ~~harvest tags and hatchling tags~~ remain in his possession, the possession of licensees he has authorized to take alligators, or the possession of his licensed agent(s), and that all unused ~~hatchling~~ tags are returned to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600, within 15 days following permit expiration ~~the close of the harvest period designated in the harvest permit.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. 372.6672 FS. History--New 5-5-88, Amended 2-14-89, 4-11-90, 4-4-91, 4-15-92, 10-22-92, 4-29-93, 4-10-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.032, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tim Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale

RULE NO.:

68A-25.042

PURPOSE AND EFFECT: The purpose and effect of the proposed rule changes are as follows:

1) Changes are proposed to provide for establishment of management units by executive order and harvest quotas by the Executive Director or his designee. The effect will be to streamline administrative processes and increase program efficiency.

2) Changes are proposed to allow for establishment of harvest quotas based on habitat inventories. The effect will be to provide consistency on quota establishment with other alligator management rules and make more areas available for harvest.

- 3) Changes are proposed to require that applicants indicate their preferred harvest periods on the harvest permit application. The effect will be to minimize participant dissatisfaction with assigned harvest periods.
  - 4) Changes are proposed to set the number of tags issued with each permit at two. The effect will be to increase the number of harvest permits available for issuance.
  - 5) Changes are proposed to establish four harvest periods, each inclusive of the period October 1 through October 7. The effect will be to spread hunting pressure evenly over the harvest periods while providing permittees additional time to harvest unused quotas in cases of inclement weather or other unforeseen circumstances.
  - 6) Changes are proposed to establish new permit issuance procedures and requirements. The effect will be to maximize the number of permits issued.
  - 7) Changes are proposed to provide for the issuance of CITES tags in lieu of harvest tags, except for those management units that require the issuance of uniquely colored harvest tags to indicate that the tagged carcass potentially has levels of mercury that make the sale of its meat illegal. The effect will be to validate hides for export and mark carcasses which might have elevated mercury concentrations.
  - 8) Changes are proposed to require permittees to return unused CITES tags for a refund or legible copies of completed alligator harvest report forms no later than 15 days after the close of their assigned harvest period. The effect will be to account for CITES tag usage and ensure timely reporting of harvest information.
  - 9) Changes are proposed to eliminate references to hide validation requirements. The effect will be to provide for consistency with the proposed elimination of Rule 68A-25.021, FAC.
- SUMMARY: The proposed rule would make the following changes:
- 1) Provide for establishment of management units by executive order and harvest quotas by the Executive Director or his designee.
  - 2) Allow for establishment of harvest quotas based on habitat inventories.
  - 3) Require that applicants indicate their preferred harvest periods on the harvest permit application.
  - 4) Set the number of tags issued with each permit at two.
  - 5) Establish four harvest periods, each inclusive of the period October 1 through October 7.
  - 6) Establish new permit issuance procedures and requirements.
  - 7) Provide for the issuance of CITES tags in lieu of harvest tags, except for those management units that require the issuance of uniquely colored harvest tags to indicate that the tagged carcass potentially has levels of mercury that make the sale of its meat illegal.

8) Require permittees to return unused CITES tags for a refund or legible copies of completed alligator harvest report forms no later than 15 days after the close of their assigned harvest period.

9) Eliminate references to hide validation requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$944 for administrative preparation and \$213 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 1000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.042 Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale.

No person shall take non-hatchling alligators from the wild except as provided herein and under other applicable rules of the Commission.

(1) Establishment of alligator management units and harvest quotas:

(a) ~~Only M~~ management units comprised of specified wetlands, lakes, rivers, or other water bodies that may be reasonably grouped for the purposes of study, analysis, or management and that are suitable for harvest based on habitat characteristics, accessibility, and estimated alligator densities shall be open to harvest and such units shall be established by executive order ~~Commission order.~~

(b) Annual harvest quotas for each management unit shall be established by ~~order of the executive director, or his designee,~~ and shall be based upon an evaluation of on-site habitat or population inventories for each management unit. The harvest quota for a management unit shall be based on the best estimate of the number of alligators that can be removed from the unit without long-term adverse impacts on population

levels and shall not exceed 15 percent of the projected estimated harvestable population of alligators greater than 4 feet in length for that unit.

(2) ~~Application procedures: Only those persons licensed as required by s. 372.6673, F.S., and possessing a valid alligator harvest permit and alligator harvest tags may take alligators under this section. Alligator harvest permits and harvest tags shall be issued in accordance with the following:~~

(a) Alligator harvest permit applications (FWC GFC form 1000AT, effective ~~April 1, 1996~~, is incorporated to this rule by reference and may be obtained at the Commission's Tallahassee and regional offices) must be received at the ~~address indicated on the application Commission's Wildlife Research Laboratory, 4005 South Main Street, Gainesville, FL 32604~~ by 5 p.m., June 1 of each year. Applications received after June 1 ~~shall will~~ not be accepted irrespective of the postmark date. Only those alligator harvest permit applications delivered to the ~~address on the application Wildlife Research Laboratory~~ via electronic mail, U.S. mail, or a commercially established messenger or courier service shall ~~will~~ be accepted.

(b) Applicants for alligator harvest permits shall:

1. No change.
2. Submit only one completed harvest permit application.
3. No change.
4. Identify their preferred management units harvest areas on the harvest permit application.
5. Identify their preferred harvest periods on the harvest permit application.

~~(c) Alligator harvest permits will be issued and harvest phases assigned based on a random drawing of qualified applicants.~~

~~(d) Applicants selected to receive alligator harvest permits shall:~~

~~1. Submit fee payment and a completed application to the Commission for an alligator trapping license as required by s. 372.6673, F.S., by July 15. Alligator harvest permits for which alligator trapping license fee payment and a completed license application are not received by the Commission at its Tallahassee office by July 15, irrespective of postmark date, will be forfeited. Forfeited alligator harvest permits will be assigned to alternates selected by random drawing, provided the selected alternates meet the criteria established in this section.~~

~~2. If desired, request in writing the issuance of alligator trapping agent's licenses, at a cost of \$50 each (as required by s. 372.6673, F.S.).~~

~~(e) Alligator harvest permits and up to 15 alligator harvest tags shall be issued to selected applicants following purchase of an alligator trapping license and such permits shall be valid only for the area, date and quota indicated thereon. Selected applicants shall only be issued one harvest permit, and harvest permits and harvest tags are not transferable.~~

(3) Procedures governing the selection of applicants and the issuance of harvest permits:

(a) A subset of applicants meeting the requirements of subsection (2), above, shall be selected by random drawing.

(b) To be eligible for permit issuance, selected applicants must submit \$20 for two CITES tags, pursuant to s. 372.6674, F.S., and

1. evidence that they are in possession of an alligator trapping license valid through the harvest period they were assigned, or

2. fee payment and a completed application for an alligator trapping license as required by s. 372.6673, F.S. These submittals must be received, irrespective of the postmark date, by 5 p.m. July 15 at the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600.

(c) Secondary random drawings of applicants meeting the requirements of paragraph (3)(b), above, shall be made for each management unit and harvest period. Applicants so selected shall be issued harvest permits for their assigned management unit and harvest period; remaining applicants shall be issued refunds for fees submitted.

(d) Two CITES tags shall be issued with each harvest permit, except that two harvest tags bearing the letters "MER" shall also be issued with harvest permits for management units for which the best available scientific data indicates the average mercury concentrations in alligators therein exceeds the Federal limit for legal sale of the meat.

(e) Harvest permits shall be valid only for the management unit and harvest period indicated thereon, and harvest permits and their associated harvest tags, if issued, and CITES tags are not transferrable.

~~(4)(3)~~ Alligator trapping requirements:

(a) No change.

(b) Alligators may be taken from 1/2 hour before sunset to 1/2 hour after sunrise during the harvest period specified in the harvest permit. Harvest periods shall be from 1/2 hour before sunset on October 1 through midnight October 7, and from either 1/2 hour before sunset on September 1 through 1/2 hour after sunrise on midnight September 8, 15 or 1/2 hour before sunset on September 8 through 1/2 hour after sunrise on September 15, or 1/2 hour before sunset on September 15 through 1/2 hour after sunrise on September 22, or and from 1/2 hour before sunset on September 22 46 through midnight September 30, except as otherwise provided in the harvest permit.

(c) through (e) No change.

(f) The permittee's agents licensed pursuant to s. 372.6673, F.S., subsection (2)(d)2., above, and any licensed alligator trapper may take alligators as provided in the harvest permit but only in the presence of the permittee. Persons licensed as alligator trapping agents other than those licensed under the permittee's alligator trapping license are not authorized to take alligators pursuant to this section.

(g) No change.

(h) Immediately upon killing, a CITES an alligator harvest tag issued by the Commission and a harvest tag, if issued, shall be locked through the skin of the carcass within six (6) inches of the tip of the tail. The CITES alligator harvest tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. The harvest tag, if issued, shall remain attached to the alligator until processing. CITES tags shall be used only one time, and the possession of any alligator hide not tagged as prescribed herein is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under the provisions of s. 372.73, F.S. at all times until validation. No person shall possess any untagged alligator hide.

(i) An alligator harvest report form (FWC ~~GFC~~ form 1001AT, effective ~~April 12, 1998~~) provided by the Commission shall be completed by the permittee within 24 hours of taking each alligator and prior to the transfer of the carcass to another person to a permitted alligator processing facility. The permittee shall submit a legible A copy of the alligator harvest report form to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600 for receipt no later than October 22 shall accompany the alligator hide at all times until validation.

(j) Tags issued under this section shall remain the property of the Commission until affixed as provided herein. Tags issued pursuant to this section may be possessed only by the permittee or his licensed agents prior to use. The permittee shall be strictly liable in ensuring that possession of unused tags is limited to persons authorized under this rule.

(k) All unused CITES tags shall be refundable and shall be returned by the permittee to the Commission's Tallahassee office, 620 South Meridian Street, Tallahassee, FL 32399-1600, no later than October 22. It shall be a violation of this section for any person to possess any unused CITES tag(s) issued pursuant to this section after October 22. Permits may be denied, pursuant to Rule 68A-5.004, F.A.C., to applicants who have previously failed to return unused tags and complete forms as specified herein.

~~(5)(4)~~ Alligator processing and sale of parts.

(a) No change.

~~(b) The possession of any alligator hide not validated as prescribed in Rule 68A-25.021, F.A.C., is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under provisions of s. 372.73, F.S.~~

~~(c) All hides from alligators taken under this section shall be validated by the Commission under the provisions of Rule 68A-25.021, F.A.C.~~

~~(b)(4)~~ No change.

~~(5) Alligator harvest tags issued under this section shall remain the property of the Commission until affixed as provided herein. Harvest tags issued pursuant to this section may be possessed only by the permittee or his licensed agents~~

~~prior to use. The permittee shall be strictly liable in ensuring that possession of unused harvest tags is limited to persons authorized under this rule.~~

(6) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. 372.6672, 372.6673 FS. History--New 5-5-88, Amended 2-14-89, 4-11-90, 4-14-92, 4-29-93, 7-1-94, 3-30-95, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.042, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: REGULATIONS GOVERNING THE HARVEST OF ALLIGATORS

RULE NO.: 68A-25.047

PURPOSE AND EFFECT: The purpose of the proposed change is to repeal this rule. The effect will be to streamline the alligator management rules.

SUMMARY: The proposed rule would be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$118 for administrative preparation and \$113 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 1000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600



THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.047 Regulations Governing the Harvest of Alligators on Special-opportunity Alligator Hunt Areas.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. 372.6672, 372.6673 FS. History—New 6-1-97, Amended 4-12-98, 4-15-99, Formerly 39-25.047, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Tim Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE:

Regulations Governing the Processing of Alligators and the Sale of Alligator Meat and Parts

RULE NO.:

68A-25.052

PURPOSE AND EFFECT: The purposes of the proposed changes are to provide consistency with changes proposed to other rules concerning alligator tagging, possession and validation requirements. The effect will be to simplify the rule.

SUMMARY: The proposed rule would provide consistency with changes proposed to other rules concerning alligator tagging, possession and validation requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$472 for administrative preparation and \$82 for advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 1000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.052 Regulations Governing the Processing of Alligators and the Sale of Alligator Meat and Parts.

(1) ~~Alligator M~~eat from legally acquired alligators that is not discarded and not processed for sale shall be packaged and labeled to indicate the ~~harvest tag or~~ CITES tag number and license holder's name in indelible ink on each package.

(2) ~~Alligator M~~eat from alligators taken pursuant to Rule ~~68A-25.042~~ 68A-25.047, F.A.C., ~~to which harvest tags have been affixed bearing the letters "MER" as part of the tag numbers from the Holy Land and the Everglades and Francis S. Taylor special opportunity hunt areas~~ may not be sold for human consumption and if not discarded must be permanently and visibly labeled "NOT FOR SALE, Recommend: NOT FOR HUMAN CONSUMPTION."

(3) ~~Skinned alligator carcasses may only be sold if skinned in a permitted alligator processing facility, and A~~alligator meat may only be sold if imported or if processed from carcasses skinned in a permitted alligator processing facility and processed and packaged in such a permitted alligator processing facility as provided in this section.

(4) No change.

(5) Provisions for the operation of alligator processing facilities:

(a) Alligator processors and their designated employees as provided by permit may receive and possess legally acquired, tagged, unskinned alligator carcasses and ~~or~~ skinned alligator carcasses with the CITES tag number and, if applicable, the harvest tag number recorded on an attached tag for processing of meat and hides provided:

~~1. The alligators are lawfully acquired from a licensed alligator processor as provided in this section or from a licensed alligator farmer, licensed alligator trapper or their licensed agent(s) as provided in Rules 68A-25.003, 68A-25.004, 68A-25.032, 68A-25.042, and 68A-25.047, F.A.C.~~

~~2. For alligators taken pursuant to rules 68A-25.003, 68A-25.032, and 68A-25.042, F.A.C., (The alligator harvest report form (FWC GFC form 1001AT, effective \_\_\_\_\_ April 12, 1998) shall be completed and signed immediately upon receipt of alligators taken from the wild to indicate receipt, and shall be further completed upon processing to indicate the amount of meat packaged.~~

~~3. Alligator processors may sell alligator carcasses to other permitted processors provided that, for any skinned carcass transferred to another processor, the CITES hide tag number shall be recorded on a tag attached to the carcass, receipt of the carcass and the harvest tag or CITES tag number shall be documented on a harvest report form, and A~~a copy of the harvest report form shall accompany the carcass until processing.

~~2.4.~~ Written records of the number, source, and disposition of all alligator carcasses received, bought, sold, or transferred, including copies of Alligator Harvest Report Forms (FWC ~~GFC~~ form 1001AT), shall be maintained for a period of one year following sale, transfer, or disposal of the carcass, meat, hides, or parts thereof.

~~5. Alligator processing facility permittees shall have the hides of alligators taken from the wild validated as required by Rule 68A-25.021, F.A.C.~~

(b) through (c) No change.

(d) Meat processed or re-processed for sale must be packaged in a sealed, tamper-proof package (a package that must be permanently and noticeably altered if opened to remove or add meat). Each package must be permanently labeled to indicate the name of the processor processing the alligator(s), the ~~harvest tag or~~ CITES tag number(s) from the alligator(s) from which the meat was taken, the date packaged, and the number of pounds of meat enclosed. Each package and label shall be used to package meat only one time.

(6) through (10) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. 372.6672, 372.6673 FS. History--New 5-5-88, Amended 2-14-89, 4-11-90, 4-1-96, 9-15-96, 6-1-97, 4-12-98, 4-15-99, Formerly 39-25.052, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tim Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Freshwater Fish and Wildlife**

RULE TITLE: RULE NO.:

Designation of Candidate Species; Prohibitions, Permits 68A-27.0021

PURPOSE AND EFFECT: The purpose of this advertisement is to notify interested parties that at its March 2000 meeting, the Fish and Wildlife Conservation Commission (FWC) will: (1) hold a workshop to discuss the results of FWC's biological status review for the flatwoods salamander (*Ambystoma cingulatum*); (2) solicit additional public input on the species's status; and (3) render a decision on the staff's recommendation relative to a petition to add the species to Florida's threatened species list. The biological status report developed for the species indicates that it meets the criteria in rule 68A-1.004 for listing as a species of special concern, but not for listing as threatened. Following the process outlined in rule 68A-27.0012, staff intend to recommend that the flatwoods salamander be added to the state's candidate species list until a

management plan is adopted through subsequent FWC commission action, at which point it would be added to the state's list of species of special concern.

SUMMARY: A review of the biological status of the flatwoods salamander has revealed that it meets the state's criteria for designation as a species of special concern. The purpose of this advertisement is to notice a workshop to discuss the FWC staff's status review, solicit additional public comment on the matter and render a decision as to whether or not to add the species to the state's candidate species list.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIMES, DATES AND PLACE SHOWN BELOW:

TIMES AND DATES: 1:30 p.m., March 29, 1000; 9:00 a.m., March 30-31, 2000

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Game and Fresh Water Fish Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-27.0021 Designation of Candidate Species; Prohibitions, Permits.

(1) through (2) No change.

(3) The following species are hereby declared to be candidate species: Flatwoods salamander (*Ambystoma cingulatum*)

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 6-23-99, Formerly 39-27.0021, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Brian Millsap

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2000

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Spotted Seatrout

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definitions	68B-37.002
Size Limits	68B-37.003
Regional Bag Limits; Closed Seasons	68B-37.004

**PURPOSE AND EFFECT:** The purpose of these proposed rule amendments is to adjust Florida’s program for the recovery of the state’s spotted seatrout resources. Scientific assessments show that current rules for the species are not likely to result in sufficient abundance for a healthy fishery. An additional purpose of these rule amendments is to lessen the confusion over spotted seatrout regulations by establishing a statewide bag and size limit for recreational harvesters, while accounting for regional differences with season closures where needed. The effect of these changes should be to increase the abundance of the resource in the water, while allowing continued access to this popular fish.

**SUMMARY:** Rule 68B-37.002, FAC., is amended to move slightly the border of the Northwest Region as defined in subsection (6), recast the definition of the “South Region” as the “Southeast Region” instead and provide a new definition of a new region, the “Southwest Region.” Subsection (1) of Rule 68B-37.003, FAC., is amended to provide a uniform statewide size limit for recreationally-harvested spotted seatrout of 15 to 20 inches, with one larger trophy fish allowed.

Subsection (1) of Rule 68B-37.004, FAC., is amended to establish a statewide 5-fish daily bag and possession limit for recreationally-harvested spotted seatrout. Subsection (2) is amended to establish a December – February closure annually for seatrout harvest in the new Southwest Region of Florida. The annual closure in the Northeast Region is deleted and a February closure is continued in the Northwest and established in the new Southeast Region.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** Current management includes different regulations for three areas in Florida: the northeast, the northwest and the south. The management goal is to create a quality fishery in the sense that the twelve year classes would each contain a reasonable proportion of animals. The effect of regulations to date has been to shift fishing pressure from one year old fish (1986-1989) to two year old fish (1990-1998). The proposal was discussed during eleven workshops as well as three full Commission meetings. Measures include size limits, daily bag limit and closed seasons. The northeast region has achieved the goal, so the closed season there will be repealed. The southeast will change from a two month to a February closure. The southwest will expand its closure by thirty days and the northwest will have a more restrictive size and bag limit. The greatest negative effects will be felt in the southwest where the season change may reduce landings by up

to 10% and the northwest where landings will be reduced by 7% and 6% due to bag and size limit changes. The proposal will not increase reporting or paperwork. The proposal may affect the employment and revenues of small businesses that provide support services to recreational anglers. Transactional costs are determined by the resource value anglers place on spotted seatrout. The proposal will affect small local governments.

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

**SPECIFIC AUTHORITY:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

**THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT A PUBLIC RULEMAKING HEARING ON THE PROPOSED RULES AT THE TIME, DATE AND PLACE SHOWN BELOW:**

**TIME AND DATE:** 9:00 a.m., or as soon thereafter as the item can be heard, on either March 30 or 31, 2000

**PLACE:** Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Andrena Knicely, (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

All written material received by the Commission within 21 days of the date of publication of this notice shall be made a part of the official record.

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS HEARING, HE WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68B-37.002 Definitions.  
As used in this rule chapter:

(1) "Fishing pier" means a platform extending from shore over water, used primarily to provide a means for persons to harvest or attempt to harvest fish therefrom. The term shall not be construed to include any residential dock, marina, or facility at which vessels are launched or moored, but shall include any abandoned bridge serving the function of a fishing pier.

(2) "Harvest" means the catching or taking of a fish by any means whatsoever, followed by a reduction of such fish to possession. Fish that are caught but immediately returned to the water free, alive, and unharmed are not harvested. In addition, temporary possession of a fish for the purpose of measuring it to determine compliance with the minimum or maximum size requirements of this chapter shall not constitute harvesting such fish, provided that it is measured immediately after taking, and immediately returned to the water free, alive, and unharmed if undersize or oversize.

(3) "Harvest for commercial purposes" means the taking or harvesting of any spotted seatrout for purposes of sale or with intent to sell. The harvest of spotted seatrout in excess of the applicable recreational bag limit shall constitute harvest for commercial purposes.

(4) "Land", when used in connection with the harvest of a fish, means the physical act of bringing the harvested fish ashore.

(5) "Northeast Region" means all state waters lying north of the Flagler-Volusia County Line to the Florida-Georgia border, and adjacent federal Exclusive Economic Zone (EEZ) waters.

(6) "Northwest Region" means all state waters north and west of a line running due west from the westernmost point of Fred Howard Park Causeway (28°9.35'N., 82°48.398'W.), which is approximately 1.17 miles south of the Pasco-Pinellas County Line, to the Florida-Alabama border, and adjacent federal Exclusive Economic Zone (EEZ) waters.

(7) "~~South~~ Southeast Region" means state waters lying between the Flagler-Volusia County Line and the Dade-Monroe County Line on the Atlantic Ocean and the Pinellas-Pasco County Line on the Gulf of Mexico and adjacent federal Exclusive Economic Zone (EEZ) waters.

(8) "Southwest Region" means state waters lying between the Dade-Monroe County Line on the Atlantic Ocean and a line running due west from the westernmost point of Fred Howard Park Causeway (28°9.35'N., 82°48.398'W.), which is approximately 1.17 miles south of the Pasco Pinellas County Line, on the Gulf of Mexico, and adjacent federal Exclusive Economic Zone waters.

(9)(8) "Spotted seatrout" means any fish of the species *Cynoscion nebulosus*, or any part thereof.

(10)(9) "Total length" means the length of a fish as measured from the most forward point of the head to the hindmost point of the tail.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-1-89, Amended 1-1-96, 8-1-96, Formerly 46-37.002, Amended \_\_\_\_\_.

68B-37.003 Size Limits.

(1)(a) Recreational Size Limits – Except as provided in paragraph (b), a person subject to ~~the a regional~~ bag limit specified in Rule 68B-37.004(1) shall not harvest, possess while in or on the waters of the state, or land any spotted seatrout with a total length ~~smaller or larger than the regional size limits indicated in this paragraph:~~

~~1. In the Northeast Region and South Region, a total length less than 15 inches or greater than 20 inches.~~

~~2. In the Northwest Region, a total length less than 15 inches or greater than 24 inches.~~

(b) A person harvesting under the bag limit established in Rule 68B-37.004(1) may harvest, possess while in or on the waters of the state, and land no more than one spotted seatrout per day with a total length greater than 20 inches ~~the applicable regional maximum size limit specified in paragraph (a) of this subsection.~~

(2) Commercial Size Limit – A person harvesting for commercial purposes shall not harvest, possess while in or on the waters of the state, or land any spotted seatrout with a total length less than 15 inches or greater than 24 inches. No person shall buy, sell, or exchange any spotted seatrout with a total length less than 15 inches or greater than 24 inches.

(3) All spotted seatrout harvested in or from Florida or adjacent federal Exclusive Economic Zone (EEZ) waters shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of a spotted seatrout that has been deheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned is prohibited. Mere evisceration or "gutting" of spotted seatrout, or mere removal of gills before landing is not prohibited.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-1-89, Amended 1-1-96, 8-1-96, Formerly 46-37.003, Amended \_\_\_\_\_.

68B-37.004 ~~Regional~~ Bag Limits; Closed Seasons.

(1) ~~Bag Limit Regional bag limits.~~ – Except as provided in Rule 68B-37.005 and subject to the closed seasons specified in subsection (2), no person shall harvest more than five (5) spotted seatrout per day or possess at any time, while in, on, or above the waters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters, more than five (5) spotted seatrout ~~than the specified bag limit established in this subsection within the following identified regions:~~

~~(a) Northeast Region and South Region—Five (5) spotted seatrout.~~

~~(b) Northwest Region—Seven (7) spotted seatrout.~~

(2) Regional season closures – No person shall harvest any spotted seatrout within the specified region during the closed seasons established in this subsection. During the specified

closed season, the possession of spotted seatrout while in or on the waters of the specified region or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters is prohibited.

(a) ~~Southwest~~ ~~Northeast~~ Region – Beginning on December 1 of each year and continuing through the last day of February of the following year, the season for harvest of spotted seatrout is closed in the ~~Southwest~~ ~~Northeast~~ Region. During this closed season, no person shall land any spotted seatrout harvested in any other region ~~the South or Northwest Region~~ in the ~~Southwest~~ ~~Northeast~~ Region.

~~(b) South Region — Beginning on November 1 and continuing through December 31 each year, the season for the harvest of spotted seatrout is closed in the South Region. During this closed season, no person shall land any spotted seatrout harvested in the Northeast or Northwest Region in the South Region.~~

~~(b)(c)~~ Northwest and Southeast Regions Region – Beginning on February 1 and continuing through the last day of February each year, the harvest of spotted seatrout is closed in the Northwest and Southeast Regions Region. During this closed season, no person shall land any spotted seatrout harvested in any other region ~~the Northeast or South Region~~ in the Northwest or Southeast Regions Region.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-1-89, Amended 1-1-96, 8-1-96, Formerly 46-37.004, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Allan L. Egbert, Ph.D., Executive Director, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 1999

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Vessel Registration and Boating Safety**

RULE TITLE: Management Provisions  
 RULE NO.: 68D-24.003

PURPOSE AND EFFECT: Through this rulemaking, the Fish and Wildlife Conservation Commission (FWC) will delegate to the Executive Director the authority to approve establishment of certain boat speed and wake restrictions. This authority will be limited to noncontroversial restricted areas that meet the criteria discussed below. The effect will be to lessen the time that the boating public is exposed to a demonstrable public safety hazard while a consensus driven rule awaits Commission approval.

SUMMARY: This rule delegates to the Executive Director of the Fish and Wildlife Conservation Commission the authority to approve and file rules for adoption establishing or amending boating restricted areas necessary for the protection of public safety on waters of the state. This delegation will be subject to the following criteria: a local government has endorsed the establishment of the proposed restricted area; the area is designed to protect public safety; the requested area is in the immediate vicinity of a bridge, public boat ramp, public dock, public marina, public fueling facility, public sewage pump-out facility, or a specific navigational hazard (such as a sharp corner or blind curve that obstructs visibility); FWC Division of Law Enforcement personnel confirm that the proposed area presents a danger to public safety if it remains unregulated; the area will be regulated at one of the following levels – "Idle Speed No Wake," "Slow Speed Minimum Wake," or "30 miles per hour"; neither the United States Coast Guard nor the Army Corps of Engineers has objected to the establishment; no timely request for a public hearing is received and no timely challenge to the proposed rule is filed; no correspondence or other communication is received showing organized public opposition.

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

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

SPECIFIC AUTHORITY: 327.46 FS.

LAW IMPLEMENTED: 327.46 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: Captain Alan S. Richard, Boating Law and Waterway Management, Office of Enforcement Policy and Planning, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.003 Management Provisions.

(1) through (3) No change.

(4) The executive director may approve for adoption rules establishing boating restricted areas. This delegation of authority is subject to the following criteria:

(a) A local government has passed a resolution requesting or endorsing a request that a boating restricted area be established;

(b) The area is designed to protect public safety;

(c) The requested area is in the vicinity of a bridge, public boat ramp, public dock, public marina, public fueling facility, public sewage pump-out facility, or a specific navigational hazard;

(d) Personnel from the Fish and Wildlife Conservation Commission's Division of Law Enforcement confirm that the proposed area presents a danger to public safety if it remains unregulated;

(e) The rule regulates the boating restricted area at one of the following levels - "Idle Speed No Wake," "Slow Speed Minimum Wake," or "30 miles per hour";

(f) Neither the United States Coast Guard nor the Army Corps of Engineers has objected in writing to the establishment of the proposed restricted area;

(g) No timely request for a public hearing is received and no timely challenge to the proposed rule is filed;

(h) No correspondence or other written communication is received showing organized public opposition to the proposed rule.

Specific Authority 327.46 FS. Law Implemented 327.46 FS. History--New 8-30-83, Formerly 16N-24.03, Amended 6-14-93, Formerly 16N-24.003, 62N-24.003, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Captain Alan S. Richard

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Allan L. Egbert, PhD., Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 11, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 18, 2000

**Section III**  
**Notices of Changes, Corrections and Withdrawals**

**DEPARTMENT OF INSURANCE**

RULE CHAPTER NO.: 4-127  
RULE CHAPTER TITLE: Fees and Procedures Regarding Department Information and 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., Florida Statutes, published in Vol. 25, No. 42, October 22, 1999, of the Florida Administrative Weekly.

4-127.001 Database Information will be changed to read as follows:

The cost for the Annual Report of the Department of Insurance, pursuant to 624.313(1), Florida Statutes, is \$30.00.

~~(1) This rule establishes procedures for individuals and entities purchasing certain data contained in the Department's computer database. These data are: the Department's annual report; other special reports; lists; labels; and bar codes.~~

~~(2) All insurers, firms, individuals, or other entities requesting the information described in subsection (1) from the Department's computer database system shall submit their request in writing to the Bureau of Data Control, Division of Insurer Services, Department of Insurance, Larson Building, 200 East Gaines Street, Tallahassee, Fl. 32399-0300.~~

The remainder of the rule will read as published.

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 981104-EU

RULE NO.: 25-6.049  
RULE TITLE: Measuring Customer Service  
NOTICE OF PUBLIC SERVICE COMMISSION  
AGENDA ON MARCH 28, 2000

The Public Service Commission notifies all interested persons that the above rule has been rescheduled for the agenda conference for the following time and place:

TIME AND DATE: 9:30 a.m., Tuesday, March 28, 2000

PLACE: Florida Public Service Commission, Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE AND EFFECT: To consider the record of the rulemaking proceeding for the amendments to the rule and to adopt, reject, or modify the proposed amendments to the rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Anne Helton, (850)413-6096

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**DEPARTMENT OF CORRECTIONS**

RULE NOS: 33-507.001, 33-507.201, 33-507.401  
RULE TITLES: Substance Abuse Program Services - General Policy, Substance Abuse Program Services - Determination of Need, Confidentiality of Substance Abuse Program Services Records

**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. 26, No. 3, January 21, 2000, issue of the Florida Administrative Weekly:

33-507.001 Substance Abuse Program Services – General Policy.

The department shall provide substance abuse program services at institutions and facilities to the extent that is permitted by available resources. Inmates who meet criteria established by the department shall be mandated to participate in substance abuse program services when such services are available. No right to substance abuse program services is stated, intended, or otherwise implied by this chapter.

33-507.201 Substance Abuse Program Services – Determination of Need.

(1) No change.

(2) Criteria for mandated substance abuse program services shall be based upon:

(a) The presence of a diagnosed psychoactive substance dependence or use disorder;

(b) The severity of the addiction;

(c) A history of criminal behavior related to substance abuse;

(d) A sentencing authority recommendation for substance abuse program services;

(e) Unsuccessful participation in community- based substance abuse services;

(f) Sentencing by a Drug Court or a Drug Division;

(g) Other classification or program criteria as determined by the department to ensure security and optimal program placement.

(3) through (7) No change.

(8) Inmates shall only be subject to disciplinary action when a program slot is available and the inmate refuses to enter or participate in the program.

(a) If an inmate recants an earlier refusal to participate in a mandated program, he or she shall be returned to the priority listing and the priority ranking shall be recalculated.

(b) When a program slot becomes available, the inmate shall be considered for placement into the substance abuse program. Inmates entering a substance abuse program after refusal or who are re-admitted to a program after administrative discharge per (6) of this rule shall be considered at the time of program entry for restoration of incentive gain time in accordance with rule 33-601.105 lost as a result of refusal to participate in or administrative discharge from a mandated substance abuse program.

(10) No change.

33-507.401 Confidentiality of Substance Abuse Program Services Clinical Records.

Files of the department which pertain to the identity, diagnosis, and prognosis of substance abuse program services to any inmate are confidential in accordance with the provisions of Section 397.754(8), Florida Statutes, and 42 USCS 290, ee-3, and shall be disclosed only in accordance with these provisions.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Stone Crabs

RULE NOS.:	RULE TITLES:
68B-13.0015	Definitions
68B-13.002	Stone Crabs, Regulation
68B-13.005	Designation as Restricted Species; Season
68B-13.006	Licenses, Endorsements, and Permits for Experimental, Scientific and Exhibitional Purposes
68B-13.007	Restrictions on Size and on Transport and Possession of Stone Crabs and Stone Crab Claws
68B-13.008	Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer
68B-13.009	Recreational Stone Crab Harvest – Bag Limit, Trap Limit, Trap Marking Requirements, Trap Pulling
68B-13.010	Stone Crab Trap Limitation Program
68B-13.011	Prohibitions

**NOTICE OF CHANGE**

The Fish and Wildlife Conservation Commission announces changes to proposed amendment of Rule 68B-13.0015, repeal of Rule 68B-13.002 and new Rules 68B-13.005, 68B-14.0036, 68B-13.006, 68B-13.007, 68B-13.008, 68B-13.009, 68B-13.010 and 68B-13.011, FAC., as published in the December 3, 1999 issue of the Florida Administrative Weekly. The changes are in response to public comment, testimony and Commission discussion contained in the record of the public hearing held by the Commission on February 3, 2000, in Jacksonville, Florida. Each rule was changed by adding a July 1, 2000 effective date.

Rules 68B-13.008 and 68B-13.010 were changed substantively and will read as follows:

68B-13.008 Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer.

(1) Gear. It is unlawful to use any device in the taking of stone crabs that can puncture, crush, or injure the crab body, such as spears, grains, grabs, hooks, or similar devices.

(2) Trap Construction. No person, firm, or corporation shall transport on the water, fish with, or cause to be fished with, set, or placed, in the harvest of stone crabs, any trap which does not meet the following requirements:

(a) Each trap shall be constructed of either wood, plastic, or wire.

(b) Such traps shall have a maximum dimension of 24 inches, by 24 inches, by 24 inches or a volume of 8 cubic feet.

(c)1. The throat or entrance to all wood and plastic traps shall be located on the top horizontal section of the trap. If the throat is longer in one dimension, the throat size in the longer dimension shall not exceed 5 1/2 inches and in the shorter dimension shall not exceed 3 1/2 inches. If the throat is round, the throat size shall not exceed 5 inches in diameter.

2. Each throat (entrance) in any wire trap used to harvest stone crabs shall be horizontally oriented. The width of the opening where the throat meets the vertical wall of the trap and the opening of the throat at its farthest point from the vertical wall, inside the trap, shall be greater than the height of any such opening. No such throat shall extend farther than 6 inches into the inside of any trap, measured from where the throat opening meets the vertical wall of the trap to the throat opening at its farthest point from the vertical wall, inside the trap.

3. Each wire trap used to harvest stone crabs shall have at least three unobstructed escape rings installed on a vertical outer surface, each with a minimum diameter of 2 3/8 inches. One such escape ring shall be located on a vertical outer surface adjacent to each crab retaining chamber.

4. Each plastic or wire trap used to harvest stone crabs shall have a degradable panel.

a. A plastic trap shall be considered to have a degradable panel if it contains at least one sidewall with a rectangular opening no smaller in either dimension than that of the throat. This opening must be obstructed with a cypress or untreated pine slat or slats no thicker than 3/4 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

b. A wire trap shall be considered to have a degradable panel if one of the following methods is used in construction of the trap:

(I) The trap lid tie-down strap is secured to the trap at one end by a single loop of untreated jute twine. The trap lid must be secured so that when the jute degrades, the lid will no longer be securely closed.

(II) The trap lid tie-down strap is secured to the trap at one end with a corrodible loop composed of non-coated steel wire measuring 24 gauge or thinner. The trap lid must be secured so that when the loop degrades, the lid will no longer be securely closed.

(III) The trap lid tie-down strap is secured to the trap at one end by an untreated pine dowel no larger than 2-inches in length by 3/8-inch in diameter. The trap lid must be secured so that when the dowel degrades, the lid will no longer be securely closed.

(IV) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be

laced, sewn, or otherwise obstructed by a single length of untreated jute twine knotted only at each end and not tied or looped more than once around a single mesh bar. When the jute degrades, the opening in the sidewall of the trap will no longer be obstructed.

(V) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be obstructed with an untreated pine slat or slats no thicker than 3/8-inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

(VI) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may either be laced, sewn, or otherwise obstructed by non-coated steel wire measuring 24 gauge or thinner or be obstructed with a panel of ferrous single-dipped galvanized wire mesh made of 24 gauge or thinner wire. When the wire or wire mesh degrades, the opening in the sidewall of the trap will no longer be obstructed.

(VII) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may be obstructed with a rectangular panel made of any material, fastened to the trap at each of the four corners of the rectangle by rings made of non-coated 24 gauge or thinner wire or single strands of untreated jute twine. When the corner fasteners degrade, the panel will fall away and the opening in the sidewall of the trap will no longer be obstructed.

### (3) Commercial Trap Marking Requirements.

(a) Each trap used must have the trap owner's stone crab endorsement number permanently attached. In addition, the stone crab endorsement number shall be affixed in legible figures at least two inches high, on each buoy used. The saltwater products license must be on the boat and the license and stone crab claws shall be subject to inspection at all times. Except as provided in paragraph (4)(c) of this rule, no more than two stone crab endorsement numbers shall be used on a single vessel.

(b) A buoy or time release buoy shall be attached to each trap or at each end of a weighted trap trotline. The buoy shall be constructed of styrofoam, cork, molded polyvinyl chloride, or molded polystyrene, be of sufficient strength and buoyancy to float, and be of such color, hue, and brilliancy as to be easily distinguished, seen, and located. Buoys shall be either spherical in shape with a diameter no smaller than 6 inches or some other shape so long as it is no shorter than 10 inches in the longest dimension and the width at some point exceeds 5 inches. No more than 5 feet of any buoy line attached to a buoy used to mark a stone crab trap or attached to a trotline shall float on the surface of the water.



(c) The buoy color and endorsement number shall also be permanently and conspicuously displayed on any vessel used by a person harvesting for commercial purposes for setting and collecting said traps and buoys, so as to be readily identifiable from the air and water, in the following manner:

1. From the Air – The buoy design approved by the Commission shall be displayed and be permanently affixed to the uppermost structural portion of the vessel and displayed horizontally with the painted design up. The display shall exhibit the harvester's approved buoy design, unobstructed, on a circle 20 inches in diameter, outlined in a contrasting color, together with the endorsement number permanently affixed beneath the circle in numerals no smaller than 10 inches in height.

2. From the Water – The buoy design approved by the Commission shall be displayed and be permanently affixed vertically to both the starboard and port sides of the vessel near amidship. The display shall exhibit the harvester's approved buoy design, unobstructed, on a circle 8 inches in diameter, outlined in a contrasting color, together with the endorsement number permanently affixed beneath the circle in numerals no smaller than 4 inches in height.

(4) Trap-working regulations.

(a) It is unlawful for any person to place traps in the navigation channels of the intracoastal waterways, or in navigation channels maintained and marked by the Corps of Engineers, Coast Guard, State of Florida, or any county or municipal government.

(b) Traps may be worked during daylight hours only, and the pulling of traps from one hour after official sunset until one hour before official sunrise is prohibited.

(c) During any time of the year when it is legal to transport stone crab traps, a harvester may obtain permission from the Division of Law Enforcement to allow another person to transport, deploy, pull, or retrieve his or her traps. Permission may be granted upon receipt of a written statement signed by the commercial harvester seeking to have his or her traps pulled. Such written statement shall contain the following:

1. The reason the harvester needs to have his or her traps pulled.

2. The numbers of the saltwater products license and stone crab endorsement of both, the harvester seeking to have the traps pulled and the person who will be pulling the traps.

3. The buoy colors of the harvester seeking such permission.

4. The vessel number and vessel name of the person who will be pulling the traps, and

5. The general locations of the pulling activity of the vessel engaged in pulling the traps.

Permission to pull traps in this manner shall be obtained daily; however, extension of permission may be obtained by telephone for up to a maximum of 5 days without renewal or extension. Permission to have traps pulled by another person

for a longer period of time, must be based on extraordinary circumstances such as severe personal or family illness or accident, and may be obtained through petition to the Division of Marine Fisheries, and may be granted upon such conditions as the division deems appropriate.

(d) Except as provided in paragraph (e) of this subsection, it shall be unlawful to transport on the water, fish with, set, or place, or cause to be fished with, set, or placed, any trap or part thereof during the closed stone crab season, except that traps may be placed in the water and baited 10 days prior to the opening of the stone crab season and shall be removed within five days after the close of the stone crab season. However, the Division of Law Enforcement of the Fish and Wildlife Conservation Commission may grant an extension for the retrieval of traps for up to a maximum of ten days after the expiration of the five-day grace period, or a total of up to 15 days after the close of the stone crab season, upon the following conditions:

1. The trap owner or the owner's lawfully designated agent shall request, in writing, permission for an extension of the grace period for retrieval of traps. The request shall specify the owner's name and trap number, the name of the boat to be used for trap retrieval, the boat owner's name, the period of additional time needed for trap retrieval, and the reason(s) for the request.

2. On the day that trap retrieval commences, and on each subsequent day that trap retrieval continues, the Division of Law Enforcement must be advised in person or by telephone of the trap locations and landing site.

3. Reasons for granting an extension shall be limited to:

a. Hazardous weather at the end of the season or during the trap retrieval period.

b. Medical emergencies which make it impossible for the owner to operate a boat.

c. Equipment breakdown.

4. Nothing herein shall authorize the landing or sale of any stone crab or stone crab claw during the closed season.

(e) Any traps, floats or ropes in the water more than ten days prior to the opening of the stone crab season or remaining in the water or otherwise abandoned during the closed season (following the grace period and any extensions thereof for retrieval of traps) are declared to be public nuisances and shall be disposed of in a manner approved by the Division of Law Enforcement. This provision shall be in addition to any penalty imposed by law.

(5) Trap Transfer. Ownership of stone crab traps may be transferred to other persons, firms or corporations, so long as the following conditions are met:

(a) The person or entity acquiring ownership of such stone crab traps must notify the Division of Law Enforcement within five days of acquiring ownership and prior to placing or setting the traps in the water, as to the number of traps purchased, the vendor and the endorsement number currently displayed on the

traps, and in addition, shall request issuance of a stone crab endorsement if such person or entity does not currently have one.

(b) Buoys must be renumbered and recolored at the first pulling of traps.

(c) The new endorsement number must be permanently attached to the traps prior to setting such traps in the following open season.

(d) The new owner must retain a valid bill of sale.  
PROPOSED EFFECTIVE DATE: July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 7-1-00.

#### 68B-13.010 Stone Crab Trap Limitation Program.

(1) Purpose and Intent. Rapid growth of Florida's stone crab trap industry has led to an excessive number of traps in the water, declining yields per trap, and an increase in conflicts between stone crabbers and shrimp trawlers. The expanding number of traps, buoys and ropes impede navigation and damage hard bottom and sea grass beds. In an effort to solve these problems, the Fish and Wildlife Conservation Commission is establishing a trap limitation program for the stone crab fishery in which the principal goal is to stabilize the fishery while generating an optimum sustainable yield utilizing the fewest number of traps.

(2) Certificates and trap tags. Each holder of a stone crab endorsement must have a certificate on record for each stone crab trap used or possessed in or on the water. In addition, attached to each trap shall be a tag, issued annually by the Commission, which corresponds to a valid certificate.

##### (a) Certificates.

1. A person is eligible for the initial allocation of stone crab trap certificates if he or she possessed a saltwater products license (SPL) with a restricted species endorsement and a stone crab endorsement during the 1999/2000 fishing season, and can establish pursuant to Commission trip ticket records generated under the provisions of s. 370.07(6), Florida Statutes, that he or she had at least 300 pounds of stone crab claw landings associated with any one SPL, during any one fishing season from 1993/1994 through 1998/1999. A SPL with less than 300 pounds is not eligible to receive stone crab trap certificates.

2. Once eligible, a person will qualify for the initial allocation of certificates for each SPL based on whichever is less, the number of traps listed on the SPL application, or the pounds of claws landed divided by 2, as reported through the trip ticket program during any one of the applicable fishing seasons. The number of certificates allocated will be based on the highest cumulative total of qualified certificates for each SPL during one fishing season, 1995/1996 through 1997/1998.

3. Certificates shall only be issued to natural persons. For the purposes of this section, the term "natural person", or "person", refers to a human being and does not include a firm,

organization, partnership, association, corporation, or other business or legal entity or group or combination. All endorsement holders other than natural persons shall designate the person or persons to whom their certificates will be allotted and the number thereof to each, if more than one person is designated.

4. Certificates shall only be issued to persons who possess a current year saltwater products license with a stone crab endorsement, neither of which are under suspension or revocation

5. In no event shall any person, firm, corporation, or other business entity, possess or control, directly or indirectly, more than 1% of the total available certificates issued in any fishing season.

6. The fees for unpaid certificates will accumulate each year a certificate holder fails to pay his or her annual certificate fee. In the event a holder's annual certificate fee is not paid for a period of 3 years, the certificate shall be considered abandoned and be removed from the pool of available certificates.

(b) Trap tags. Beginning October 1, 2001, each trap used for the directed harvest of stone crabs in state waters or adjacent federal waters shall, in addition to having the stone crab endorsement number permanently attached as required by rule 68B-13.008(3)(a), F.A.C., also have firmly affixed thereto a current trap tag issued annually by the Commission. Each such tag shall be made of durable plastic or material similarly durable and shall have stamped thereon the owner's endorsement number. The number of trap tags issued to each endorsement holder shall not exceed the number of trap certificates held by the endorsement holder at the time of issuance. To facilitate enforcement and record keeping, such tags shall be issued each year in a different color from that of each of the previous 3 years. Replacement tags for lost or damaged tags may be obtained from the Commission. Traps with tags which are not firmly affixed by nails, staples, or otherwise securely fastened as may be specified by the Commission, shall be considered untagged for enforcement purposes.

(3) Certificate transferability and passive reduction. After initial issuance, trap certificates are transferable on a market basis and may be transferred for a fair market value agreed upon between the transferor and transferee.

(a) Transfer of any certificates shall, within 72 hours thereof, be recorded on a notarized form provided for that purpose by the Commission and hand delivered or sent by certified mail, return receipt requested, to the Commission for record keeping purposes. No transfer of any certificates will be effective, resulting in the issuance of transfer tags, until:

1. The Commission receives the notarized transfer form from the seller and the transfer fee is paid, and

2. The Commission receives a notarized copy of the bill of sale from the purchaser, and

3. All outstanding license fees, endorsement fees, trap tag fees, surcharges and any other charges owed to the Commission by either party in the transaction are paid, and

4. The saltwater products license, stone crab endorsement, and all certificates or other required licenses, endorsements or authorizations held by both parties in the transaction are not suspended, revoked, or inactive.

(b) Upon the sale or transfer of certificates outside the immediate family of the certificate holder, the number of certificates received by the purchaser shall be reduced by the following percentages depending on the overall number of certificates available to harvesters throughout the state at the time of sale:

1. If more than 1 1/2 million certificates are available, there shall be a 25 percent reduction in the number of certificates received by the purchaser.

2. If more than 1 1/4 million, but fewer than 1 1/2 million certificates are available, there shall be a 22 1/2 percent reduction in the number of certificates received by the purchaser.

3. If more than 1 million, but fewer than 1 1/4 million certificates are available, there shall be an 18 1/2 percent reduction in the number of certificates received by the purchaser.

4. If more than 3/4 of a million, but fewer than 1 million certificates are available, there shall be a 15 percent reduction in the number of certificates received by the purchaser.

5. If more than 600,000, but fewer than 3/4 of a million certificates are available, there shall be a 10 percent reduction in the number of certificates received by the purchaser.

6. When 600,000 certificates or fewer are available, there shall be no percentage reduction in the number of certificates received by the purchaser.

(c) The Commission will maintain records of all certificates and their transfers and annually provide each endorsement holder with a statement of their certificate account.

(d) In the event of death or disability, endorsements and certificates may be transferred to a member of the immediate family without the family member being subject to any transfer fees or a reduction in the number of certificates transferred. However, certificates will only be transferred if all outstanding license fees, endorsement fees, trap tag fees, surcharges and any other charges owed by either party to the Commission are paid, and both parties' saltwater products license, stone crab endorsement, and all certificates or other required licenses, endorsements or authorizations are not suspended, revoked or inactive.

(e) Each year as the numbers of certificates are reduced, the Commission may make up to 5% of the total amount of reduced certificates available to persons properly licensed and qualified to harvest stone crabs pursuant to the requirements of this rule chapter.

(4) Leasing prohibited. The leasing of stone crab certificates or the corresponding trap tags is prohibited.

(5) Incidental take endorsement. Persons possessing valid crawfish or blue crab endorsements may land 5 gallons of stone crab claws per day if the stone crab claws are harvested from legal crawfish or blue crab traps and the crawfish or blue crab endorsement holder also possesses a stone crab incidental take endorsement.

(6) No vested rights. The stone crab trap limitation program does not create any vested rights for endorsement or certificate holders whatsoever and may be altered or terminated by the Commission as necessary to protect the stone crab resource, the participants in the fishery, or the public interest.

(7) Trap Certificate Advisory and Appeals Board. There is hereby established the Trap Certificate Advisory and Appeals Board. Such board shall consider and advise the Commission on disputes and other problems arising from the implementation of the stone crab trap limitation program. The board may also provide information to the Commission on the operation of the trap limitation program.

(a)1. Board Composition. The board shall consist of a member of the Commission staff appointed by the executive director, and eight members appointed by the executive director according to the following criteria, except as otherwise provided in subparagraph 2.:

a. All appointed members other than the commission staff person, shall be stone crab trap certificate holders, none of whom are appealing their trap certificate allotment. Two shall hold fewer than 200 certificates, two shall hold at least 200 but no more than 750 certificates, two shall hold more than 750 but not more than 2,000 certificates, and two shall hold more than 2,000 certificates.

b. At least one member shall come from each of the following regions:

(I) Wakulla, Taylor, Dixie, or Levy Counties;

(II) Citrus, Hernando, Pasco, Pinellas, or Hillsborough Counties;

(III) Manatee, Sarasota, Charlotte, or Lee Counties; and

c. The remaining five members of the board shall come from Collier, Monroe and Dade Counties.

d. At least one appointed member shall be a person of Hispanic origin capable of speaking conversational English and Spanish.

2. If there are not enough individuals that meet the above-referenced criteria, the executive director of the Commission may fill any position on the initial board with an individual who does not fulfill the requirements of subparagraph 1. However, as soon as individuals are available that meet the requirements of subparagraph 1, the executive director must replace any individual who does not meet the above-referenced criteria, and fill the position on the board with the qualified appointees.

(b) Meetings. The staff member of the Commission appointed by the executive director shall sit on the board as a voting member, and shall call the organizational meeting of the board. The board shall annually elect a chair and a vice chair. There shall be no limitation on successive terms that may be served by a chair or vice chair. The board shall meet at the call of its chair, at the request of a majority of its membership, at the request of the Commission, or at such times as may be prescribed by its procedural rules. Official action of the board shall require a majority vote of the total membership of the board present at the meeting.

(c) Expenses. Members of the board shall receive no compensation, however, they shall be reimbursed for per diem and travel expenses as provided in s. 112.061, Florida Statutes.

(d) Final Action. Upon reaching a decision on any dispute or problem brought before it, including any decision involving the initial allocation of certificates under paragraph (f), the board shall submit such decision as a recommendation to the executive director of the Commission. The executive director may accept, alter, or disapprove any decision of the board, with notice given in writing to the board and to each party in the dispute explaining the reasons for the alteration or the disapproval. The action of the executive director of the Commission constitutes final agency action, and is appealable pursuant to the requirements of Chapter 120, Florida Statutes.

(e) Board Authority. In addition to those certificates allotted pursuant to the initial eligibility provisions established in subparagraph (2)(a), up to 100,000 trap certificates may be allotted by the board to make recommendations on allocations to settle disputes or other problems arising from implementation of the trap limitation program, and for special circumstances.

1. Disputes arising from the implementation of the trap limitation program shall cover those problems arising from implementation of the program during the 2000-2001 and 2001-2002 fishing seasons.

2. Special circumstances shall include but are not limited to the following:

a. Fishermen who can demonstrate that they were affected by Chapter 73-432, Laws of Florida (1973), which limited fishermen in Citrus, Dixie, Levy, and Taylor Counties to 600 stone crab traps per boat.

b. Persons who had landings, but did not record any traps on their saltwater products license application during the qualifying years and therefore did not receive an initial trap certificate allocation.

c. Persons who can demonstrate through copies of trip tickets, legitimate sales to a licensed wholesale dealer which were not reported by the dealer or included in the agency landings database.

d. Persons who worked together on the same boat but operated as separate business entities, each with their own SPL and stone crab endorsement, but who reported their landings or

who had their landings reported on a single SPL. Under such circumstances the boards may divide the number of certificates allotted between the two people; however, each person must agree to the division prescribed by the board.

e. Persons displaced by Article X, Section 16, of the Florida Constitution who do not otherwise qualify for the stone crab limited entry program and who can demonstrate through landings that their net fishing occurred from Wakulla through Monroe Counties. Such persons shall qualify for 100 trap certificates if they can demonstrate that they:

(I) Sold nets to the state according to the provisions of the net buy back program, s. 370.0805(5), Florida Statutes.

(II) Invested money in the stone crab fishery by the 1999/2000 fishing season.

(III) Produced at least 300 pounds of claws since July 1, 1995, and

(IV) Have no record of net violations since July 1, 1995.

3. Any trap certificates not allotted by July 1, 2002, shall become permanently unavailable.

4. All appeals for additional certificates or other disputes must be filed with the board, on a form established by the commission, before October 1, 2001.

(f) In determining eligibility and initial allotment of traps for the trap reduction program, when a fisherman disagrees with commission records regarding the number of traps fished by the fisherman during a particular qualifying year, the burden of proof shall be on the fisherman to establish the number of traps fished, through trip tickets or copies of his or her SPL applications.

(g) Dissolution. On July 1, 2002, the board shall be dissolved.

PROPOSED EFFECTIVE DATE: July 1, 2000.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 7-1-00.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 91 Specifics

RULE NO.: 53ER00-5

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 91, "HIGHBALL POOL" 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 prize winners and the 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, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-5 Instant Game 91 Specifics.

(1) Name of Game. Instant Game Number 91, "HIGHBALL POOL."

(2) Price. HIGHBALL POOL Lottery tickets sell for \$1.00 per ticket.

(3) HIGHBALL POOL Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning HIGHBALL POOL Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any HIGHBALL POOL Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The ball play symbols and play symbol captions in HIGHBALL POOL are as follows:

INSERT SYMBOLS

(5) The "HIGHBALL" play symbols and play symbol captions in HIGHBALL POOL are as follows:

INSERT SYMBOLS

(6) The "PRIZE" symbols and prize symbol captions in HIGHBALL POOL are as follows:

INSERT SYMBOLS

(7) Determination of Prize Winners.

(a) The holder of a ticket having one ball numbered higher than the "HIGHBALL" shall be entitled to a prize of the amount shown, or if TICKET is shown as the prize shall be entitled to a prize of a \$1.00 ticket.

(b) The holder of a ticket having two balls numbered higher than the "HIGHBALL" shall be entitled to a prize of double the amount shown.

(c) The holder of a ticket having three balls numbered higher than the "HIGHBALL" shall be entitled to a prize of triple the amount shown.

(8) Prize amounts which may appear in the play area are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$100, \$3,000.

(9) Number and Size of Prizes. The following prizes will be available in Instant Game Number 91 HIGHBALL POOL:

(a) Approximately 2,029,303 prizes falling in the cash categories of 63 pools of 240,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 91 are as follows:

<u>FIND ONE BALL HIGHER THAN THE HIGHBALL, WIN PRIZE SHOWN.</u>			
<u>FIND TWO BALLS HIGHER THAN THE HIGHBALL, WIN DOUBLE PRIZE SHOWN. FIND THREE BALLS HIGHER THAN THE HIGHBALL, WIN TRIPLE PRIZE SHOWN.</u>			
<u>WITH PRIZES OF:</u>	<u>WIN</u>	<u>WINNERS IN 63 POOLS</u>	<u>ODDS</u>
<u>TICKET</u>	<u>TICKET</u>	<u>1,814,400</u>	<u>1 in 8.33</u>
<u>\$1 (DOUBLE)</u>	<u>\$2</u>	<u>856,800</u>	<u>1 in 17.65</u>
<u>\$2</u>	<u>\$2</u>	<u>302,400</u>	<u>1 in 50.00</u>
<u>\$1 (TRIPLE)</u>	<u>\$3</u>	<u>453,600</u>	<u>1 in 33.33</u>
<u>\$2 (DOUBLE)</u>	<u>\$4</u>	<u>151,200</u>	<u>1 in 100.00</u>
<u>\$4</u>	<u>\$4</u>	<u>100,800</u>	<u>1 in 150.00</u>
<u>\$2 (TRIPLE)</u>	<u>\$6</u>	<u>50,400</u>	<u>1 in 300.00</u>
<u>\$5 (DOUBLE)</u>	<u>\$10</u>	<u>25,200</u>	<u>1 in 600.00</u>
<u>\$10</u>	<u>\$10</u>	<u>25,200</u>	<u>1 in 600.00</u>
<u>\$10 (DOUBLE)</u>	<u>\$20</u>	<u>25,200</u>	<u>1 in 600.00</u>
<u>\$20</u>	<u>\$20</u>	<u>25,200</u>	<u>1 in 600.00</u>
<u>\$10 (TRIPLE)</u>	<u>\$30</u>	<u>10,458</u>	<u>1 in 1,445.78</u>
<u>\$100</u>	<u>\$100</u>	<u>1,890</u>	<u>1 in 8,000.00</u>
<u>\$100 (TRIPLE)</u>	<u>\$300</u>	<u>945</u>	<u>1 in 16,000.00</u>
<u>\$3,000</u>	<u>\$3,000</u>	<u>10</u>	<u>1 in 1,512,000.00</u>

(10) The over-all odds of winning any prize in Instant Game Number 91 are 1 in 3.93.

(11) For reorders of Instant Game Number 91, the expected value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c), 24.109(1) FS. History—New 2-15-00.

**THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.**

**EFFECTIVE DATE: February 15, 2000**

**DEPARTMENT OF THE LOTTERY**

**RULE TITLE: Instant Game 97 Specifics** **RULE NO.: 53ER00-8**

**SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 97, "DAYTONA 500®" 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 prize winners and the 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, Capitol Complex, Tallahassee, Florida 32399-4011**

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-8 Instant Game 97 Specifics.

(1) Name of Game. Instant Game Number 97, "DAYTONA 500®."

(2) Price. DAYTONA 500® tickets sell for \$2.00 per ticket.

(3) DAYTONA 500® Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning DAYTONA 500® Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any DAYTONA 500® Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The "YOUR SPEED" play symbols and play symbol captions in DAYTONA 500® are as follows:

INSERT SYMBOLS

(5) The "THEIR SPEED" play symbols and play symbol captions in DAYTONA 500® are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions in DAYTONA 500® are as follows:

INSERT SYMBOLS

(7) Determination of Prize Winners.

(a) There are six laps on a ticket. The holder of a ticket having a speed exposed in the "YOUR SPEED" play area that is higher than the speed exposed in the "THEIR SPEED" play area for the same lap shall be entitled to a prize of the corresponding amount shown for that lap, or if TICKET is shown as the prize, shall be entitled to a prize of a \$2.00 instant ticket or any combination of on-line and instant tickets that totals \$2.00.

(b) The holder of a ticket having a "Car" exposed in the "YOUR SPEED" play area shall be entitled to a prize of the total of all six prize amounts.

(8) Prize amounts which may appear in the "PRIZE" play area are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$250, \$1,000 and \$10,000.

(9) Number and Size of Prizes. The following prizes will be available in Instant Game Number 97, DAYTONA 500®:

(a) Approximately 1,253,794 prizes falling in the cash categories of 62 pools of 120,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 97 are as follows:

IF YOUR SPEED BEATS THEIR SPEED WIN PRIZE, OR GET A CAR, WIN ALL SIX PRIZES WITH PRIZE(S)

OF:	WIN	NUMBER IN 62 POOLS	ODDS
TICKET	TICKET	992,000	1 in 7.50
\$2	\$2	396,800	1 in 18.75
\$2 x 2	\$4	248,000	1 in 30.00
\$1 x 6 (CAR)	\$6	347,200	1 in 21.43
\$1 + \$5	\$6	99,200	1 in 75.00
\$1 x 2 + \$2 x 4	\$10	49,600	1 in 150.00
\$2 + \$4 + \$4	\$10	49,600	1 in 150.00
\$1 x 2 + \$4 x 2 + \$5 x 2 (CAR)	\$20	24,800	1 in 300.00
\$5 x 4	\$20	24,800	1 in 300.00
\$25 x 2	\$50	4,588	1 in 1,621.62
\$25 + \$10 + \$5 x 3	\$50	4,526	1 in 1,643.84
\$10 + \$20 x 2 + \$50	\$100	1,860	1 in 4,000.00
\$25 x 4	\$100	1,860	1 in 4,000.00
\$25 x 2 + \$50 x 4 (CAR)	\$250	310	1 in 24,000.00
\$250	\$250	310	1 in 24,000.00
\$100 x 6 (CAR)	\$600	310	1 in 24,000.00
\$1,000	\$1,000	20	1 in 372,000.00
\$10,000	\$10,000	10	1 in 744,000.00

(11) The over-all odds of winning any prize in Instant Game Number 97 are 1 in 3.31.

(12) For reorders of Instant Game Number 97, the expected value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

Specific Authority 24.109(1), 24.105(10)(a),(b),(c) FS. Law Implemented 24.105(10)(a),(b),(c) FS. History—New 2-11-00.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: February 11, 2000

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Replacement of Obsolete Emergency Rules

RULE NO.: 53ER00-9

SUMMARY OF THE RULE: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-9 Replacement of Obsolete Emergency Rules.

The following Department of the Lottery emergency rules relating to Lottery games and promotions are obsolete. The emergency rules listed below are obsolete because the games and promotions have concluded or the emergency rule provisions have been adopted by permanent rule. This rule

shall replace the following rules: 53ER98-33, 53ER98-34, 53ER99-6, 53ER99-7, 53ER99-12, 53ER99-16, 53ER99-27, F.A.C.

Specific Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 2-11-00. Replaces 53ER98-33, 53ER98-34, 53ER99-6, 53ER99-7, 53ER99-12, 53ER99-16, 53ER99-27, F.A.C.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: February 11, 2000

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that on January 31, 2000, the State Board of Independent Colleges and Universities (SBICU) received a petition for waiver from the National Institute of Oriental Medicine pursuant to Section 120.542, Florida Statutes. The petition seeks temporary relief from the Rule 6E-2.002(2)(f), Fla. Admin. Code, as it pertains to the awarding of degrees while the Institute received accreditation but had not been awarded a Level II provisional license by SBICU.

A copy of the petition may be obtained from: Cindy Bellia, (850)488-8695. The SBICU will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the State Board of Independent Colleges and Universities, Koger Center, Turner Building, Suite 200, 2586 Seagate Drive, Tallahassee, Florida 32301.

### DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Robert J. Angelotti, Jr., on February 14, 2000, a petition for Variance or Waiver of Rule 11B-27.002(3), FAC., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that a person who completes a Florida Basic Recruit Training Program, pursuant to Rule Chapter 11B-35, FAC., or former Rule 11B-29.002, FAC. and who is thereafter not employed as an officer in the discipline for which training was completed, within four (4) years of the appointment after July 1, 1993, successfully complete a Basic Recruit Training Program, pursuant to Rule 11B-35.002, FAC. and demonstrate proficiency in each of the high-liability proficiency skills applicable to that discipline and successfully pass the Officer Certification examination.

PURPOSE: Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Shehla A. Milliron.

A copy of the Petition may be obtained by contacting Assistant General Counsel Shehla A. Milliron at the above address, or by calling (850)410-7676.

### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Dana Utility Corporation's petition for temporary waiver of Rules 25-30.033(1)(h),(k),(m),(o),(t),(u),(v),(w),(2),(3) and (4), Florida Administrative Code, filed October 20, 1999, in Docket No. 991632-WS was approved by the Commission at its December 21, 1999 Agenda Conference. Order No. PSC-00-0127-PAA-WS, issued January 14, 2000 memorialized the decision. The above-referenced rules address the following: setting of initial rates and charges; implementation of a the base facility and usage rate structure; establishment of a common equity using the Commission's equity leverage formula and authorization of the accrued allowance for funds used during construction. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the Florida Administrative Weekly on November 5, 1999.

A copy of the Order can be obtained from either the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage: <http://www.floridapsc.com>.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to grant a variance from Rule 40D-4.302(1)(c), FAC. and the additional criteria provided in subsection 3.2.5(c) of the Basis for Review for Environmental Resource Permit Applications, (File No. 0158800-002-EV) to Ms. Karen V. Barnett, Director of Citrus County Division of Parks and Recreation, Post Office Box 1439, Crystal River, Florida 34423-1439, to place approximately 6,790 cy of beach-quality sand from an upland source in the Class II, Conditionally Restricted Shellfish Harvesting Waters, off of the Fort Island Gulf Public Beach and the replenishment of eroded sand every five years until October 25, 2009.

A person whose substantial interests are affected by the Department's proposed action may petition for an administrative hearing in accordance with sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the

clerk) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the variance or even a denial of the application. Under rule 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205, FAC.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), FAC., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant and other than those entitled to written notice under section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name, address and telephone number of the petitioner's

representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301, FAC. Under sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under section 120.68, F.S., by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department. The applicant, or any party within the meaning of section 373.114(1)(a), F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under section 373.114(1), F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the final order is filed with the Clerk of the Department.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Office of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201.



## Section VI Notices of Meetings, Workshops and Public Hearings

### DEPARTMENT OF STATE

The Board of Directors of the **Historic Pensacola Preservation Board** announce a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 13, 2000, 12:00 Noon

PLACE: 330 S. Jefferson Street, Pensacola, FL 32501

PURPOSE: General business meeting.

A copy of the agenda may be obtained by writing: Historic Pensacola Preservation Board, 330 S. Jefferson Street, P. O. Box 12866, Pensacola, FL 32576-2866.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

The Board of Directors of Historic Pensacola, Inc. the direct support organization of the **Historic Pensacola Preservation Board** announce a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 13, 2000, immediately following the meeting of the Historic Pensacola Preservation Board, which will begin at 12:00 Noon

PLACE: T. T. Wentworth Museum, 330 S. Jefferson Street, Pensacola, FL 32501

PURPOSE: General business meeting.

A copy of the agenda may be obtained by writing: Historic Pensacola Preservation Board, 330 S. Jefferson Street, Pensacola, Florida 32501.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited:

DATE AND TIME: March 21, 2000, 1:00 p.m. – 3:00 p.m.

PLACE: R. A. Gray Building, Room 101F, 500 S. Bronough St., Tallahassee, Florida

PURPOSE: To discuss the Board's 2000-2004 Strategic Plan  
For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board at the Department of State, Bureau of Archives and Records Management, R. A. Gray Building, Tallahassee, Florida 32399-0250, Telephone (850)487-2073, Suncom 277-2073.

Pursuant to Chapter 286.26, Florida Statutes, any persons with handicaps wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of State, Division of Cultural Affairs** announces the following public meeting, to which all persons are invited:

DATE AND TIME: Thursday, March 9, 2000, 9:00 a.m.

PLACE: Rohde Building, Conference Room N-423, 401 N. W. 2nd Avenue, Miami, FL 33128, (305)377-5430

PURPOSE: To hold a Slide Review meeting to select artwork for Art in State Buildings Project No. DMS 9405/2000, Opa Locka Regional Service Center, Dade County, Florida

COMMITTEE: Art Selection Committee

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

### DEPARTMENT OF LEGAL AFFAIRS

The **Legislative Reporting Committee** of the **Florida Commission on the Status of Women** will hold a conference call:

DATE AND TIME: March 17, 2000, 10:30 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

PURPOSE: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance: Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The **Legislative Reporting Committee** of the **Florida Commission on the Status of Women** will hold a conference call:

DATE AND TIME: March 24, 2000, 10:30 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

PURPOSE: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance: Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

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#### DEPARTMENT OF INSURANCE

The **Department of Insurance**, Division of Insurer Services announces a public meeting to which all persons are invited.

DATE AND TIME: March 13, 2000, 10:00 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399

PURPOSE: Public discussion of the Florida Preferred Mutual Insurance Company's plan of liquidation submitted for consideration and approval by the Department of Insurance.

A copy of the agenda may be obtained by writing: Division of Insurer Services, Bureau of P & C Insurer Solvency, Market Conduct & Surplus Lines, 200 East Gaines Street, Tallahassee, FL 32399.

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The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: March 17, 2000, 9:00 a.m.

PLACE: Orange County Fire Rescue, 6590 Amory Court, Room 111, Winter Park, Florida

PURPOSE: Regular meeting of the Fire Fighters Standards and Training Advisory Council.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486.

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Food and Nutrition Advisory Council.

DATES AND TIMES: March 16, 2000, 8:00 a.m. – 5:00 p.m.; March 17, 2000, 8:30 a.m. – 12:00 p.m.

PLACE: The Hilton Sandestin Beach and Golf Resort, 4000 Sandestin Blvd., South, Destin, Florida 32541, (850)267-9500, (850)267-3076 Fax

PURPOSE: To discuss and review the status of food and nutrition programs and initiatives in the State of Florida.

A copy of the agenda can be obtained by contacting: Cathy Quick, 541 E. Tennessee Street, 2nd Floor, Tallahassee, FL 32308.

If special accommodations are needed to attend this meeting because of a disability, please contact Cathy Quick, (850)487-6694 by March 10, 2000.

The **Department of Agriculture and Consumer Services, Division of Consumer Services** announces a meeting of the Florida Motor Vehicle Repair Advisory Council.

DATE AND TIME: Wednesday, March 15, 2000, 1:30 p.m.

PLACE: City Centre Conference Room, 227 North Bronough Street, #7200, Tallahassee, Florida 32301-1329

PURPOSE: To advise and assist the Department in carrying out its administrative duties under the Florida Motor Vehicle Repair Act.

For more information please contact: Mrs. Jamie Ezell, (850)410-3769 or 1(800)HELP FLA, Division of Consumer Services, 227 North Bronough Street, Tallahassee, Florida 32301-1329.

If special accommodations are needed, please call this office by Monday, March 6, 2000.

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#### DEPARTMENT OF EDUCATION

The public is invited to a telephone conference call meeting of the Florida **Board of Regents**.

DATE AND TIME: March 10, 2000, 9:00 a.m.

PLACE: Conference Room, 15th Floor, Florida Education Center, Tallahassee, Florida

PURPOSE: To consider legislative issues and updates and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity, (850)201-7160 (Voice), (850)201-7333 (TDD), at least 7 days in advance, so that their needs may be accommodated.

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The **Board of Regents** announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2000, 10:00 a.m.

PLACE: The Phyllis P. Marshall Center Ballroom, University of South Florida, Tampa, Florida

PURPOSE: To appoint the President of the University of South Florida.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the USF Equal Opportunity Affairs Office, (813)974-4373 or (813)974-1510 for TDD line, at least 7 days in advance, so that their needs can be accommodated.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, March 11, 2000, 9:00 a.m.

PLACE: Music Building Auditorium, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance from the aforementioned address.

The **Gulf Coast Community College** District Board of Trustees will hold its monthly meeting as follows.

TIME AND DATE: March 9, 2000, 10:00 a.m. (CDT)

PLACE: Gardner Seminar Room, Panama City, FL

PURPOSE: Regular monthly meeting will include final approval of the 2000-2001 college catalog.

Contact person for the meeting is: Dr. Robert L. McSpadden, President.

**DEPARTMENT OF LAW ENFORCEMENT**

The **Department of Law Enforcement, Medical Examiners Commission** announces a Medical Examiners Commission Meeting.

DATE AND TIME: Wednesday, March 29, 2000, 10:30 a.m.

PLACE: Florida Department of Law Enforcement, Tampa Regional Operations Center, Ed Blackburn Building, 4211 North Lois Avenue, Tampa, Florida 33614

PURPOSE: Medical Examiners Commission Meeting.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact Medical Examiners Commission Office, (850)410-8300, at least five (5) working days prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information or a copy of the agenda may be obtained by contacting: Mr. Dale H. Heidman, Forensic Coordinator, Criminal Investigation and Forensic Science Program, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8300.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 1, 2000, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 8, 2000, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces the investiture of Commissioner-elect Lila A. Jaber to be held:

DATE AND TIME: February 29, 2000, 9:00 a.m.

PLACE: The Betty Easley Conference Center, Hearing Room 148, Tallahassee, Florida 32399-0870.

The Florida **Public Service Commission** announces service hearings in the following docket, to which all interested persons are invited.

Docket No. 990455-TL – Request for review of proposed numbering plan relief for the 305/786 area code – Dade County and Monroe County/Keys Region.

DATE AND TIME: March 13, 2000, 7:00 p.m.

PLACE: Embassy Suites Hotel, Miami International Airport, 3974 South River Drive, Miami, Florida

DATE AND TIME: March 14, 2000, 2:00 p.m.

PLACE: Old City Hall, 510 Greene Street, Key West, Florida

The hearings will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the hearings may be adjourned. All persons desiring to present testimony are urged to appear at the beginning of the hearing.

PURPOSE: To permit members of the public to give testimony regarding the request for review of proposed numbering plan relief for the 305/786 area code, Dade County and Monroe County/Keys Region. At the hearing, customers may be heard on any and all issues in the case relating to this request. All witnesses shall be subject to cross-examination at the conclusion of their testimony. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990054-WU – Application for amendment of Certificate No. 106-W to add and delete territory in Lake County by Florida Water Services Corporation.

DATES AND TIME: March 15-16, 2000, 10:00 a.m.

PLACE: Mount Dora Community Center, Auditorium, 520 Baker Street, Mount Dora, Florida

Customer testimony will be taken on March 15, 2000 at 10:00 a.m. and 7:00 p.m.

PURPOSE: To permit parties to present testimony and exhibits relative to the application for amendment of Certificate No. 106-W to add and delete territory in Lake County by Florida Water Services Corporation and for such other purposes as the Commission may deem appropriate. At the hearing, all parties

shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on March 3, 2000. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S. and Chapter 25-28, FAC.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO. 000061-EI – Complaint by Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2) and 366.07, F.S., with respect to rates offered under commercial/industrial service rider tariff; petition to examine and inspect confidential information; and request for expedited relief.

DATE AND TIME: March 17, 2000, 9:30 a.m.

PLACE: Commission Conference Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 991854-TP – Petition of BellSouth Telecommunications, Inc. for Section 252(b) arbitration of interconnection agreement with Intermedia Communications, Inc.

DATE AND TIME: March 17, 2000, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**EXECUTIVE OFFICE OF THE GOVERNOR**

An emergency teleconference meeting of the **Florida Black Business Investment Board** was held:

DATE AND TIME: February 9, 2000, 9:00 a.m.

PLACE: Office of the Florida Black Business Investment Board, 1711 S. Gadsden Street, Tallahassee, Florida

PURPOSE: Consideration of Mr. Keith Carswell's (FBBIB Chairman) nomination of Mr. J. B. Williams to the Board of Directors for the Florida Black Business Support Corporation.

ACTION TAKEN: Members of the Board unanimously approved the chairman's nomination of Mr. J. B. Williams to the Board of Directors for the Florida Black Business Support Corporation.

The Florida Partnership for School Readiness, **Executive Office of the Governor** announces the following public meeting to which all persons are invited.

DATE AND TIME: March 6, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: Cabinet Meeting Room, The Capitol, Room LL03, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Partnership for School Readiness.

A copy of the agenda may be obtained by contacting: Kristin Gilmore, Florida Partnership for School Readiness, Executive Office of the Governor, Room 131, Knott Building, Tallahassee, Florida 32399, (850)488-0337.

**REGIONAL PLANNING COUNCILS**

The **Northeast Florida Regional Planning Council**, Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited:

DATE AND TIME: March 2, 2000, 8:30 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

PURPOSE: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council**, Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: March 2, 2000, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

PURPOSE: To discuss pending personnel, program planning and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

DATE AND TIME: March 2, 2000, 10:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

PURPOSE: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Ginny Montgomery, (904)363-6350, Extension 146, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council**, Transportation Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: March 2, 2000, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

PURPOSE: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information call: Ginny Montgomery, (904)363-6350, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 1, 2000, 9:30 a.m.

PLACE: Highlands County Health Department, Conference Room, 7205 South George Blvd., Sebring, Florida

PURPOSE: Regular Monthly Meeting of the Council.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 9, 2000, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Agency on Bay Management Full Agency.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a

verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, March 13, 2000, 8:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Executive/Budget Committee Meeting.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, March 13, 2000, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702

PURPOSE: Regular Council Meeting.

SUBJECTS TO BE CONSIDERED: Routine Council Business; DRI Development Order Amendment Reports; Local Government Comprehensive Plan Reviews; Aging Policy Committee; Agency on Bay Management; Local Emergency Planning Committee; Chairman's Report.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, March 20, 2000, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, St. Petersburg, Florida 33702

PURPOSE: Area Agency on Aging Board Meeting.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, March 27, 2000, 9:30 a.m.  
(Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: IC&R Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council**, District VIII, Tampa Bay Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, March 29, 2000, 10:30 a.m.  
(Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Regular Bi-Monthly District VIII LEPC Meeting.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **South Florida Regional Planning Council** announces the following Clean Cities meetings to which all persons are invited.

FIRST MEETING: Clean Cities Coalition Market Development Subcommittee

DATE AND TIME: Monday, March 6, 2000, 11:00 a.m.

SECOND MEETING: Clean Cities Coalition Board Meeting

DATE AND TIME: Monday, March 6, 2000, 1:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

PURPOSE: The Gold Coast Clean Cities Coalition consists of Broward, Martin, Miami-Dade, Monroe and Palm Beach Counties. The Coalition was formed through Governor's Executive Order to accelerate the widespread use of cleaner, alternatively fueled fleet vehicles in Southeast Florida. The purpose of these meetings is to discuss relevant Coalition issues.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings and for such purpose, he may

need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact South Florida Regional Planning Council, (954)967-4152 (TDD) if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

## COMMISSION ON ETHICS

The Rules Committee of the Florida **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, March 8, 2000, 3:00 p.m.

PLACE: Ethics Commission Conference Room, Suite 101, 2822 Remington Green Circle, Tallahassee, FL

PURPOSE: To review the Commission's rules in Chapter 34, Florida Administrative Code and discuss possible amendments to various rule chapters.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, FL 32317-5709, Attn.: Millie Fulford.

Any person requiring some accommodation at this meeting because of physical impairment should call Commission on Ethics, (850)488-7864, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, March 9, 2000, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

PURPOSE: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Commission on Ethics, (850)488-7864, at least five days prior to the

meeting. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The **Department of Labor and Employment Security** and the **Department of Education** announces that the Occupational Access and Opportunity Commission will be meeting on every Tuesday, Wednesday and Thursday to redesign the Florida Vocational Rehabilitation system.

For information on meeting places and times, please contact Susan Mason, (850)487-3431, Ext. 121 or 1(800)451-4327.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in these meetings should contact: Susan Mason, no later than February 28, 2000, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696, or (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The meeting agenda will be available in alternative formats upon request.

Should you not be able to attend, but would like a copy of the minutes, please contact: Susan Mason, (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The **Department of Labor and Employment Security** and the **Department of Education** announces that the Occupational Access and Opportunity Commission will be meeting on March 1st and 2nd (meeting time and place to be announced) to redesign the Florida Vocational Rehabilitation system.

For information on meeting places and times, please contact: Susan Mason, (850)487-3431, Ext. 121 or 1(800)451-4327.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in these meetings should contact: Susan Mason, no later than two days prior to meeting, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696, or (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The meeting agenda will be available in alternative formats upon request.

Should you not be able to attend, but would like a copy of the minutes, please contact: Susan Mason, (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The Americans with Disabilities Act Working Group, which is administered by the **Division of Vocational Rehabilitation, Department of Labor and Employment Security** announces a meeting of the Americans with Disabilities Act Working Group Executive Board Meeting to which all interested persons are invited.

DATE AND TIME: February 29, 2000, 10:00 a.m. – 12:30 p.m.

PLACE: Room 360, Division of Vocational Rehabilitation Headquarters, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696

PURPOSE: To facilitate the mission of this Working Group.

For those people unable to attend in person, you may participate in the meeting via teleconference call by dialing (850)487-8783 or Suncom 277-8783

A copy of the agenda may be obtained by writing or calling: Americans with Disabilities Act Working Group, Building A, 2002 Old St. Augustine Road, Tallahassee, Florida 32399 (850)487-3423 Voice or TTY.

Should you require accommodations or materials in alternate formats, please contact: Doris Farmer, (850)487-3423 (Voice or TTY) prior to February 22, 2000.

**WATER MANAGEMENT DISTRICTS**

The **St. Johns River Water Management District** announces the following public meetings and hearings to which all persons are invited:

**PERSONNEL COMMITTEE MEETING**

DATE AND TIME: Tuesday, March 7, 2000, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion of Personnel Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

**GOVERNING BOARD MEETING**

DATE AND TIME: Tuesday, March 7, 2000, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion and consideration of District business including regulatory and non-regulatory matters.

**FINANCE COMMITTEE MEETING**

DATE AND TIME: Wednesday, March 8, 2000, 8:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion of Finance Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

**GOVERNING BOARD MEETING AND PUBLIC HEARING**

DATE AND TIME: Wednesday, March 8, 2000, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion and consideration of District business including regulatory and non-regulatory matters.



**PUBLIC HEARING**

**DATE AND TIME:** Wednesday, March 8, 2000, following the regularly scheduled Governing Board meeting which begins at 9:00 a.m.

**PLACE:** District Headquarters, Highway 100, West, Palatka, Florida 32177

**PURPOSE:** If requested, final rule adoption hearing on proposed revisions to Section 40C-4.091, FAC and the Applicant's Handbook: Management and Storage of Surface Waters to revise Drainage Basin Map for Cumulative Impacts (Figure 12.2.8-1) and Regional Watershed Map for Mitigation Banking (Appendix M).

A copy of the agenda for these meetings may be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, Attention: Ann Freeman, Governing Board Support Specialist.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting: Ann Freeman, (904)329-4101. If you are hearing or speech impaired, please contact the District by calling (904)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

**ENVIRONMENTAL ADVISORY COMMITTEE**

**DATE AND TIME:** Wednesday, March 8, 2000, 6:00 p.m.

**PLACE:** Tampa Service Office, 7601 Highway 301, North, Building 1, Tampa, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Conduct Committee Business

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 (Florida), or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

**DATE AND TIME:** March 3, 2000, 9:30 a.m. – 4:00 p.m.

**PLACE:** Fort Myers Service Center, 2301 McGregor Blvd., Fort Myers, Florida

**PURPOSE:** A meeting of the Lower West Coast Water Supply Plan Advisory Committee to review and gather public input on the Lower West Coast Water Supply Plan.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact: Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Mark Elsnor, (561)682-6156.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

**DATE AND TIME:** March 10, 2000, 1:30 p.m.

**PLACE:** District Headquarters B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

**PURPOSE:** A meeting of the Agricultural Advisory Committee to discuss and take positions on agricultural issues on which it will advise the Governing Board.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact: Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Woodie Van Voorhees, (561)682-6332.

The **South Florida Water Management District** announces a public workshop to which all interested parties are invited:

**DATE AND TIME:** March 3, 2000, 11:00 a.m.

**PLACE:** Clint Yates Property, 3645 Chaplain Road, St. Cloud, Florida

**PURPOSE:** Commencement of the Alligator Chain of Lakes Drawdown and Muck Removal.

A copy of the agenda may be obtained by writing: Bill Graf, Orlando Service Center, 7335 Lake Ellenor Drive, Orlando, Florida 32809.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the District at least 48 hours before the workshop by contact: Bill Graf, (407)858-6100, Ext. 3837. If you are hearing impaired, please contact the Orlando Service Center by calling (407)858-6120.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting of the panel on Medicaid reimbursement to which all persons are invited.

DATE AND TIME: Monday, March 6, 2000, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

PURPOSE: In accordance with Chapter 99-394, Laws of Florida, the panel on Medicaid reimbursement will be conducting a public meeting. The purpose of the panel is to study the State's Medicaid reimbursement plan for nursing home facilities and recommend changes to accomplish specific goals. The meeting will be for the purpose of reviewing specific preliminary recommendations by the panel for modifications to the patient care component.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda has not been set. Contact Mr. Edwin Stephens, (850)413-8067 or Suncom 293-8067, with any questions or to obtain an agenda when it is set.

**DEPARTMENT OF MANAGEMENT SERVICES**

The **Department of Management Services** announces a meeting of the Commission for Purchase from the Blind or Other Severely Handicapped to which all persons are invited.

DATES AND TIME: March 7-8, 2000, 10:00 a.m.

PLACE: Residence Inn, 1880 Raymond Diehl Road, Tallahassee, Florida

PURPOSE: Annual retreat of the Commission. No action will be taken during this retreat.

Please mail comments to the address below prior to the scheduled meeting.

A copy of the agenda may be obtained by contacting: RESPECT of Florida, 2475 Apalachee Parkway, Suite 205, Tallahassee, Florida 32301-4946, (850)942-0905.

Any person requiring a special accommodation at the meeting because of a disability should call RESPECT, (850)942-0905, at least five (5) workdays prior to the meeting. If you are hearing or speech impaired, please contact RESPECT by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE OF CHANGE – The **Department of Business and Professional Regulation** announces the following meeting schedule HAS BEEN AMENDED by the Florida Board of Architecture and Interior Design (Board):

MEETING: Interior Design Committee Meeting

DATE AND TIME: March 8, 2000, 9:00 a.m.

MEETING: Architecture Committee Meeting

DATE AND TIME: March 8, 2000, 11:30 a.m.

MEETING: Rules Development Workshop

DATE AND TIME: March 8, 2000, 3:00 p.m.

MEETING: Board of Architecture and Interior Design

DATE AND TIME: March 9, 2000, 9:00 a.m.

PLACE: The Essex House, 1001 Collins Avenue, Miami, FL 33139, (305)354-2700

For further information please call, (850)488-6685, Ext. 4.

The **Board of Auctioneers** announces the following meeting to which all persons are invited.

DATE AND TIME: Friday, March 10, 2000, 9:00 a.m. EST or soon thereafter

PLACE: The meeting will be held as a telephone conference call (The number to call is: (850)921-6545, Suncom 291-6545)

PURPOSE: General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762 or by calling Daryl Dempsey, (850)488-5189.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before to the meeting by contacting Daryl Dempsey, (850)488-5189. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings and for such purpose

they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

**DATES AND TIME:** Wednesday, March 8, 2000; Thursday, March 9, 2000; Friday, March 10, 2000, 8:00 a.m.

**PLACE:** Radisson Plaza Hotel Orlando, Orlando, Florida

**PURPOSE:** Committee, Disciplinary Actions and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Rodney Hurst, (904)727-3689, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Electrical Contractors' Licensing Board** announces an Official Board, Committee Meetings and Probable Cause Panel Meeting to which all interested persons are invited. (Parts of this meeting are confidential and closed to the public)

Probable Cause Panel Meeting (This portion of the meeting is confidential and not open to the public)

**DATE AND TIME:** March 29, 2000, 9:00 a.m. or soon thereafter

ECLB Committee Meetings (Open to public)

Full Board Meeting

**DATE AND TIME:** March 30, 2000, 9:00 a.m. or soon thereafter

**PLACE:** Sheraton Orlando North, 600 N. Lake Destiny Drive, Maitland, Florida 32751, (407)660-9008

**PURPOSE:** Official Board Meeting.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Susan McAleer, Electrical Contractors' Licensing Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Susan McAleer using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official telephone conference call regarding change of ownership applications.

**DATE AND TIME:** March 15, 2000, 10:00 a.m.

**PLACE:** Meet Me Telephone Number (850)488-5776 or Suncom 278-5776

**PURPOSE:** General Business Meeting of the Board regarding Change of Ownership Applications and other business as directed by the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Stacey Merchant, (850)921-7868.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Stacey Merchant, (850)921-7868. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based. For further information, contact the Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited:

**DATE AND TIME:** Thursday, March 9, 2000, 6:00 p.m.

**PLACE:** St. Johns County Auditorium, 4020 Lewis Speedway, St. Augustine, Florida 32095

**PURPOSE:** The sixteen member Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) meets regularly on the second

Thursday of the third month of each quarter. The MAG is composed of eight citizens, who were appointed by the three state legislators with overlapping jurisdictions with the reserve boundaries and eight representatives of the local, state and federal government entities with authority and responsibility in the reserve. They are the St. Johns River Water Management District; the Flagler County Board of County Commission; the St. Johns County Board of County Commission; the National Park Service; the Florida Park Service; the Florida Fish and Wildlife Conservation Commission; the St. Augustine Port, Waterway and Beach Authority; and the City of St. Augustine. The MAG will work with the Florida Department of Environmental Protection (DEP) to implement the management plan adopted by the Governor and Cabinet for the GTMNERR.

The meeting agenda will include consideration of adding a representative of the Town of Marineland and another representative to the MAG, the status of any appointments by the legislative delegation to fill two vacant seats on the MAG and the progress report on GTMNERR activities.

A copy of the agenda may be obtained by contacting: Mr. Ken Berk, Post Office Box 840069, St. Augustine, Florida 32084-0069, (904)461-4053 or (904)540-5599.

If an accommodation is needed for a disability in order to participate in this activity, please notify: Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

**DEPARTMENT OF HEALTH**

The Florida **Council on Physician Assistants** announces a meeting to which all persons are invited.

DATE AND TIME: Friday, March 10, 2000, 12:30 p.m.  
 PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151  
 PURPOSE: To conduct general business of the Council.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Council on Physician Assistants, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Council on Physician Assistants using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the

proceedings and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine**, Medical Fraud Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, March 18, 2000, 5:00 p.m.  
 PLACE: The Tampa Airport Hilton, 2225 North Lois Avenue, Tampa, Florida 33607, (813)877-6688  
 PURPOSE: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces will hold the following meeting to which all persons are invited. North Probable Cause Panel

DATE AND TIME: February 29, 2000, 9:30 a.m.  
 PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, Telephone conference

PURPOSE: To reconsider cases which are a matter of public record.

A list of cases to be reconsidered may be obtained through written request to: Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox #3 Building, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The Florida **Board of Osteopathic Medicine** will hold the following rules workshop to which all persons are invited:

DATE AND TIME: Friday, March 17, 2000, 1:00 p.m.

PLACE: The Westin, 400 Corporate Drive, Ft. Lauderdale, FL 33334, (954)772-1331

PURPOSE: Rules workshop.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Osteopathic Medicine, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Tammy Hollingsworth, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Tammy Hollingsworth using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Osteopathic Medicine** will hold the following Board meeting to which all persons are invited:

DATES AND TIMES: Friday, March 17, 2000, 6:30 p.m.; Saturday, March 18, 2000, 9:00 a.m.; Sunday, March 19, 2000, 8:00 a.m., if necessary

PLACE: The Westin, 400 Corporate Drive, Ft. Lauderdale, FL 33334, (954)772-1331

PURPOSE: Regular Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Osteopathic Medicine, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tammy Hollingsworth, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Tammy Hollingsworth using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health** announces a public meeting to which all persons are invited. The meeting will be held by telephone conference call at the following locations.

Lucius Noyes, Palatka, FL, (904)325-7576

Arnold Barad, Boynton Beach, FL (561)735-3300

Gene Motley, St. Augustine, FL, (904)829-5693

Leonard Inge, Tallahassee, FL, (850)599-3474

Juan Mora, Miami, FL, (954)924-2032

Helen Fong, Orlando, FL, (407)248-1826

Gail Smith, Apopka, FL, (407)886-8911

Michael Stamitoles, Pensacola, FL, (904)434-4990

Edwin Bayo, Att. Gen. Office, Tallahassee, FL, (850)414-3300

John Taylor, Dept. of Health, Tallahassee, FL, (850)488-6526

DATE AND TIME: March 16, 2000, 10:00 a.m. EDT

PLACE: Marina Garcia Wood, Ft. Lauderdale, FL, (954)983-9666

PURPOSE: To approve candidates for licensure and examination. Review any applicants with disciplinary action.

A copy of the agenda may be obtained by writing: Board of Pharmacy, 2020 Capital Circle, S. E., BIN #C-04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Board of Pharmacy, Garnet Keller, (850)487-9833, at least five calendar prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting, he will need to ensure a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Family Preservation and Support Coalition, Child Abuse and Neglect Prevention Committee sponsored by the District 12, **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2000, 3:00 p.m.

PLACE: Children's Advocacy Center, 344 South Beach Street, Daytona Beach, Florida

PURPOSE: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Lynn Kennedy.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (904)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

The Family Preservation and Support Coalition, Executive Committee, sponsored by the District 12, **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2000, 9:00 a.m.

PLACE: Domestic Abuse Council, 211 North Ridgewood Avenue, Daytona Beach, Florida

PURPOSE: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Lynn Kennedy.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (904)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited

COMMUNITY BASED CARE – GOVERNANCE COMMITTEE

DATE AND TIME: March 1, 2000, 2:00 p.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida

For more information, please contact: Ann Berner, District Manager for Administrative Services, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4175.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited

EXECUTIVE COMMITTEE

DATES AND TIME: March 3, 10, 17, 24, 31, 2000, 8:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 327, Fort Pierce, FL

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15, announces the following chair's office hours (to meet with staff, other Board members, etc.)

DATES AND TIME: March 3, 10, 17, 24, 31, 2000, 9:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 327, Fort Pierce, FL

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

COMMUNITY BASED CARE – BENEFITS COMMITTEE

DATE AND TIME: March 8, 2000, 9:00 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida

For more information, please contact: Ann Berner, District Manager for Administrative Services, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4175.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited

COMMUNITY BASED CARE – EVALUATIONS COMMITTEE

DATE AND TIME: March 8, 2000, 2:00 p.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 335, Fort Pierce, Florida

For more information, please contact: Ann Berner, District Manager for Administrative Services, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4175.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

COMMUNITY BASED CARE – COLLABORATIVE MEETING

DATE AND TIME: March 9, 2000, 9:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida

For more information, please contact: Ann Berner, District Manager for Administrative Services, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4175.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

HEALTH AND HUMAN SERVICES BOARD

DATE AND TIME: March 22, 2000, 10:00 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174.

The **Department of Children and Family Services**, District Ten, Health and Human Services Board will conduct the following Sub-committee meetings during the month of March, April and May:

The Level of Care Review Committee announces a public meeting to which you are invited to attend:

DATES AND TIME: March 1, 8, 15, 22, 29, 2000; April 5, 12, 19, 26, 2000; May 3, 10, 17, 24, 31, 2000, 2:30 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Suite 104-A, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of ADM client cases.

The HHSB Officers/Executive Committee announces a public meeting to which you are invited to attend:

DATES AND TIME: March 1, 8, 15, 22, 29, 2000; April 5, 12, 19, 26, 2000; May 3, 10, 17, 24, 31, 2000, 3:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Room 408, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the Department of Children and Family Services.

The HHSB Alcohol, Drug Abuse and Mental Health Standing Committee announces a public meeting which you are invited to attend:

DATE AND TIME: March 13, 2000, 3:00 p.m.

PLACE: Broward Regional Health Planning Council, Inc., 915 Middle River Drive, Suite 115, Ft. Lauderdale, Florida 33304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues/Committees relating to ADM clients and programs.

The Family Care Council announces a public meeting which you are invited to attend:

DATE AND TIME: March 3, 2000, 10:00 a.m. – 12:00 Noon

PLACE: Department of Children and Family Services, 201 W. Broward Blvd., Room 104-B, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to clients who are developmentally disabled.

The Executive Committee for the Promoting Safe and Stable Families Program announces a public meeting which you are invited to attend:

DATE AND TIME: March 15, 2000, 2:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Room 307, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to promoting safe and stable families.

The Health and Human Services Board announces a public meeting which you are invited to attend:

DATES AND TIME: March 27, 2000; April 24, 2000; May 22, 2000, 4:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Room 408, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the Department of Children and Family Services

The HHSB Economic Self Sufficiency Planning Subcommittee announces a public meeting which you are invited to attend:

DATE AND TIME: March 1, 2000, 3:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Suite 510, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to Economic Self-Sufficiency.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, 201 W. Broward Blvd., Suite 406, Ft. Lauderdale, FL 33301.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration, Scott Silverman, at least 5 working days before the meeting at (954)467-4298 or (954)467-4509 (TDD).

The **Department of Children and Family Services**, Alcohol, Drug Abuse and Mental Health Program Office, District 3, announces a public meeting to which all persons are invited.

The public meeting will be:

DATE AND TIME: Tuesday, March 7, 2000, 7:00 p.m.

PLACE: Columbia County Public Library, 490 N. Columbia St., Lake City, FL

The Department is seeking public input and information regarding the re-designation of public and private receiving facilities in District 3. The facilities in Lake City include Lake City Medical Center and Meridian Behavioral Healthcare Crisis Stabilization Unit known as Gateway.

For further information regarding the hearing, contact: Carolyn TeStrake, (352)955-5045.

The **Department of Children and Family Services**, District 12, Health and Human Services Board Developmental Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 9, 2000, 9:00 a.m.

PLACE: Daytona Beach Regional Service Center, 210 North Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.), please notify: Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board Community Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2000, 10:00 a.m.

PLACE: Daytona Beach Service Center, 210 North Palmetto Ave., Room 148, Daytona Beach, Florida

PURPOSE: Regular Board Meeting for General Business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.), please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board Children's Mental Health Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2000, immediately following the Community Services Committee

PLACE: Daytona Beach Service Center, 210 North Palmetto Ave., Room 148, Daytona Beach, Florida

PURPOSE: Regular Board Meeting for General Business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.), please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Health and Human Services**, Board of District 4 announces the following public meetings to which all persons are invited.

DATE AND TIME: March 9, 2000, 2:00 p.m.

PLACE: Roberts Building, Conference Room I, 5920 Arlington Expressway, Jacksonville, FL 32211

PURPOSE: Regular Board meeting for general business.

The Health and Human Services Board Committees will meet as follows:

COMMITTEE: Health Committee

DATE AND TIME: March 21, 2000, 3:00 p.m.

PLACE: Conf. Room 1

COMMITTEE: Children's Committee

DATE AND TIME: March 9, 2000, 12:30 p.m.

PLACE: Conf. Room 1

COMMITTEE: Adult Committee

DATE AND TIME: March 9, 2000, 12:30 p.m.

PLACE: Conf. Room 1

COMMITTEE: Budget Committee

DATE AND TIME: March 2, 2000, 12:00 p.m.

PLACE: Conf. Room 1

A copy of the agenda may be obtained by writing: Department of Children and Family Services, P. O. Box 2417, Jacksonville, FL 32231-0083, Attention: Harry Smith.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Harry Smith, (904)723-2151, at least 48 hours in advance of the meeting. Hearing impaired please call (904)646-2859 (TDD).

#### FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting of the Board of Directors to which all interested parties are invited:

Fiscal Committee; Guarantee Committee; Professional Services Selection Committee; FHFC Board Workshop/Meeting

DATE AND TIME: March 10, 2000, 9:00 a.m.

PLACE: Tallahassee City Hall Commission Chambers, 300 South Adams Street, Tallahassee, Florida 32301

PURPOSE: (1) Consider, review and/or approve recommendations made by the Fiscal Committee.

(2) Consider, review and/or approve recommendations made by the Guarantee Program Committee.

(3) Consider, review and/or approve recommendations made by the Professional Services Selection Committee.

(4) Consider, review and/or approve recommendations made by the Executive Committee.

(5) Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds on upcoming multifamily issues.

(6) Consider financing and inducement resolutions for various multifamily developments, under any multifamily program, including the ranking of projects.

(7) Consider approval of trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.



- (8) Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
- (9) Consider adopting resolutions authoring negotiated or competitive sale of bonds on various single-family and multifamily issues.
- (10) Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
- (11) Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis and structuring new issues.
- (12) Consider and adopt targeting for use of the 1998 Multifamily Tax Exempt Bond Allocation.
- (13) Consideration of approval of underwriters for inclusion on approved master list and teams.
- (14) Consideration of all necessary actions with regard to the HOME Rental Program.
- (15) Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
- (16) Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
- (17) Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
- (18) Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
- (19) Consideration of all necessary actions with regard to the Home Ownership Programs.
- (20) Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.

A copy of the agenda may be obtained by contacting: Mary Floyd, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, Telephone number (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Mary Floyd, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida Fish and Wildlife Conservation Commission has scheduled a public meeting. This notice announces the date, time and place of that meeting to which all interested persons are invited:

DATE AND TIME: March 29, 2000, 9:00 a.m. – 12:00 Noon

PURPOSE: To review and discuss issues associated with the Fish and Wildlife Conservation’s budget, legislative proposals and other staff reports.

DATES AND TIME: March 29, 2000, 1:30 p.m.; March 30-31, 2000, 9:00 a.m.

PURPOSE: To review and discuss procedural issues associated with the Fish and Wildlife Conservation Commission.

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

A copy of the proposed agenda may be obtained from: Florida Game and Fresh Water Fish Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling: Andrenea Knicely, (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

LEGAL AUTHORITY: Article IV, Section 9, Florida Constitution.

**FLORIDA CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT**

The Florida Center for Solid and Hazardous Waste Management announces a meeting to which all interested persons are invited.

DATE AND TIME: February 25, 2000, 9:00 a.m. – 2:00 p.m.

PLACE: DoubleTree Hotel, 4500 West Cypress Street, Tampa, Florida

For further information please call (352)392-6264.

**FLORIDA SEAPORT TRANSPORTATION AND ECONOMIC DEVELOPMENT COUNCIL**

The Florida Seaport Transportation and Economic Development Council (FSTED) and the Florida Ports Financing Commission announce a joint public meeting to which all interested persons are invited.

DATE AND TIME: March 1, 2000, 1:00 p.m. – 4:30 p.m.

PLACE: Tampa Marriott Hotel, Tampa International Airport, Tampa, Florida

PURPOSE: Discussion of Auditor General's Report and General Business Meeting.

A workshop on rail issues will be held in conjunction with this meeting. Information on the meeting and copies of the agenda may be obtained by contacting: Tara Vercellone, Florida Ports Council, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, (805)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise: Tara Vercellone, (850)222-8028.

**PINELLAS WAGES COALITION**

The **Pinellas WAGES Coalition**, Transportation Subcommittee announces the following meeting on:

DATE AND TIME: March 3, 2000, 10:00 a.m.

PLACE: Career Options of Pinellas, Inc., 13770 58th Street, N., Suite 304, Clearwater, Florida 34620, WAGES Conference Room, Enter through Suite 304

PURPOSE: Review general transportation issues.

Members of the public are invited to attend. Agendas can be obtained seven days in advance of the meeting at Suite 304 or by calling (727)507-6197.

Persons needing special accommodations to participant in the meeting should call at least three days in advance.

If any person wishes to appeal any decision made by the Pinellas WAGES Coalition with respect to any matter considered at such meeting or hearings, he/she will need a record of the proceedings and for such purpose, he/she may need to ensure that a verbatim record of the proceedings, is made, including the testimony and evidence upon which the appeal is to be based.

NOTICE OF CHANGE – The **Pinellas WAGES Coalition** announces the following change in the following Hardship Steering committee meetings:

DATE AND TIME: Wednesday, March 8, 2000, 11:00 a.m.

ALTERNATE DATE: March 15, 2000 (if meeting 3/8/2000 is cancelled)

PLACE: 13770 58th Street, North, Suite 304, Clearwater, Florida

DATE AND TIME: Wednesday, April 12, 2000, 11:00 a.m.

ALTERNATE DATE: April 19, 2000 (if meeting 4/12/2000 is cancelled)

PLACE: 13770 58th Street, North, Suite 304, Clearwater, Florida

PURPOSE: Regular meeting of the Hardship Review Commission Steering Committee of the Pinellas WAGES Coalition

ISSUES TO BE DISCUSSED: Hardship Exemptions.

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Steering Committee with respect to any matter considered at such meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision made at this meeting if the right to an appeal does not exist as a matter of law or policy.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (727)507-6197.

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: March 8, 2000, 8:00 a.m.

PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida

PURPOSE: General Business Meeting.

**ABLE TRUST**

The **Able Trust** (Florida Endowment Foundation for Vocational Rehabilitation) will hold its fall board meeting on:

DATE AND TIME: Saturday, October 11, 2000, 9:00 a.m.

PLACE: Highpoint Center, 6th Floor, Board Room, 106 E. College Avenue, Tallahassee, Florida

The agenda will include approving recommended grants to assist citizens with disabilities in achieving employment and to approve an interim operating budget FY 2001.

For more information, special accommodations or alternative format request please call: The Able Trust, (850)224-4493 or 1(888)838-2253.

## Section VII

### Notices of Petitions and Dispositions Regarding Declaratory Statements

#### DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN THAT the Department of Education, has received a petition for declaratory statement filed by Jacob C. Sirmans on January 10, 2000. The petition seeks the agency's opinion as to the applicability of Bright Futures Scholarship Eligibility as it applies to the petitioner.

#### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received an amended request for a Declaratory Statement on February 11, 2000, from Cellucrete Corporation – Celcore R. Value. It has been assigned the number DCA99-DEC-368. This request presents the following issue: Interpretation of certain provisions of the State of Florida Energy Efficiency Code for Building Construction (Revised 1998).

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

#### DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from inmate Carl Mullings. Petitioner requested that the Department of Corrections amend Florida Administrative Code, Chapter 33 to include a provision requiring that disciplinary teams be comprised of three persons. He also requested that each witness in a disciplinary hearing be required to give a complete statement and that staff accused by an inmate of serious wrongdoing as well as staff that have been assaulted, threatened, etc., by an inmate be prohibited from sitting as disciplinary team members for said inmate's disciplinary hearing. The Department denied the petition, finding that generally two persons will be sufficient to hear disciplinary reports.

Regarding the proposal that staff be required to give a complete statement as to what they heard and/or observed, the Department found that the current rules are sufficient. Additionally, the Department found that the proposed restrictions on the composition of disciplinary teams was not feasible in that they would seem to permanently prohibit staff members who have ever been placed in an adversarial position vis a vis a particular inmate from sitting on a disciplinary team for that inmate regardless of whether the prior contact is the subject of the instant disciplinary hearing.

A copy of the Order, Case No. DC 00-02, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rule-Making received from inmate Milton Garey. Petitioner sought to amend Florida Administrative Code, Chapter 33-103.015(7) and 33-602.402(8) by adding provisions requiring that envelopes be provided to indigent inmates for mailing administrative appeals and legal mail, respectively. The Department denied the petition, finding that investigation of this matter did not reveal a systemic problem necessitating the promulgation of a rule.

A copy of the Order, Case No. DC 00-03, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rule-Making received from inmate Dennis St. Lawrence. Petitioner sought to amend Florida Administrative Code, Chapter 33 by adding provisions clarifying the Department's smoking policy and its implementation of Section 944.115, Florida Statutes. The Department denied the petition, finding that the petition was moot in that the Department has amended Florida Administrative Code Chapter 33-401.401, effective February 3, 2000 to include the provisions sought by petitioner.

A copy of the Order, Case No. DC 00-05, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rule-making on February 7, 2000, from inmate Carl Mullings. He seeks to amend Florida Administrative Code, Chapter 33 to include a provision requiring that a disciplinary hearing be postponed upon an allegation by the charged inmate that he was not given a copy of the disciplinary report or an opportunity to call witnesses and present evidence. He also requests that the warden reverse any disciplinary action should an inmate allege that he was not taken to his disciplinary hearing.

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received three petitions to initiate rulemaking on February 8, 2000, from inmate James Quigley. He seeks three separate amendments to Florida Administrative Code, Rule 33-602.402(15). First, he petitions for the establishment of an incoming grievance appeal log. He also requests an amendment that would allow an inmate to appeal to the Bureau of Inmate Grievance Appeals requesting that an order be vacated and reissued if he is adversely affected by a delay in receipt of a grievance appeal. Lastly, he seeks the establishment of an outgoing legal mail log. Copies of the petitions may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Mike Moore, Treasurer, Lafayette Guest Club, Petitioner.

The Petitioner requests:

- An interpretation as to whether the current owner’s vacant property Units 1, 2, 3 and 4 or Units 1, 2, 3, 4, 49 and 50 should be considered units for assessment purposes and if there is a statute of limitations on the back billing for the six units.
- A statement as to the instance wherein property is deeded as a parking lot, what percentage of the homeowners must approve the transaction and would this transaction cause each unit owner a loss of their proportionate share of parking spaces and common area?

A copy of the Petition for Declaratory Statement, Docket Number CD2000-037, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Martha F. Barrera, Lead Attorney, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Psychology has received a Petition for Declaratory Statement with regard to Section 490.003(4) Florida Statutes, which was filed February 11, 2000, by Ronald L. Rosenthal, Ph.D. Petitioner requests a declaratory statement from the Board as to the practice of biofeedback therapy as it applies to the petitioner. The Board will address this matter at its regularly scheduled board meeting which will be held March 3, 2000, 9:00 a.m., at the Radisson Hotel, 415 North Monroe Street, Tallahassee, Florida.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board of Psychology, Department of Health, 2020 Capital Circle, S. E., Bin #05, Tallahassee, Florida 32399-3255.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

## Section XI Notices Regarding Bids, Proposals and Purchasing

### DEPARTMENT OF EDUCATION

#### CALL FOR BIDS

Made by the Florida State University, on behalf of the State of Florida, Board of Regents.

**PROJECT NAME AND NUMBER:** National Weather Service Collocation, BR-221, Florida State University, Tallahassee, Florida

**QUALIFICATION:** All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

**DATE AND TIME:** Tuesday, March 28, 2000, until 2:00 p.m. local time

**PLACE:** 101 Mendenhall Maintenance Building, Florida State University, Tallahassee, Florida 32306-4152, at which time and place they will be publicly opened and read aloud.

**PROPOSAL:** Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the ARCHITECT/ENGINEER: Gould Evans Associates, 5405 West Cypress Street, Tampa, Florida 33607-1772, (813)288-0729 Telephone, (813)288-0231 Facsimile

**MINORITY PROGRAM:** Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

**PRE-SOLICITATION/PRE-BID MEETING:** Bidders are encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

**DATE AND TIME:** Tuesday, March 14, 2000, 2:00 p.m. local time

**PLACE:** 101 Mendenhall Maintenance Building, Florida State University, Tallahassee, Florida 32306-4152

**DEPOSIT:** \$152.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

**REFUND:** The deposit shall only be refunded to those general contractors, prime bidders or plumbing, heating/ventilating/ air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

**PURCHASE:** Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer or directly from The Blueprint Shop, 1130 Thomasville Road, Tallahassee, Florida 32303, (850)224-2699, for \$152.00 per set for the printing and handling cost. Contractors must register as plan holders with the Architect in order to receive addenda. Purchase of partial sets is not recommended, any such sets are subject to the provisions of Article B-27 of the Instructions To Bidders.

**PUBLIC ENTITY CRIMES:** As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida A & M University, on behalf of the State of Florida, Board of Regents, announces that Professional Services in the discipline of Architecture will be required for the project listed below:

Project No. BR-347, Project and Location: Journalism Building (for the School of Journalism, Media and Graphic Arts), Florida A & M University, Tallahassee, Florida 32307.

This is a multi-phase project which consists of designing a 99,554 square foot academic space for the School of Journalism, Media and Graphic Arts Building. The building will house administration, classrooms, teaching labs, research labs and instructional media. The new Journalism Building site is located fronting on Gamble Street to the north and Orr Drive to the east. The Gore Education Center is further east across Orr Drive and the School of Business and Industry is located across Gamble Street to the north. The Paddyfoote Dormitory complex is west of the building site. N. B. Young and Sampson dormitories are to the south. The site configuration is rectilinear with long sides facing east and west and short sides facing north and south.

The estimated construction budget is \$13,654,528. The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. The most recent version of the Board of Regents "Professional Qualifications Supplement," (PQS) form SUSPQS: 09/99, completed by the applicant. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained by contacting: Karen Green, Project Manager or Teresa Williams, Secretary, Office of Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, Telephone (850)599-3197, Fax (850)561-2289.

Submittals must be received in the Office of Facilities Planning and Construction, by 3:00 p.m. local time, on April 6, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

Advertisement for Design Build Services  
BR-648 UNDERGRADUATE STUDENT HOUSING  
NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of the State of Florida, Board of Regents, announces that Design Build Services for the project listed below:

Project No. BR-648 Undergraduate Student Housing  
Location: Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431

The project consists of approximately 190,600 square feet with 604 beds.

The construction budget is \$19,800,000.

The selected firm will provide full design and construction for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, as well as full performance and payment bonds.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. Completed submittal information as outlined in the document titled "Request for Proposal Undergraduate Student Housing, February 2000", including The Design Build Qualifications Supplement, dated February 2000. Applications in any other format *will not* be considered.

Submit 5 copies of the above requested data bound in the order listed in the request for proposal. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Design Build Firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Request for proposals and the Design Build Qualification Supplement may be obtained by contacting:

Florida Atlantic University, Facilities Planning Department, (561)297-3141. Submittals must be received in the Facilities Planning Department, Florida Atlantic University, 777 Glades Road, Building T-10, Room 9, Boca Raton, Florida 33431, by 3:00 p.m. local time, on April 7, 2000. A mandatory pre-proposal meeting will be held on March 17, 2000, 2:00 p.m. local time, Building T-10, on the Boca Raton Campus. Facsimile (FAX) submittals are not acceptable and will not be considered.

Duval County Public Schools (DCPS) invites interested firms to respond to a Request For Proposals (RFP) for:

FOOD SERVICE MANAGEMENT  
RFP NO. 5-00-TW.

Services shall be for the provision of total management and operation of the District's food preparation and delivery system.

RFP packages may be obtained by contacting the DCPS Purchasing Department, Telephone (904)693-7676. An information conference will be held in the DCPS Administration Building, 2:00 p.m. on Thursday, February

24th, 2000. Site reviews will be conducted from Tuesday, March 7th, 2000 through Friday, March 10th, 2000. A follow-up information conference will be held in the DCPS Administration Building at 2:00 p.m. on Wednesday, March 15th, 2000. Proposals will be opened at 2:00 p.m. on Wednesday, March 29th, 2000.

## DEPARTMENT OF CORRECTIONS

### REQUEST FOR PROPOSAL

Competitive sealed responses to a Request for Proposal will be received until 2:00 p.m. March 7, 2000, for approximately 32,000 square feet of office space within a 7 mile radius of the Interchange of I-75 and Hwy 26, for the Department of Corrections, Gainesville Service Center, Alachua County, Florida. Desire firm ten-year lease beginning September 1, 2000 with two five-year renewal options.

The RFP may be obtained from: Ray Stanwix-Hay, General Services Manager, 4127 N. W. 27th Lane, Gainesville, Florida 32606, (352)955-6504. Request must be submitted in writing; Fax (352)955-6525 or e-mail stanwix-hay.ray@mail.dc.state.fl.us acceptable or may be obtained in person. The RFP package will be available beginning January 31, 2000.

A pre-proposal conference will be held at 2:00 p.m., Monday, February 14, 2000, General Services, Conference Room, Gainesville Service Center, Thornebrook location, 4127 N. W. 27th Lane, Gainesville, Florida to answer appropriate legal, administrative or technical questions and convey the Department's concept of the needed space requirements.

## EXPRESSWAY AUTHORITIES

### NOTICE FOR PROFESSIONAL SERVICES FOR CONSTRUCTION MATERIALS INSPECTION AND TESTING REQUEST FOR LETTERS OF INTEREST

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide Construction Materials Inspection and Testing for the Miami-Dade Expressway Authority (MDX) in Miami-Dade County. The Firm will provide administrative and technical support to assist MDX in performing Inspections and Testing of Construction Materials and Products from time to time as requested by the MDX Chief Engineer during the length of this contract.

**FEDERAL AND STATE DEBARMENT:** By signing and submitting a Letter of Interest, the Firm certifies that no principal (which includes officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal or state or local department or agency.

**SYSTEM:** The Miami-Dade Expressway System is comprised of State Road 112, State Road 836, State Road 874, State Road 878 and State Road 924.

**WORK DESCRIPTION:** The Firm's services shall include, but not be limited to, administrative and technical support to MDX in the Inspection and Testing of Construction Materials and Products, providing required support relative to sampling, recording of data, reporting, inspection and testing of bituminous materials, concrete, soils and aggregate, water, steel and prestress and precast products. The services shall be done in accordance with the applicable FDOT Standard Specifications for Road & Bridge Construction; Project Special Provisions; Standard Indexes; Approved Shop Drawings; Standard Operating Procedures; and Manual of Florida Sampling & Testing Methods. The selected firm will be considered as the Materials Engineer in responsible charge of certifying all materials incorporated in MDX projects.

**SELECTION PROCEDURE:** At least three firms will be shortlisted and requested to provide written technical proposals based on the Scope of Services contained in the Request For Proposals to be issued by MDX. An oral presentation may be required. After ranking of the firms and selection of a firm, the contract and contract fee will be negotiated.

Significant factors to be considered in the evaluation and selection are: State certification, staff support, discipline expertise, Miami-Dade County Court qualifications, Court testimony experience, including results.

**RESPONSE PROCEDURE:** Qualified firms are encouraged to submit a Letter of Interest to MDX. Three (3) original Letters of Interest (one unbound) MUST be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn.: Sam Gonzalez, P. E., Chief Engineer, by Thursday, March 9, 2000 by 12:00 Noon, Eastern Time (the "Deadline Date").

After reviewing the documentation submitted, MDX will notify all firms in writing by, March 31, 2000, if they have been shortlisted and will mail one (1) copy of the Request For Technical Proposal to each shortlisted firm.

**NOTE:** In order to be shortlisted and invited to submit a proposal, a firm submitting a Letter of Interest must satisfy all of the following specific requirements/criteria.

**SUBMITTAL OF LETTER OF INTEREST:** The Letter of Interest shall be in writing, submitted on the letterhead of the Firm and shall not exceed three (3) pages in length exclusive of attachments. Two originals shall be submitted. The Letter of Interest MUST include at a minimum the information set out in the Criteria.

**CRITERIA:** The Letter of Interest shall contain the following information:

1. Project name.
2. Firm's name and address.

3. Documentation acceptable to MDX that the Firm involved in this professional service, as identified in Section 287.055, Florida Statutes, is prequalified by the Florida Department of Transportation in Group 9.3, Highway Materials Testing.
4. Proposed responsible officer for the Firm.
5. Contact person, phone number, fax number and Internet Email address. The contact person shall be a single person who can be contacted to discuss contents or questions regarding references, listed projects or other matters contained in the Letter of Interest.
6. Proposed key personnel and their proposed roles (do not include resumes or certifications).
7. Sub-consultant(s) that may be used for the Project and a brief description of their respective roles.
8. Indication as to whether the primary firm and/or sub-consultants are disadvantaged business enterprises (DBE).
9. An estimate of the Firm's current workload and available resources.
10. A list of similar projects completed NOT EARLIER THAN January 1, 1994, with references and phone numbers.

**COMMUNICATION:** Communications between any respondent and any member of MDX or its staff is strictly prohibited from the date of publication of the Request for Letter of Interest through the date of final MDX action with respect to the selection of the Firm or Joint Venture. The only exception to this is any communication at a publicly noticed meeting of MDX or its Operations Committee. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

**DISADVANTAGED BUSINESS ENTERPRISES PROGRAM:** MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX encourages small, minority and woman owned business to have full opportunity to submit bids in response to Solicitation Documents issued by MDX and bidders will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WMBE participation of twenty-five percent (25%) for the aggregate of its projects.

**MDX RESERVES THE RIGHT TO REJECT ANY OR ALL LETTERS OF INTEREST RECEIVED.**

**NOTICE TO PROFESSIONAL APPRAISERS  
REQUEST FOR LETTERS OF INTEREST**

The Miami-Dade Expressway Authority (MDX) is seeking the services of two (2) qualified firms (the "Firm") to provide Appraisal and Review Appraisal Services in connection with the acquisition of right-of-way for MDX Project No. 836-005, construction of the SR 836 Extension from N. W. 137th Avenue to N. W. 107th Avenue, MDX Project No. 836-003 (Interconnector) from SR 836 to SR 112, (the "Project") and other miscellaneous appraisal services from time to time as may be required by MDX in Miami-Dade County. Shortlist consideration will be given to only those firms or individuals who are qualified pursuant to law and who have experience in preparing appraisals conforming with the Uniform Standards of Professional Appraisal Practice, as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

**FEDERAL AND STATE DEBARMENT:** By signing and submitting a Letter of Interest, the Firm certifies that no principal (which includes officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal or state or local department or agency.

**SYSTEM:** The Miami-Dade Expressway System is comprised of State Road 112, State Road 836, State Road 874, State Road 878 and State Road 924.

**WORK DESCRIPTION:** The Firm will provide Appraisal and Review Appraisal Services in connection with the acquisition of right-of-way for MDX Project No. 836-005, construction of the SR 836 Extension from N. W. 137th Avenue to N. W. 107th Avenue and MDX Project No. 836-003 (Interconnector) from SR 836 to SR 112, (the "Project") and other miscellaneous appraisal services from time to time as may be required by MDX.

**SELECTION PROCEDURE:** Following an evaluation, a minimum of four (4) firms and/or individuals will be selected and asked to submit fee proposals on specific parcels and assignments will be issued following evaluation of the proposals. An oral presentation may be required.

Significant factors to be considered in the evaluation and selection are: State certification, staff support, discipline expertise and expert witness experience and qualifications, including results.

**RESPONSE PROCEDURE:** Qualified firms are encouraged to submit a Letter of Interest to MDX. Three (3) original Letters of Interest (one unbound) **MUST** be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn.: Sam Gonzalez, P. E., Chief Engineer, by Thursday, March 9, 2000 by 12:00 Noon, Eastern Time (the "Deadline Date").



After reviewing the documentation submitted, MDX will notify all firms in writing by, March 31, 2000, if they have been shortlisted and will mail one (1) copy of the Request For Technical Proposal to each shortlisted firm.

NOTE: In order to be shortlisted and invited to submit a proposal, a firm submitting a Letter of Interest must satisfy all of the following specific requirements/criteria.

**SUBMITTAL OF LETTER OF INTEREST:** The Letter of Interest shall be in writing, submitted on the letterhead of the Firm and shall not exceed three (3) pages in length exclusive of attachments. Two originals shall be submitted. The Letter of Interest **MUST** include at a minimum the information set out in the Criteria.

**CRITERIA:** The Letter of Interest shall contain the following information:

1. Project name.
2. Firm's name and address.
3. Documentation acceptable to MDX that the Firm involved in this professional service, as identified in Section 287.055, Florida Statutes, is prequalified by the Florida Department of Transportation Group 20.1, Appraisal; and Group 20.2, Appraisal Review;
4. Proposed responsible officer for the Firm.
5. Contact person, phone number, fax number and Internet Email address. The contact person shall be a single person who can be contacted to discuss contents or questions regarding references, listed projects or other matters contained in the Letter of Interest.
6. Proposed key personnel and their proposed roles (do not include resumes).
7. Sub-consultant(s) that may be used for the Project.
8. Indication as to whether the primary firm and/or sub-consultants are disadvantaged business enterprises (DBE).
9. An estimate of the Firm's current workload and available resources.
10. A list of similar projects completed **NOT EARLIER THAN** January 1, 1994, with references and phone numbers.

**COMMUNICATION:** Communications between any respondent and any member of MDX or its staff is strictly prohibited from the date of publication of the Request for Letter of Interest through the date of final MDX action with respect to the selection of the Firm. The only exception to this is any communication at a publicly noticed meeting of MDX or its Operations Committee. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

**DISADVANTAGED BUSINESS ENTERPRISES PROGRAM:** MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal

and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX encourages small, minority and woman owned business to have full opportunity to submit bids in response to Solicitation Documents issued by MDX and bidders will not be discriminated against on the basis of sex, race, color, national origin, religion or disability or other protected status. The overall goal of MDX is to obtain an M/WMBE participation of twenty-five percent (25%) for the aggregate of its projects.

**MDX RESERVES THE RIGHT TO REJECT ANY OR ALL LETTERS OF INTEREST RECEIVED.**

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## **AGENCY FOR HEALTH CARE ADMINISTRATION**

### **INVITATION TO NEGOTIATE MEDICAID FRAUD AND ABUSE ANALYSIS AND PREVENTION**

The State of Florida, Agency for Health Care Administration, request proposals to negotiate for Medicaid fraud and abuse analysis and prevention services.

ITN AHCA-0006, Fraud and Abuse Analysis and Prevention, is issued to solicit offeror proposals to conduct reviews and analyses of Medicaid claims history in order to detect potential fraud and abuse of the Medicaid program. The offeror will be required to make recommendations that will help prevent inappropriate billings and avoid overpayment of medical claims paid by the Medicaid program. The offeror will be required to assist the Agency in the recoupment of overpaid claims identified in the offeror's review and analysis, as directed by the Agency. The successful offeror will perform all contractor responsibilities defined in the ITN and the negotiations from July 1, 2000, through June 30, 2002, with options for the Agency to renew the project for two one-year periods. It is the intent of the state that this ITN permit fair, impartial and free competition among all offerors.

To receive a copy of the ITN, please send a written request to the issuing officer: John Owens, Chief, Medicaid Program Integrity, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32308, Telephone (850)921-1802, Fax (850)922-3806.

All proposals must be received as described in the ITN by 1:00 p.m. on March 31, 2000. Minority business enterprises are encouraged to participate. The Agency for Health Care Administration reserves the right to reject any and all bids or accept minor irregularities in the best interest of the state.

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**DEPARTMENT OF MANAGEMENT SERVICES**

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES FOR  
ARCHITECTURE – ENGINEERING**

The Division of Building Construction announces that professional services are required for the project listed below.

PROJECT NUMBER: CLL-99054000

PROJECT NAME: School “X” parent drop-off and Vincent Torrez Park Improvements

PROJECT LOCATION: N. W. 44th Avenue and N. W. 36th Street

SERVICES TO BE PROVIDED: Complete architectural/engineering services for park renovations. Total construction budget approximately \$700,000.00.

CLIENT AGENCY: City of Lauderdale Lakes

CLIENT AGENCY REPRESENTATIVE: Neil Appel

DMS PROJECT DIRECTOR: Larry Roemer

PHONE NO: (813)744-6289

RESPONSE DUE DATE: March 21, 2000, 2:00 p.m. local time

Applications are to be sent to: Larry Roemer, Division of Building Construction, 4508 Oak Fair Blvd., Suite 200, Tampa, Florida 33610.

Date and Location of Shortlist: March 22, 2000 at the Division of Building Construction, 4508 Oak Fair Blvd., Suite 200, Tampa, FL 33610.

Date and Location For Interviews: March 29, 2000 at 4300 N. W. 36th Street, Lauderdale Lakes, Florida 33319-5599.

Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppor1.html>

**INSTRUCTIONS**

Firms interested in being considered for this project must submit eight (8) copies of their application with a table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. A copy of the firm’s current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm’s current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

Applicants are advised that plans and specifications for A/E projects may be reused. An appropriate contractual agreement will be made with the selected firm should this be necessary. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm. The selected firm will be notified and announcement of selected firms will be published in the Florida Administrative Weekly.

**PUBLIC ANNOUNCEMENT OF CONSTRUCTION  
MANAGEMENT SELECTION RESULTS**

The Department of Management Services, Building Construction, announces that on the date listed below, authority was issued to negotiate and enter into a contract for Construction Management Services in accordance with Rule 60D-5 with three firms listed below as number 1, number 2 and number 3:

DATE: February 8, 2000

PROJECT NAME: Construction Management Services for Continuing Area Contracts Area 2

1. Childers Construction Co., Inc. – Tallahassee, FL
2. Allstate Construction, Inc. – Tallahassee, FL
3. Southland Contracting, Inc. – Tallahassee, FL
4. Biltmore Construction Co., Inc. – Tallahassee, FL
5. LLT Development, Inc. – Tallahassee, FL
6. Bass Construction Co., Inc. – Tallahassee, FL

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**REQUEST FOR PROPOSALS  
RFPBDRS 12-99/00**

Sealed responses will be received by the Department of Environmental Protection (DEP) Alfred B. Maclay State Gardens, 3540 Thomasville Road, Tallahassee, Florida 32308, until the time, day and date shown below:

\*\*\*\*\*

Proposal Due Date: Monday, March 27, 2000

This Request for Proposals (RFP) is for contractors, in compliance with Chapter 489, Florida Statutes, for historical restoration of the Ribault Clubhouse located in Talbot Island GEPark on Ft. George Island, Florida.

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Any person with a qualified disability shall not be denied equal access and effective communication regarding any solicitation documents or the attendance at any related meeting or solicitation response opening. If accommodations are needed because of a disability, please contact the Contracts Section at (850)488-3539.

Proposal packages may be obtained at the above address by calling telephone number (850)488-3539. Please specify the proposal package by the DEP RFP Number provided above. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all proposals.

**REQUEST FOR STATEMENT OF QUALIFICATIONS  
RFSOQBDRS 01-99/00**

Sealed responses will be received by the Department of Environmental Protection (DEP) Alfred B. Maclay State Gardens, 3540 Thomasville Rd., Tallahassee, Florida 32308, until the time, day and date shown below:

\*\*\*\*\*

3:00 p.m., Eastern Standard Time, Monday, March 27, 2000

Request for Statement Of Qualifications (RFSOQ) for the selection of bridge/structural engineers, certified in the State of Florida, to provide planning, design and permitting and construction administration services for pier construction at Sebastian Inlet State Recreation Area located in Melbourne Beach, Florida. All responses to the RFSOQ are welcome. The RFSOQ is an effort to make an open and fair competition with questions that identify our needs.

\*\*\*\*\*

Any person with a qualified disability shall not be denied equal access and effective communication regarding any solicitation documents or the attendance at any related meeting or solicitation response opening. If accommodations are needed because of a disability, please contact the Contracts Section at (850)488-3539.

Solicitation packages may be obtained at the above address by calling telephone number (850)488-3539. Please specify the solicitation package by the DEP Solicitation NO. provided above. Minority business are encouraged to participate. The Department reserves the right to reject any or all proposals received.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Invitation To Negotiate**

**Lead Agency For Community Based Care  
In Duval County, District Four**

The Department of Children and Family Services, District Four, is seeking applications from non-profit and governmental agencies to act as the lead agency for community based care for Duval County.

Copies of the Invitation to Negotiate (ITN) #FS-00-001 will be available from the District Four Family Safety Program Office of the Department of Children and Family Services on and after February 25, 2000, 5920 Arlington Expressway, Jacksonville, FL 32211. The contact person is: Diane Seymore, Program Administrator, Telephone (904)723-5335, Fax (904)727-5518.

In order to receive any amendments or other information concerning this ITN, applicants may submit a Notice of Intent to Submit an Application which is to be received by the department at the aforementioned address no later than 5:00 p.m., Eastern Time, March 10, 2000.

A prospective applicant's conference is to be held at 10:00 a.m., Eastern Time, March 20, 2000 at the Department of Children and Family Services, 5920 Arlington Expressway, Jacksonville, FL 32211, in the Rear Auditorium.

Applications are to be submitted to: Diane Seymore, Program Administrator, Family Safety Program, 5920 Arlington Expressway, Jacksonville, FL 32211 by 2:00 p.m. Eastern Daylight Time, April 25, 2000.

Certified Minority Business Enterprises are encouraged to participate in any applicant conferences, pre-solicitation or pre-bid meetings which are scheduled.

The department reserves the right to reject any applications or ignore or correct minor irregularities in the best interest of the state.

Any person with a qualified disability requiring special accommodation at the applicant's conference shall contact the person named above at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1(800)955-8771 (TDD).

**INVITATION TO BID**

Competitive sealed bids will be received in the Department of Children and Family Services, District III, Tacachale Purchasing Office, 1621 N. E. Waldo Road, Gainesville, Florida 32609 until 2:00 p.m., March 30, 2000 for the following:

Replacement of air cooled water chiller

Interested bidders may obtain bid forms and specifications by writing or calling the Tacachale Purchasing Office at the above address. Telephone (352)955-5537. The Department reserves the right to reject any or all bids.

DCF 2000-2RN

**GAINESVILLE REGIONAL AIRPORT**

INVITATION TO BID  
 GENERAL AVIATION TERMINAL AND  
 PARKING LOTS RENOVATION PROJECTS  
 BID NO. 00-005

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the General Aviation Terminal Renovations (Package A) and Parking Lots Renovation (Package B). The bid documents and technical specifications will be available beginning February 14, 2000 at the Gainesville Regional Airport's Administration office, 3880 N. E. 39th Avenue, Gainesville, FL 32609.

The scope of the project under Package A includes renovations to the General Aviation Terminal including renovations to make the space functional with respect to current general aviation requirements, renovations to bring the terminal into ADA compliance, renovations to bring the ventilation into compliance with ASHRAE 62-89 and renovations to improve the functionality of the space with respect to client computer use. The scope of the project under Package B provides renovations to the parking lots including paving, striping, accessibility, drainage and lighting. All bids submitted shall be effective for 90 days. Bids must be signed by an authorized official, enclosed in a sealed envelope or package and mailed or delivered to: Airport Engineer, 3880 N. E. 39th Avenue, Suite A, Gainesville, Florida 32609. Bids received after 3:00 p.m. EST March 24, 2000 will not be considered. A non-mandatory pre-bid conference will be held on February 29, 2000 at 9:00 a.m. EST at FlightLine Gainesville, Gainesville Regional Airport, 4701 N. E. 40th Terrace, Gainesville, Florida.

GACRAA reserves the right to reject any or all bids received in response to this Invitation to Bid as determined not to be in the best interests of the Airport.

For additional information, contact: Craig Hedgecock, Airport Engineer, (352)373-0249.

**DAYTONA BEACH COMMUNITY COLLEGE**

Legal Advertisement

Pursuant to the provisions of Section 287.055, Florida Statutes, the Consultants' Competitive Negotiations Act, Daytona Beach Community College hereby publicly announces it will consider qualified firms, registered to do work in the State of Florida, for a Continuing Contract for HVAC Test and Balance services. The scope of work will include, but not be limited to, the following: pre-construction plan review, periodic inspection during construction, air distribution test and balance or re-balance, hydronic systems test and balance or re-balance, sound analysis, major component performance analysis, corrective action report, corrective action inspections, instruction of operating personnel and other services provided under any work designated Consultations and Trouble

Shooting. A complete RFP packet can be picked up from: Facilities Planning Department, DBCC, Building 37, Room 309. Firms or individuals with experience in HVAC Test and Balance engineering services and desiring to qualify for consideration must submit seven copies of a proposal to: Mr. Steven D. Eckman, Director, Facilities Planning Department, Daytona Beach Community College, 1200 West International Speedway Boulevard, Building 37, Room 309, Daytona Beach, Florida 32114-2800, to arrive no later than 12:00 Noon, March 13, 2000. Each proposal must include the requirements listed in the RFP as well as:

1. A letter of interest.
2. A letter from an insurance company certifying insurability in accordance with Board of Trustee's policy as summarized below:
  - a. Professional Liability Insurance in limits not less than One Million Dollars (\$1,000,000) per occurrence, covering errors, omissions or negligent acts, with a per occurrence deductible not to exceed Five Thousand Dollars (\$5,000).
  - b. Commercial Comprehensive Liability Insurance in limits of not less than One Million Dollars (\$1,000,000) per occurrence, with no deductible.
  - c. Comprehensive Automobile Liability Insurance (including owned and non-owned vehicles) in limits of not less than Five Hundred Thousand Dollars (\$500,000) per occurrence.
  - d. Workers' Compensation Insurance in compliance with Chapter 440, Florida Statutes, with unlimited employer's liability coverage.
  - e. Valuable papers and records insurance in an amount of not less than One Hundred Thousand Dollars (\$100,000) per occurrence, with no deductible.
  - f. All insurance will be with insurers authorized to do business in Florida and all non-self insured companies will be rated at least a VI by Best's Key Rating Guide.
3. Copies of State of Florida licensing board certificates for the firm, members of the firm and consultants of the proposed project.
4. A notarized statement of financial status. (The form of the statement is optional and could be in a form such as Dun & Bradstreet, by a certified public accountant or other.)

**Section XII  
 Miscellaneous**

**DEPARTMENT OF STATE**

The **Division of Historical Resources** announces that it is soliciting applications for Special Category projects. These legislative grants are available for major historic preservation and history museum projects with needs in excess of \$50,000.

Grants may be awarded for major historic building restorations, archaeological excavations and history museum exhibitions. If the projects receive legislative approval, funds will become available after July 1, 2001.

The deadline for filing applications is May 31, 2000 and applications must be delivered to the Bureau of Historic Preservation office by 5:00 p.m. on that day or be clearly postmarked or show evidence of submission to an express mail service on or before that date.

Further information may be obtained from: Grants and Education Section, Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, or call (850)487-2333.

**DEPARTMENT OF BANKING AND FINANCE**

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notice. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., March 17, 2000):

**APPLICATION FOR A NEW FINANCIAL INSTITUTION**

Applicant and Proposed Location: Southern Community Bank of Southwest Florida, 9021 Bonita Beach Road, S. E., Bonita Springs, Florida 34134

Correspondent: Rod Jones, Esq., Shutts & Bowen, LLP, 20 North Orange Avenue, Suite 1000, Orlando, Florida 32801

Received: February 7, 2000

**EXPANDED FIELD OF MEMBERSHIP**

Name and Address of Applicant: F.S.H. Employees Credit Union, 303 East Washington Street, Chattahoochee, Florida 32324-0835

Expansion Includes: All persons, excluding patients at Florida State Hospital, who live, work, worship or attend school in and businesses located in, the City of Chattahoochee, Florida.

Received: February 14, 2000

Correspondent and Telephone Number: William C. Enfinger, President/CEO, (850)663-2404

IN RE:

VAN R. LEWIS, III,

Howard E. Beyer,

Robert W. Christy, as Personal

Representative of the Estate of

Virginia M. Christy, James E.

Benbow, as the Executor for the

Estate of Betty B. Managoff, Dr.

Eustice M. Sheppard and Jean

Sheppard, Charles Van Fosson and

Mabel Van Fosson and Patrick L.

Ward and Marion J. Ward

Administrative Proceeding

No. 2917-S-2/00

Respondent.

**NOTICE OF INTENT TO ENTER A FINAL ORDER GRANTING RECOVERY FROM THE SECURITIES GUARANTY FUND AND NOTICE OF RIGHTS**

The State of Florida Department of Banking and Finance, Division of Securities and Investor Protection (the "Department"), being authorized and directed to administer and to accept and pay claims against the Securities Guaranty Fund (the "Fund"), codified in Sections 517.131 and 517.141, Florida Statutes, does hereby give Notice of its intention to enter a Final Order granting the applications of Howard E. Beyer, Robert W. Christy, as Personal Representative of the Estate of Virginia M. Christy, James E. Benbow, as the Executor for the Estate of Betty B. Managoff, Dr. Eustice M. Sheppard and Jean Sheppard, Charles Van Fosson and Mabel Van Fosson and Patrick L. Ward and Marion J. Ward ("Claimants") for payment from the Fund for violations of the Florida Securities and Investor Protection Act by Respondent Van R. Lewis, III.

The Securities Guaranty Fund is disbursed as provided in Section 517.141, Florida Statutes, to a person who is adjudged by a court of competent jurisdiction to have suffered monetary damages as a result of a dealer, investment advisor or associated person having violated Sections 517.07 or 517.301, Florida Statutes.

**STATEMENT OF FACTS**

1. Under the provisions of the Florida Securities and Investor Protection Act (the "Act"), the Department is charged with the responsibility and duty of administering the fund, which includes the duty to approve or deny applications for payment from the Fund, as set forth in Section 517.141(3)(a), Florida Statutes.

2. At all times material hereto, Van R. Lewis, III, ("Lewis") was registered pursuant to Chapter 517, Florida Statutes (CRD No. 1562328).

3. On or about January 10, 2000, the Department received a letter from Joel A. Goodman, Attorney for the Claimants. The letter provided notice to the Department that Claimants were making a claim against the Securities Guaranty Fund for acts committed by Lewis. Goodman also provided:

a. A copy of NASD Arbitration Award No. 98-02441 dated July 21, 1999, in which the Claimants alleged that Lewis acting through a registered representative made unsuitable recommendations and false statements in connection with the sale of promissory notes. Each Claimant was awarded compensatory damages as follows: to Howard E. Beyer \$123,618.19; to Robert W. Christy, as personal representative of the Estate of Virginia M. Christy \$57,820.78; to James E. Benbow, as Executor for the Estate of Betty B. Managoff \$98,868.75; to Dr. Eustice M. Sheppard and Jean Sheppard \$31,526.76; to Charles Van Fosson and Mabel Van Fosson \$55,540.79; and to Patrick L. Ward and Marion J. Ward \$31,620.76;

b. A copy of the Order Denying Defendant Lewis' Motion for Rehearing and Clarification and Reaffirmation of Final Judgement from the Circuit Court of the Thirteenth Judicial Circuit, In and for Hillsborough County, Florida, Case No. 99-05842-A;

c. A copy of a court order from the U.S. District Court, Eastern District of Texas, Civil Action No. 6:99cv667, ordering Sunpoint Securities, Inc., into liquidation;

d. A copy of a news article stating that Lewis may have looted as much as \$25 million of investor money and that the SEC has asked a court to freeze Lewis' assets; and

e. An affidavit from Stephanie J. McDowell, an employee at Goodman & Nekvasil, P. A., stating that she has searched and has been unable to locate any personal or real property owned by Lewis.

#### CONCLUSIONS OF LAW

4. The requirements for perfecting a claim to the Fund are found in Sections 517.131 and 517.141, Florida Statutes.

5. Based upon the foregoing Statement of Facts, the Department concludes that the Claimant has satisfied the requirements in Section 517.131, Florida Statutes, in that:

a. Each Claimant has been adjudged by the Circuit Court of the Thirteenth Judicial Circuit, In and for Hillsborough County, Florida, to have suffered monetary damages in the following amounts: Howard E. Beyer \$123,618.19; Robert W. Christy, as personal representative of the Estate of Virginia M. Christy \$57,820.78; James E. Benbow, as Executor for the Estate of Betty B. Managoff \$98,868.75; Dr. Eustice M. Sheppard and Jean Sheppard \$31,526.76; Charles Van Fosson and Mabel Van Fosson \$55,540.79; and Patrick L. Ward and Marion J. Ward \$31,620.76.

b. Respondent's actions in regards to Claimants' money amount to violations of Section 517.301, Florida Statutes;

c. Claimants have attempted to collect from the judgement debtor, but they have not recovered any amount from the Respondent or any other source in satisfaction of these damages;

d. At all times material hereto, Respondent Lewis was licensed under Chapter 517, Florida Statutes; and

e. The act for which Claimants seek recovery occurred after January 1, 1979.

6. Claimants are limited to recovering the amount equal to the unsatisfied portion of their judgment or \$10,000, whichever is less, as set forth in Section 517.141(1), Florida Statutes.

7. The total claims may not exceed \$100,000 and all claims will be prorated based upon the ratio that the person's claim bears to the total claims filed, as set forth in Section 517.141(2), Florida Statutes.

8. Section 517.141(3), Florida Statutes, provides that no payment from the Fund shall be made until 2 years after the first claim has been determined by the Department to be eligible for payment from the Fund. This subsection further provides that any additional claims or potential claims filed with or approved by the Department during the two year period shall also be considered by the Department and provision made for further prorations concerning such additional claims, if any, two years hence.

9. It is the conclusion of the Department that no payment shall be made in connection with the Claimant's claim until two years from the date of the first Final Order regarding Respondent Lewis.

#### PROPOSED FINAL ORDER

Upon due consideration of the factual statement set forth above and the law applicable thereto, NOTICE is hereby given that the Department intends to and will issue a Final Order substantially as follows, subject only to the Notice of Rights attached hereto and made a part hereof:

1. The Department hereby grants the claims of the following six Claimants: Howard E. Beyer; Robert W. Christy, as Personal Representative of the Estate of Virginia M. Christy; James E. Benbow, as the Executor for the Estate of Betty B. Managoff; Dr. Eustice M. Sheppard and Jean Sheppard; Charles Van Fosson and Mabel Van Fosson; and Patrick L. Ward and Marion J. Ward;

2. No payment from the Fund shall be made until two years from the date of entry of this first Final Order regarding Lewis;

3. Upon expiration of such period, provided that no further claims are duly received or approved by final order by the Department alleging violations of the Act by Lewis, and subject to further proration and limitation as may be required by section 517.141(3) and (4), Florida Statutes, the Department shall pay an amount of up to \$10,000.00 from the Fund to each of the six Claimants; and

4. Each Claimant shall assign any right, title, and interest in the debt to the extent of and prior to any payment by the Department from the Fund.

NOTICE OF RIGHTS

Notice is hereby given that Respondent may request a hearing on the Notice of Intent to enter a Final Order Granting Recovery from the Securities Guaranty Fund to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. Requests for such a hearing must comply with the provisions of Florida Administrative Code 28-106.201, and must be filed with:

Clerk  
Office of the Comptroller  
Department of Banking and Finance  
Legal Section  
101 East Gaines Street  
The Fletcher Building, Room 526  
Tallahassee, Florida 32399-0350

within twenty-one (21) days after Respondent receives a copy of this Notice of Intent to enter a Final Order Granting Recovery from the Securities Guaranty Fund and Notice of Rights, otherwise Respondent shall be deemed to have waived all rights to such hearing. Should Respondent request such a hearing, they are further advised that at such hearing they will have the right to offer testimony, either written or oral; to call and cross-examine witnesses; and to have subpoena and subpoenas duces tecum issued on their behalf.

\_\_\_\_\_  
/s/  
Thomas Cibula  
Assistant General Counsel  
Office of the Comptroller  
101 East Gaines Street  
The Fletcher Building, Suite 526  
Tallahassee, Florida 32399-0350  
(850)410-9896

IN RE:

CORTLANDT CAPITAL  
CORPORATION,  
Arizona Tomato, L.L.C., and  
Frank Constantino  
Respondents.

Administrative Proceeding  
No. 2864-S-9/99

NOTICE OF INTENT TO ENTER A FINAL ORDER  
GRANTING RECOVERY FROM THE SECURITIES  
GUARANTY FUND AND NOTICE OF RIGHTS

The State of Florida Department of Banking and Finance, Division of Securities and Investor Protection (the "Department"), being authorized and directed to administer and to accept and pay claims against the Securities Guaranty Fund (the "Fund"), codified in Sections 517.131 and 517.141, Florida Statutes, does hereby give Notice of its intention to enter a Final Order granting the applications of Arizona Tomato, L.L.C. and Frank Constantino ("Claimants") for payment from the Fund for violations of the Florida Securities and Investor Protection Act by Respondent Cortlandt Capital Corporation.

The Securities Guaranty Fund is disbursed as provided in Section 517.141, Florida Statutes, to a person who is adjudged by a court of competent jurisdiction to have suffered monetary damages as a result of a dealer, investment advisor or associated person having violated Sections 517.07 or 517.301, Florida Statutes.

STATEMENT OF FACTS

1. Under the provisions of the Florida Securities and Investor Protection Act (the "Act"), the Department is charged with the responsibility and duty of administering the fund, which includes the duty to approve or deny applications for payment from the Fund, as set forth in Section 517.141(3)(a), Florida Statutes.

2. At all times material hereto, Cortlandt Capital Corporation, ("Cortlandt") was registered pursuant to Chapter 517, Florida Statutes (BD No. 25152).

3. On or about September 14, 1999, the Department received a letter from Robert D. Mitchell, Attorney for the Claimants. The letter provided notice to the Department that Claimants were making a claim against the Securities Guaranty Fund for acts committed by Cortlandt. Also, the letter provided:

- a. A statement that no assets belonging to Cortlandt can be found;
- b. A copy of a Judgement confirming the binding arbitration award from the Arizona Superior Court of Maricopa County, Case No. CV 99-01112;
- c. A copy of NASD Arbitration Award No. 97-04512 dated December 2, 1998, in which Arizona Tomato, L.L.C., was awarded \$182,483 and Frank Constantino was awarded \$230,418 as compensatory damages;
- d. A copy of a section of the July, 1998, NASD Notices to Members indicating that Cortlandt's registration was suspended for failure to pay arbitration awards;
- e. Bankruptcy information regarding several former Cortlandt brokers; and

f. A copy of a section of the October, 1998, NASD Notices to Members stating that Cortlandt is defunct and that former owners and brokers have been charged with sales practices violations.

4. On or about October 28, 1999, the Department received a letter from Robert D. Mitchell, Attorney for the Claimant. The letter provided a copy of the Statement of Claim Filed in NASD Arbitration Proceeding No. 97-04512.

5. On or about December 20, 1999, the Department received a copy of a certified letter from the NASD expelling Cortlandt from the NASD for failure to pay fines and/or costs in the amount of \$2,000.

CONCLUSIONS OF LAW

6. The requirements for perfecting a claim to the Fund are found in Sections 517.131 and 517.141, Florida Statutes.

7. Based upon the foregoing Statement of Facts, the Department concludes that the Claimant has satisfied the requirements in Section 517.131, Florida Statutes, in that:

a. Claimants Arizona Tomato, L.L.P. and Frank Constantino have been adjudged by the Arizona Superior Court of Maricopa County to have suffered monetary damages in the amounts of \$182,483 and \$230,418 respectively.

b. Respondent's actions in regards to Claimant's money amounts to violations of Section 517.301, Florida Statutes;

c. Claimants have attempted to collect from the judgement debtors, but they have not recovered any amount from the Respondent, or any other source in satisfaction of these damages;

d. At all times material hereto, Respondent Cortlandt was licensed under Chapter 517, Florida Statutes; and

e. The act for which Claimant seeks recovery occurred after January 1, 1979.

8. Each Claimant is limited to recovering the amount equal to the unsatisfied portion of their judgment or \$10,000, whichever is less, as set forth in Section 517.141(1), Florida Statutes.

9. The total claims may not exceed \$100,000 and all claims will be prorated based upon the ratio that the person's claim bears to the total claims filed, as set forth in Section 517.141(2), Florida Statutes.

10. Section 517.141(3), Florida Statutes, provides that no payment from the Fund shall be made until 2 years after the first claim has been determined by the Department to be eligible for payment from the Fund. This subsection further provides that any additional claims or potential claims filed with or approved by the Department during the two year period

shall also be considered by the Department and provision made for further prorations concerning such additional claims, if any, two years hence.

11. It is the conclusion of the Department that no payment shall be made in connection with the Claimants' claims until two years from the date of this first Final Order regarding Respondent Cortlandt.

PROPOSED FINAL ORDER

Upon due consideration of the factual statement set forth above and the law applicable thereto, NOTICE is hereby given that the Department intends to and will issue a Final Order substantially as follows, subject only to the Notice of Rights attached hereto and made a part hereof:

1. The Department hereby grants the claim of Arizona Tomato, L.L.C. and Frank Constantino;

2. No payment from the Fund shall be made until two years from the date of entry of this first Final Order regarding Cortlandt;

3. Upon expiration of such period, provided that no further claims are duly received or approved by final order by the Department alleging violations of the Act by Cortlandt and subject to further proration and limitation as may be required by section 517.141(3) and (4), Florida Statutes, the Department shall pay Arizona Tomato, L.L.C. and Frank Constantino the amount of up to \$10,000.00 each from the Fund;

4. Arizona Tomato, L.L.C. and Frank Constantino shall assign any right, title and interest in the debt owed to them to the extent of and prior to any payment by the Department from the Fund.

NOTICE OF RIGHTS

Notice is hereby given that Respondent may request a hearing on the Notice of Intent to enter a Final Order Granting Recovery from the Securities Guaranty Fund to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. Requests for such a hearing must comply with the provisions of Florida Administrative Code 28-106.201 and must be filed with:

Clerk  
 Office of the Comptroller  
 Department of Banking and Finance  
 Legal Section  
 101 East Gaines Street  
 The Fletcher Building, Room 526  
 Tallahassee, Florida 32399-0350



within twenty-one (21) days after Respondent receives a copy of this Notice of Intent to enter a Final Order Granting Recovery from the Securities Guaranty Fund and Notice of Rights, otherwise Respondent shall be deemed to have waived all rights to such hearing. Should Respondent request such a hearing, Respondent is further advised that at such hearing it will have the right to offer testimony, either written or oral; to call and cross-examine witnesses; and to have subpoena and subpoenas duces tecum issued on its behalf.

\_\_\_\_\_/s/  
 Thomas Cibula  
 Assistant General Counsel  
 Office of the Comptroller  
 101 East Gaines Street  
 The Fletcher Building, Suite 526  
 Tallahassee, Florida 32399-0350  
 (850)410-9896

**DEPARTMENT OF INSURANCE**

The Department of Insurance and Treasurer, Division of State Fire Marshal, pursuant to Section 791.013(1), Florida Statutes, hereby approves the following sparklers for sale from February 1, 2000 to January 31, 2001.

- NAME: (No Name) Tissue paper, pink, green, white & gold
- COVER: You Gotta Say it Right
- BRAND:
- DESCRIPTION: 33 1/2" tissue paper, multi-colored sparkler
- NAME: 2 Color Changing Morning Glory
- BRAND:
- DESCRIPTION: Five 3" Cylinders on Wooden Sticks Inside Plastic Bag
- NAME: 2 Cool
- COVER: You Gotta Say It Right FOA 1983
- BRAND: Red Lantern
- DESCRIPTION: 4 1/2" Multi-tube
- NAME: 3 Assorted Fountain
- BRAND: Flower Basket
- DESCRIPTION: 3 1/2" Multi-tube Cylinder
- NAME: 3 Assorted Dinosaurs Fountain / CP299
- BRAND:
- DESCRIPTION: 3 Tube Assortment of Stegasaurus, Shantungosaurus, Tyrannosaurus
- NAME: 14" Jumbo Bamboo Sparkler Gold
- BRAND: Diamond Sparklers
- DESCRIPTION: 14" X 2" Pack of five hand held sparklers
- NAME: Air Raid
- BRAND: Bald Eagle
- DESCRIPTION: 4 1/2" Cylinder with Base

- NAME: Aladdin's Lamp
- BRAND: Black Cat
- DESCRIPTION: 4 1/2" Multi-Tube Novelty Cylinder
- NAME: Aladdin's Lamp
- BRAND: Link Triad
- DESCRIPTION: 5" Multi-Tube Novelty Cylinder
- NAME: Amazing Fountain
- BRAND: TNT
- DESCRIPTION: 1 1/2" x 4 1/2" Box with four 1 1/4" cylinders
- NAME: Amazing Fountain
- BRAND: TNT
- DESCRIPTION: 1 1/4" Cylinder
- NAME: American Jubilee / Base Fountain
- BRAND: Flaming Arrow
- DESCRIPTION: 8" Cylinder with Base
- NAME: April Showers Y02-022
- BRAND: Cannon
- DESCRIPTION: 7 3/4" Multi-Tube Cylinder
- NAME: Assorted Fountain / W809
- BRAND: Whale
- DESCRIPTION: 5" x 3 3/4" Display Box Containing four 4 1/2" Cylinders
- NAME: Assorted Fountains / No. HN71B
- BRAND: Red Lantern
- DESCRIPTION: 8 1/2" Multi-Tube Cylinder
- NAME: Assorted Fountains / HN31B
- BRAND: Red Lantern
- DESCRIPTION: 8 1/2" Multi-Tube Cylinder
- NAME: Assorted 7" Fountains
- BRAND: Phantom Brand
- DESCRIPTION: 7" X 7 1/2" Box containing four 7" fountains
- NAME: Atom Blaster
- BRAND: Bald Eagle
- DESCRIPTION: 4 1/2" Cylinder with Base
- NAME: Autumn Chrysanthemum
- BRAND: Red Lantern
- DESCRIPTION: 7" Cylinder with Base
- NAME: Autumn Chrysanthemum NO.0851
- BRAND: Red Lantern
- DESCRIPTION: 6 1/2" Cylinder with Base
- NAME: Baby Fountain
- BRAND: Peacock
- DESCRIPTION: 4" Cylinder
- NAME: Battle of the Fighters
- BRAND:
- DESCRIPTION: 8" Multi-Tube Cylinder
- NAME: Battle Of The Tanks
- BRAND: Phantom

DESCRIPTION: Box of Two 3 1/2" Tank without Wheels  
 NAME: Battle Star Fountain / BC-214  
 BRAND: Black Cat  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Battle Star Fountain  
 BRAND: Black Cat  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Beautiful Fountain / BC 214  
 BRAND: Black Cat  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Beautiful Fountian  
 BRAND: Black Cat  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Beautiful Buds  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Bermuda Triangle  
 BRAND: TNT  
 DESCRIPTION: 8" Multi-Tube Triangle  
 NAME: Big Bad Mudder  
 BRAND:  
 DESCRIPTION: 4" Cardboard Truck  
 NAME: Big Gold / Base Fountain  
 BRAND:  
 DESCRIPTION: 10" Cylinder with Base  
 NAME: Big Silver Base Fountain  
 BRAND:  
 DESCRIPTION: 10" Cylinder with Base  
 NAME: Big Volcano / No. 0820  
 BRAND: Red Lantern  
 DESCRIPTION: 5 1/4" Cone Fountain  
 NAME: Bigtop Fountain  
 BRAND:  
 DESCRIPTION: 4 3/4" Multi-tube Cylinder  
 NAME: Birds Triumph  
 BRAND: Tiger-Head  
 DESCRIPTION: 7" Multi-Cylinder with Base  
 NAME: Birthday Cake  
 BRAND: Cannon Brand  
 DESCRIPTION: 2 3/4" X 8" Multi-tube Cylinder  
 NAME: Bizarre / APE045  
 BRAND: TNT  
 DESCRIPTION: 5" X 4" X 3" Rectangular Box  
 NAME: Black Gold / Giant Cone Fountain  
 BRAND: Longhorn  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Blazin Birthday Cake Fountain  
 BRAND: Phantom  
 DESCRIPTION: 2 1/4" Multi-Tube Large Cylinder  
 NAME: Blazing Rebel

BRAND:  
 DESCRIPTION: 8 3/4" Multi-Tube Cylinder  
 NAME: Blazing Rebel  
 BRAND: Horse  
 DESCRIPTION: 8 3/4" Multi-Tube Cylinder  
 NAME: Blistering Sky  
 BRAND:  
 DESCRIPTION: 3 3/4" Multi-Tube Cylinder  
 NAME: Blockbuster Sparkler Colored No. 10  
 BRAND:  
 DESCRIPTION: 10" sparkler, 6 per container FOA1819  
 NAME: Blood of the Vampire  
 BRAND: Great Grizzly  
 DESCRIPTION: 7 3/4" X 3 1/4" Multi-tube cylinder  
 NAME: Blooming Spring / No.: GG1001-1  
 BRAND: Great Grizzly  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Blossoming Plum / Cone Fountain  
 BRAND: Red Lantern  
 DESCRIPTION: 5" Cone  
 NAME: Blue Palm Fireworks  
 BRAND: Link Triad  
 DESCRIPTION: 6" Multi-Tube Cylinder  
 NAME: Blue Palm Fireworks  
 BRAND: Link Triad  
 DESCRIPTION: 3" Multi-Tube Cylinder  
 NAME: Blue Spark Plug Fountain  
 BRAND: Phantom Fireworks  
 DESCRIPTION: 1 1/4" X 1" Cylinder  
 NAME: Blue Stars  
 BRAND: Hoihing  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Blue Stars / HN90  
 BRAND: Red Lantern  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Bonnie & Clyde  
 BRAND: Great Grizzly  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: Boom And Buzz Y02-021  
 BRAND: Cannon  
 DESCRIPTION: 7 3/4" Multi-Tube Cylinder  
 NAME: Brachiosaurus  
 BRAND: TNT  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: Breathless  
 BRAND: Phantom  
 DESCRIPTION: 6 1/2" Multi-Tube Box  
 NAME: Bright Gold Sparklers  
 BRAND: Black Cat  
 DESCRIPTION: 10" Sparkler

NAME: Bright Gold No. 8	BRAND: Red Lantern
BRAND: Black Cat	DESCRIPTION: 5" Cylinder with Base
DESCRIPTION: 8" Sparkler	NAME: Butterfly & Flowers
NAME: Bright Gold Sparklers	BRAND: Red Lantern
BRAND: Black Cat	DESCRIPTION: 6" Cylinder with Base
DESCRIPTION: 8" Sparkler	NAME: Calif. Bottle Rocket FTN.
NAME: Bull's Eye Cone / Giant Fountain	BRAND: Peacock
BRAND:	DESCRIPTION: 2" Cylinder on Wooden Stick
DESCRIPTION: 9" Cone	NAME: California Bottle Rocket FTN
NAME: Burnin Lava	BRAND: Peacock
BRAND:	DESCRIPTION: 2" Cylinder on Wooden Stick
DESCRIPTION: 3" x 7 7/8" Cylinder	NAME: California Canary
NAME: Burnin Lava	BRAND: Longhorn
BRAND:	DESCRIPTION: 6" with 2 Cylinders on Base
DESCRIPTION: 8" Multi-Tube Cylinder	NAME: California Candle / No. 3 Handle Fountain
NAME: Butterflies	BRAND:
BRAND: Angel	DESCRIPTION: 14 1/2" Candle
DESCRIPTION: 4 1/2" Box	NAME: California Candle (Medium)
NAME: Butterflies	BRAND:
BRAND: Angel	DESCRIPTION: 14" Candle
DESCRIPTION: 3 3/4" Cylinder with Base	NAME: California Candle Jumbo
NAME: Butterflies	BRAND:
BRAND: Hoihing	DESCRIPTION: 22" Candle
DESCRIPTION: 3 1/2" Cylinder with Base	NAME: California Candle Spirit of '76 Jumbo
NAME: Butterflies	BRAND:
BRAND: Red Lantern	DESCRIPTION: 21" Candle
DESCRIPTION: 3 1/2" Cylinder with Base	NAME: California Candle (Large)
NAME: Butterfly "*"	BRAND:
BRAND: TNT	DESCRIPTION: 16" Candle
DESCRIPTION: 4" Cylinder with Base with Butterfly Wings	NAME: California Candle Jumbo
NAME: Butterfly & Flowers	BRAND: Kent
BRAND:	DESCRIPTION: 22" Handle Fountain
DESCRIPTION: 6" Cylinder with Base	NAME: California Candle Medium
NAME: Butterfly & Flowers / No. HH0833	BRAND: Longhorn
BRAND: Angel	DESCRIPTION: 16" Candle
DESCRIPTION: 5" Cylinder with Base	NAME: California Candle Jumbo Spirit of '76
NAME: Butterfly & Flowers	BRAND: Longhorn
BRAND: Angel	DESCRIPTION: 21" Candle
DESCRIPTION: 5" Cylinder with Base	NAME: California Rocket
NAME: Butterfly & Flowers / No. HH0833	BRAND: Peacock Large No. 160
BRAND: Hoihing	DESCRIPTION: 7" Cylinder with Cone on Stick
DESCRIPTION: 5" Cylinder with Base	NAME: California Rocket Large
NAME: Butterfly & Flowers	BRAND: Peacock
BRAND: Hoihing	DESCRIPTION: 7 1/2" Cylinder on Wooden Stick
DESCRIPTION: 5" Cylinder with Base	NAME: California Rocket Large
NAME: Butterfly & Flowers / No. 0833	BRAND: Peacock
BRAND: Red Lantern	DESCRIPTION: 9" Cylinder on Wooden Stick
DESCRIPTION: 5" Cylinder with Base	NAME: California Sunrise
NAME: Butterfly & Flowers	BRAND:
	DESCRIPTION: 5" Multi-Tube Triangle

NAME: Calima Sparklers/Gold No. 8	DESCRIPTION: 5" Cylinder
BRAND:	NAME: Catalina Large Cone Fountain
DESCRIPTION: 7" Sparkler	BRAND: Freedom
NAME: Camellia Flower Fireworks	DESCRIPTION: 7" Cone
BRAND: Flower Basket	NAME: Caveman / APE046
DESCRIPTION: 4 1/2" x 3" Package with Six 1 1/2" Ground Spinners	BRAND: TNT
NAME: Camellia Flower Fireworks	DESCRIPTION: 8 3/4" X 3 1/2" Multi-tube Cylinder
BRAND: Flying Fairy	NAME: Cave of Pearls No. 3
DESCRIPTION: 4 1/2" x 3" Package with Six 1 1/2" Ground Spinners	BRAND: Longhorn
NAME: Camellia Flower	DESCRIPTION: 8" Cone
BRAND: Flying Fairy	NAME: Cave of Pearls Cone
DESCRIPTION: 1 1/2" Ground Spinners	BRAND: Kent
NAME: Camellia Flowers	DESCRIPTION: 5" Cone
BRAND: Flower Basket	NAME: Cave of Pearls Cone No. 3
DESCRIPTION: 1 3/4" x 2 1/2" Package with Six 3/4" Ground Spinners	BRAND: Longhorn
NAME: Camellia Flowers	DESCRIPTION: 7" Cone
BRAND: Flower Basket	NAME: Caveman Party CP524
DESCRIPTION: 1 1/2" Diameter Ground Spinner	BRAND: TNT
NAME: Camellia Flowers	DESCRIPTION: 5" Multi-Tube Cylinder
BRAND: Flower Basket	NAME: Cheerfulness
DESCRIPTION: 3/4" Diameter Ground Spinner	COVER: No. 0671
NAME: Cannon	BRAND: Red Lantern
BRAND: Link Triad	DESCRIPTION: 5" x 2" cylinder
DESCRIPTION: 3 3/4" Multi-Tube with Wheels	NAME: Chinese Brilliant No. 35
NAME: Cannon Fireworks	BRAND: Longhorn
BRAND: Link Triad	DESCRIPTION: 7 3/4" Cylinder with Base
DESCRIPTION: 3 1/2" Wheeled Cannon	NAME: Chrysanthemum Base Fountain
NAME: Carmel 3 Color Fountain	BRAND: Flower Basket
BRAND: Horse	DESCRIPTION: 2 3/4" Cylinder with Base
DESCRIPTION: 5" Cylinder with Base	NAME: Chrysanthemum Fountain
NAME: Carmel Green Fountain	BRAND: Tiger-Head
BRAND: Horse	DESCRIPTION: 5" Cylinder with Base
DESCRIPTION: 5" Cylinder with Base	NAME: Chrysanthemum Garden Mines and Shells
NAME: Carmel Silver Fountain	BRAND: Flower Basket
BRAND: Horse	DESCRIPTION: 3" Cylinder with Base
DESCRIPTION: 5" Cylinder with Base	NAME: Chrysanthemum Garden Base Fountain
NAME: Carnival Fountain	BRAND: Flower Basket
BRAND: TNT	DESCRIPTION: 2 3/4" Cylinder with Base
DESCRIPTION: 5" Multi-Tube Hexagon	NAME: Chrysanthemum Garden
NAME: Carnival Pizzaz SB-19	BRAND: Flower Basket
BRAND: Super Blast	DESCRIPTION: 3" Cylinder with Base
DESCRIPTION: 7 3/4" Multi-Tube Cylinder	NAME: Chrysanthemum Garden / 4 Shots Fountain Fireworks
NAME: Cascade Fireworks	BRAND: Flower Basket
BRAND: Horse	DESCRIPTION: 3 1/2" Box
DESCRIPTION: 2 1/2" Ground Spinner	NAME: Chrysanthemum Garden / 4 Shots
NAME: Cascade of Jewels / No. 50	BRAND: Flower Basket
BRAND: Kent	DESCRIPTION: 3 1/2" Box
	NAME: Circus Fireworks / No. 0991
	BRAND: Red Lantern

DESCRIPTION: 2 1/4" Spinner	BRAND:
NAME: City Lites / No. GG1001-2	COVER: "You Gotta Say It Right"
BRAND: Great Grizzly	DESCRIPTION: 4' Multi-Tube Cylinder
DESCRIPTION: 7" Cylinder with Base	NAME: Conch Fireworks Spinner
NAME: Climbing Panda	BRAND: Flower Basket
BRAND: Flower Basket	DESCRIPTION: 3" Cone Ground Spinner
DESCRIPTION: 3" Cylinder with Base with Bear	NAME: Conch
NAME: Clustering Butterflies	BRAND: Flower Basket
BRAND: Angel	DESCRIPTION: 3" Cone Ground Spinner
DESCRIPTION: 3 1/2" Cylinder	NAME: Conic Fireworks No. 3
NAME: Clustering Butterflies	BRAND: Horse
BRAND: Red Lantern	DESCRIPTION: 2 3/4" Cone
DESCRIPTION: 4" Cylinder with Base	NAME: Conic Fireworks No. 2
NAME: Cock Crowing at Dawn	BRAND: Horse
BRAND: Link Triad	DESCRIPTION: 4" Cone
DESCRIPTION: 3 1/2" Rooster	NAME: Conic Fountain Varied Colours Fireworks
NAME: Color Blast	BRAND: Horse
BRAND: Nitro	DESCRIPTION: 4" Cone
DESCRIPTION: 8" Multi-Tube Cylinder	NAME: Conoh
NAME: Color Cuckoo Whistling	BRAND: Flower Basket
BRAND:	DESCRIPTION: 3" Cone Ground Spinner
DESCRIPTION: 8" Multi-Tube Cylinder	NAME: Crackering Ball
NAME: Colorado Echo	BRAND: Red Lantern
BRAND: Longhorn	DESCRIPTION: 1" Ball
DESCRIPTION: 6" with 2 Cylinders on Base	NAME: Cracking Palm with Blue
NAME: Colored Glory Torches Block	BRAND:
BRAND: Buster / MAF 1826	DESCRIPTION: 5" Cylinder with Base
DESCRIPTION: 10" Sparklers	NAME: Crackle and Sparkler
NAME: Colored Glory Torches Block	BRAND: West Lake
BRAND: Buster / MAF 1826	DESCRIPTION: 5" Cylinder with Base
DESCRIPTION: 8" Sparklers	NAME: Cracklin' Bloom
NAME: Colored Sparklers / Block Buster	BRAND: Phantom Brand
BRAND:	DESCRIPTION: Package of four 2 1/4" X 3/4" Cylinders
DESCRIPTION: 10" Sparkler	NAME: Cracklin Lazer Flash
NAME: Colorful Delight	BRAND: Phantom
BRAND:	COVER: Crackling Strobe Effect
DESCRIPTION: 9" Multi-Tube Cylinder	DESCRIPTION: 1"X3"X2" Box Containing Six 1/2
NAME: Colorful Sparkling Torch	NAME: Cracklin Lazer Flash Crackling Strobe
BRAND: Black Cat	Effect
DESCRIPTION: Box Containing Five 6" Cylinder on	BRAND: Phantom
Wooden Stick	DESCRIPTION: 1" x 3" x 2" Box Containing Six 1/2"
NAME: Coloured Changing Fountain	Cylinders
BRAND: Tiger-Head	NAME: Crackling Balls F&S Company
DESCRIPTION: 5" Cylinder with Base	BRAND:
NAME: Colourful Plates Spinner Fireworks	DESCRIPTION: Box of six 1" Balls
BRAND: Flower Basket	NAME: Crackling Carnation with Blue
DESCRIPTION: 3 1/2" Multi-Tube Ground Spinner	BRAND:
NAME: Cool	DESCRIPTION: 5" Cylinder with Base
	NAME: Crackling Chrysanthemum with Blue

<p>                     BRAND:                      DESCRIPTION: 5" Cylinder with Base                      NAME: Crackling Cyclone                      BRAND: Phantom                      DESCRIPTION: 2 1/4" Wheel                      NAME: Crackling Tree                      BRAND: TNT                      COVER: CP633                      DESCRIPTION: 10" Box Containing Tree                      NAME: Crackling Demon Fountain                      BRAND: Glorious Co.                      COVER: GCF016                      DESCRIPTION: 4 1/4" Cylinder                      NAME: Crackling Tree                      BRAND: Glorious Co.                      COVER: Sparklers                      DESCRIPTION: 10" x 2" box contains 1 sparkling tree                      NAME: Crazy Monster/CP153A                      BRAND: Monster                      DESCRIPTION: 4" Cylinder with Base (Monster)                      NAME: Creature                      BRAND: Great Grizzly                      DESCRIPTION: 2 3/4" x 7 3/4" Multi-tube Cylinder                      NAME: Crickets Fountain / CP705 Made in China                      BRAND:                      DESCRIPTION: 2 1/2" X 2 1/2" X 4" Rectangular Box                      NAME: Crystal Fountain APE 021                      BRAND:                      DESCRIPTION: 3" Box                      NAME: Cuckoo                      BRAND:                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo                      BRAND: Angel                      DESCRIPTION: 6 1/2" Multi-Tube with Base                      NAME: Cuckoo                      BRAND: Hoihing                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo Crackling Waterfall                      BRAND: Phantom                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo Cuckoo                      BRAND: Phantom                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo Willow of Jade                      BRAND: Phantom                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo                      BRAND: Red Lantern                      COVER:                 </p>	<p>                     DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo Cuckoo                      BRAND: Angel                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo Cuckoo                      BRAND: Hoihing                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Cuckoo Cuckoo                      BRAND: Red Lantern                      DESCRIPTION: 7" Multi-Tube with Base                      NAME: Dancing Devil / CP413                      BRAND: TNT                      DESCRIPTION: 3 1/2" Cylinder with Base with Devil                      NAME: Dancing Spinner Fireworks                      BRAND: Flower Basket                      DESCRIPTION: 2" Ground Spinner                      NAME: Dancing Fresh Flowers                      BRAND: Angel                      DESCRIPTION: 2" Ground Spinner                      NAME: Dancing Fresh Flower                      BRAND: Red Lantern                      DESCRIPTION: 2" Spinner                      NAME: Dancing Fresh Flowers                      BRAND: Red Lantern                      DESCRIPTION: 2" Ground Spinner                      NAME: Desert Blitz / APE036                      BRAND: TNT                      DESCRIPTION: 7" X 3" Multi-Tube Cylinder                      NAME: Devil's Delight                      BRAND: TNT                      DESCRIPTION: 8" Multi-Tube Cylinder                      NAME: Diamond Cutter                      BRAND:                      DESCRIPTION: 4 1/2" Cylinder                      NAME: Diamond Cutter                      BRAND:                      COVER: APE017                      DESCRIPTION: 5" Cylinder with Base                      NAME: Diamond Head / No. 3                      BRAND: Olde Glory                      DESCRIPTION: 7" Cone                      NAME: Diamonds &amp; Emeralds                      BRAND: Great Grizzly                      DESCRIPTION: 6" Cylinder with Base                      NAME: Diamonds For Ever                      BRAND: West Lake                      DESCRIPTION: 5" Cylinder with Base                      NAME: Dinosaur Eggs Y02-016                      BRAND: Cannon                 </p>
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DESCRIPTION: 1" Box Containing Eight 1" Cylinders with Base	NAME: Dragon Blaster/No. 3 Large Cone Fountain
NAME: Disco Flash	BRAND: Rainbow
BRAND: Flower Basket	DESCRIPTION: 7" Cone
DESCRIPTION: 3 1/4" x 2 1/2" Box Containing Six 1/2" Cups	NAME: Dragon Blaster / No. 4 Giant Cone Fountain
NAME: Display Missile Fireworks	BRAND: Rainbow
BRAND: Flying Dragon	DESCRIPTION: 9 1/2" Cone
DESCRIPTION: 8" Missile Cylinder	NAME: Dragon Blaster
NAME: Display Missile Fireworks	BRAND: Nitro
BRAND: Flying Dragon	DESCRIPTION: 8 3/4" Multi-Tube Cylinder
DESCRIPTION: 8" x 6" Display Box with Three 8" Missile Cylinders	NAME: Dragster
NAME: Dixie Delight Fountain	BRAND: Black Cat
BRAND:	DESCRIPTION: 8" race car cardboard w/wheels
DESCRIPTION: 8 1/2" Multi-Tube Cylinder	NAME: Dust Devil
NAME: Dixie Delight Fountain	BRAND: Longhorn
BRAND: TNT	DESCRIPTION: 12" Cone
DESCRIPTION: 9" Multi-Tube Cylinder	NAME: Dust Devil
NAME: Dixie Melody with Stars/Whistle	BRAND: Longhorn
BRAND:	DESCRIPTION: 13" Cone Fountain
DESCRIPTION: 7" Multi-Tube Cylinder with Base	NAME: Eagle Fountain APE 020
NAME: Dixie Surprise / CP125	BRAND:
BRAND:	DESCRIPTION: 9" Multi-Tube Cylinder
DESCRIPTION: 6" Cone Fountain	NAME: Eagle Wing Fountain
NAME: Dragon	BRAND: Bald Eagle
BRAND: Keystone	DESCRIPTION: 4" Cylinder with Wing
DESCRIPTION: 7" Cone	NAME: Earth Thunder
NAME: Dragon / No. 3 Silver Vesuvius	BRAND:
BRAND: Keystone	COVER: M100
DESCRIPTION: 7" Cone	DESCRIPTION: 8" Multi-Tube Cylinder
NAME: Dragon / No. 3 Silver Vesuvius	NAME: Eclipse APE 014D
BRAND: Phantom	BRAND:
DESCRIPTION: 7" Cone	DESCRIPTION: 9" Multi-Tube Cylinder with Base
NAME: Dragon Blaster / No. 3 Large Cone Fountain	NAME: Electric Sparklers
BRAND:	BRAND: Horse
DESCRIPTION: 7" Cone	DESCRIPTION: 7" Sparkler
NAME: Dragon Blaster / No. 3 Large Cone Fountain	NAME: Emerald Illusion
BRAND:	BRAND: Bald Eagle
DESCRIPTION: 7" Cone	DESCRIPTION: 4 3/4" Cylinder with Base
NAME: Dragon Blaster / No. 4 Giant Cone Fountain	NAME: Emerald Illusion
BRAND:	BRAND: Bald Eagle
DESCRIPTION: 9 1/2" Cone	DESCRIPTION: 3 3/4" Cylinder with Base
NAME: Dragon Blaster / No. 4 Giant Cone Fountain	NAME: Emerald Illusion
BRAND: Longhorn	BRAND: Bald Eagle
DESCRIPTION: 9 1/2" Cone	DESCRIPTION: 1 3/8" Cylinder
NAME: Dragon Blaster / No. 3 Large Cone Fountain	NAME: Erupting Volcano / Cone Fountain
BRAND: Longhorn	BRAND: Kent
DESCRIPTION: 7" Cone	DESCRIPTION: 6 1/4" Cone
	NAME: Explosion of Silver / No. GG1001-4
	BRAND: Great Grizzly
	DESCRIPTION: 7" Cylinder with Base

NAME: Extra Large California Candle  
 BRAND: Black Cat  
 DESCRIPTION: 20" Hand Held Candle  
 NAME: Fall Fantasy  
 BRAND: Bald Eagle  
 DESCRIPTION: 1 3/8" Cylinder  
 NAME: Fall Fantasy  
 BRAND: Bald Eagle  
 DESCRIPTION: 4 3/4" Cylinder with Base  
 NAME: Fall Fantasy  
 BRAND: Bald Eagle  
 DESCRIPTION: 3 3/4" Cylinder with Base  
 NAME: Fantasy World  
 BRAND: Peacock  
 DESCRIPTION: 2" Cylinder  
 NAME: Feast of Fire/Fountain  
 BRAND: Phantom  
 DESCRIPTION: 5" Multi-Tube Hexagon  
 NAME: Festival Happiness  
 BRAND: Whale  
 DESCRIPTION: 4 1/2" Cylinder with Base  
 NAME: Fiery Dragon  
 BRAND: TNT  
 DESCRIPTION: 2" Cylinder with Dragon  
 NAME: Fiery Dragon / APE032  
 BRAND: TNT  
 DESCRIPTION: 6" X 3" Multi-tube Cylinder  
 NAME: Fiesta  
 BRAND: Great Grizzly  
 DESCRIPTION: 4 3/4" 6 Tube Cylinder  
 NAME: Fire Ants  
 BRAND:  
 DESCRIPTION: 2" Ground Spinner  
 NAME: Fireants  
 BRAND:  
 DESCRIPTION: 2" Ground Spinner  
 NAME: Fire Breathing Dragon  
 BRAND: Phantom  
 DESCRIPTION: Box Containing Three 5" Multi-Tube Dragons  
 NAME: Fire Krackle  
 BRAND: Mad Dog  
 COVER: GP594  
 DESCRIPTION: 10" box, W/Three 12" Fuse Covered Green Paper  
 NAME: Firefly  
 BRAND: Black Cat  
 DESCRIPTION: 2 1/2" Cylinder with Base  
 NAME: Fireflies at Night  
 BRAND: Great Gizzly

DESCRIPTION: 6" Cylinder with Base  
 NAME: Firefly Fountain  
 BRAND: Black Cat  
 DESCRIPTION: 2 1/2" Cylinder with Base  
 NAME: Firestorm  
 BRAND: TNT  
 DESCRIPTION: 5" Box  
 NAME: Flaming Arrow Torch / Giant 3 Color Changing  
 BRAND: Flaming Arrow  
 DESCRIPTION: 18" Hand Held Candle  
 NAME: Flash Light House  
 BRAND: Flower Basket  
 DESCRIPTION: Box of Six 3 1/4" Hexagon Lighthouse  
 NAME: Flash of Color  
 BRAND: Great Grizzly  
 DESCRIPTION: 2 1/4" x 4" box with single cylinder  
 NAME: Flash Ray Gun  
 BRAND: Red Lantern  
 DESCRIPTION: 2 1/2" Cylinder Attached to Gun  
 NAME: Flashing Signal  
 BRAND: Black Cat  
 DESCRIPTION: 3 1/2" x 3 1/2" Package of 6 items  
 NAME: Flashing Signal  
 BRAND: Black Cat/BC  
 COVER: BC-213  
 DESCRIPTION: 6 pack 1/4" length  
 NAME: Flashing Signal KY 12001  
 BRAND:  
 DESCRIPTION: Box of six 1" Cup Shape with Fuse  
 NAME: Flashing Signal BC-213  
 BRAND: Black Cat  
 DESCRIPTION: 1/2" Silver Pellet with Fuse  
 NAME: Flashing Signal BC-213  
 BRAND: Black Cat  
 DESCRIPTION: 1/2" Yellow Pellet with Fuse  
 NAME: Flashing Signal BC-213  
 BRAND: Black Cat  
 DESCRIPTION: 1/2" Green Pellet with Fuse  
 NAME: Flittler Fountain / No. 3  
 BRAND: Longhorn  
 DESCRIPTION: 7" Cone  
 NAME: Florida Candle / Mediun  
 BRAND:  
 DESCRIPTION: 14" Candle  
 NAME: Florida Souvenir Sparklers / Green  
 BRAND: Flamingo  
 DESCRIPTION: 8" Sparkler  
 NAME: Florida Souvenir Sparklers / Red  
 BRAND: Flamingo



DESCRIPTION: 8" Sparkler	DESCRIPTION: 2" Box
NAME: Florida Souvenir Sparklers /Blue	NAME: Friendship Fireworks
BRAND: Flamingo	BRAND: Red Lantern
DESCRIPTION: 8" Sparkler	DESCRIPTION: 4" Box
NAME: Flower Arbour / No. 1	NAME: Friendship Pagoda Fireworks
BRAND: Link Triad	BRAND: Link Triad
DESCRIPTION: 5" Multi-Tube Triangle	DESCRIPTION: 3 1/2" Box Containing Pagoda Ground Spinner
NAME: Flowers Fountain	NAME: Friendship Pagoda
BRAND: Tiger-Head	BRAND: Link Triad
DESCRIPTION: 5" Cylinder with Base	DESCRIPTION: 2 1/2" Box Containing Pagoda Ground Spinner
NAME: Font	NAME: Friendship Pagoda Fireworks
BRAND: Angel	BRAND: Link Triad
DESCRIPTION: 3" Cone	DESCRIPTION: 2 1/2" Box Containing Pagoda Ground Spinner
NAME: Fountain with Stick	NAME: Friendship Pagoda Fireworks
BRAND: Tiger-Head	BRAND: Link Triad
DESCRIPTION: 15" x 3" Display Box with Six 5" Cylinders on Wooden Stick	DESCRIPTION: 2 1/2" Box Containing Pagoda Ground Spinner
NAME: Fountain with Thunderclaps	NAME: Friendship Pagoda
BRAND: Red Lantern	BRAND: Silk Road
DESCRIPTION: 8" Multi-Tube Cylinder	DESCRIPTION: 2 1/2" Box Containing Pagoda Ground Spinner
NAME: Four Color	NAME: Fright Light
BRAND: Black Cat	BRAND: Longhorn
DESCRIPTION: Box Containing Eight 1" Cylinder with Base	DESCRIPTION: 7" Cone
NAME: Four Performances Fireworks	NAME: Frog Fireworks
BRAND: Red Lantern	BRAND: Flying Dragon
DESCRIPTION: 3 1/2" Box	DESCRIPTION: 4" Cylinder with Frog
NAME: Four-Seasons Flowers	NAME: Frog Fireworks
BRAND: Horse	BRAND:
DESCRIPTION: 2" Box	COVER: W4-16 Guangxi, China
NAME: Fountain Explosion	DESCRIPTION: 4 1/2" diagonal length
BRAND: Firefly	NAME: Galactic Stardust/Fountain
DESCRIPTION: 9 1/2" Cylinder with Base	BRAND: Phantom
NAME: Freedom 76 / Base Fountain	DESCRIPTION: 8" Multi-Tube Cylinder
BRAND: TNT	NAME: Galaxy/Large Cone Fountain
DESCRIPTION: 7" Cylinder with Base	BRAND: Freedom
NAME: Friendship Fireworks	DESCRIPTION: 7" Cone
BRAND: Angel	NAME: Galaxy Delight Fountain
DESCRIPTION: 4" Box	BRAND: Great Grizzly
NAME: Friendship Fireworks	DESCRIPTION: 8 1/2" Multi-Tube Cylinder
BRAND: Angel	NAME: Garden Party Fountain
DESCRIPTION: 2" Box	BRAND: Black Cat
NAME: Friendship Fireworks	DESCRIPTION: 4" Multi-tube Cylinder
BRAND: Hoihing	NAME: Garden of Eden
DESCRIPTION: 4" Box	BRAND: West Lake
NAME: Friendship Fireworks	DESCRIPTION: 5" Cylinder with Base
BRAND: Hoihing	NAME: Georgia Peach Fountain/FN33
DESCRIPTION: 2" Box	BRAND: Easy-Lite
NAME: Friendship Fireworks	DESCRIPTION: 4" Multi-Tube Box
BRAND: Red Lantern	NAME: Ghost Duster
	BRAND: Bald Eagle

DESCRIPTION: 7" Cone  
 NAME: Giant Brilliant Cone/No. 4  
 BRAND: Longhorn  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Giant Devil Number 4 Cone  
 BRAND:  
 DESCRIPTION: 9" Cone Fountain  
 NAME: Giant Jumbo Cone Fountain  
 BRAND: Kent  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Gigantic 36" Sparklers  
 BRAND: TNT  
 DESCRIPTION: 36" Sparkler  
 NAME: Glistering Butterflies / No. 0833A  
 BRAND: Red Lantern  
 DESCRIPTION: 6" Multi-Tube Cylinder  
 NAME: Glitter Green Fountain  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Glittering Fountain  
 BRAND: TNT  
 DESCRIPTION: 4" Box  
 NAME: Glitteringtower  
 BRAND: Red Lantern  
 DESCRIPTION: 8" x 5 1/2" Box with Two 8" Towers  
 NAME: Glorious Flower  
 BRAND: Link Triad  
 DESCRIPTION: 4 1/2" Cylinder with Base  
 NAME: Glorious Flowers  
 BRAND: Link Triad  
 DESCRIPTION: 4 1/2" Cylinder with Base  
 NAME: Glory Sparklers / 3 Colors  
 BRAND: Angel  
 DESCRIPTION: 14" Sparkler  
 NAME: Glory Sparklers / Colorful  
 BRAND:  
 DESCRIPTION: 14 1/4" Box with Five 6" Cylinders on  
 Wooden Sticks  
 NAME: Glory Sparklers / Colorful  
 BRAND:  
 DESCRIPTION: 14 1/4" Box with Six 6" Cylinders on  
 Wooden Sticks  
 NAME: Glory Sparklers / Colorful  
 BRAND:  
 DESCRIPTION: 6" Cylinder on a Wooden Stick  
 NAME: Glory Torch / 3 Color  
 BRAND:  
 DESCRIPTION: 14" Sparkler  
 NAME: Glory Torch / Colorful  
 BRAND:

DESCRIPTION: 14" Box Containing Multicolor Sparkler on  
 Wooden Stick  
 NAME: Glory Torch / Colorful  
 BRAND:  
 DESCRIPTION: 6" Cylinder on a Wooden Stick  
 NAME: Glory Torch / \*Morning Glory  
 BRAND:  
 DESCRIPTION: 6" Cylinder on Wooden Stick  
 NAME: Gold Fountain  
 BRAND: Link Triad  
 DESCRIPTION: 3 1/4" Cylinder with Base  
 NAME: Gold Mine  
 BRAND: Great Grizzly  
 DESCRIPTION: 3" x 1 3/8" Box with single cylinder  
 NAME: Gold Rush  
 BRAND: Bald Eagle  
 DESCRIPTION: 4 3/4" Cylinder with Base  
 NAME: Gold Rush  
 BRAND: Bald Eagle  
 DESCRIPTION: 3 3/4" Cylinder with Base  
 NAME: Gold Rush  
 BRAND: Bald Eagle  
 DESCRIPTION: 1 3/8" Cylinder  
 NAME: Gold Rush / No. 3  
 BRAND: Old Glory  
 DESCRIPTION: 7" Cone  
 NAME: Gold Rush / No. 3  
 BRAND: Olde Glory  
 DESCRIPTION: 7" Cone  
 NAME: Gold-Silvery Flower  
 BRAND: Black Cat  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Gold-Silvery Flower  
 BRAND: Link Triad  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Gold and Silver Flower  
 BRAND: Phantom Brand  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Gold & Silver Shower / No. 126  
 BRAND: Peacock  
 DESCRIPTION: 8 1/2" Cylinder with Spike  
 NAME: Golden Ball Fountain  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Golden Diamond / Maximum Load No. 3  
 BRAND:  
 DESCRIPTION: 7" Cone Fountain  
 NAME: Golden Diamond / No. 3 Fountain  
 BRAND:  
 DESCRIPTION: 7" Cone Fountain

NAME: Golden Dragon / Maximum Load Fountain	DESCRIPTION: 5" Cylinder with Base
BRAND:	NAME: Golden Paddy Fireworks
DESCRIPTION: 10" Cone	BRAND: Horse
NAME: Golden Flower Blossom	DESCRIPTION: 3 1/2" Cylinder with Base
BRAND: Angel	NAME: Golden Paddy
DESCRIPTION: 7" Cylinder with Base	BRAND: Horse
NAME: Golden Flower Blossom	DESCRIPTION: 1 3/8" Cylinder
BRAND: Hoihing	NAME: Golden Paddy Fireworks / No. 2
DESCRIPTION: 7" Cylinder with Base	BRAND: Horse
NAME: Golden Flowers Fountain	DESCRIPTION: 3 3/4" Cylinder with Base
BRAND: Angel	NAME: Golden Paddy Fireworks
DESCRIPTION: 3" Box	BRAND: Horse
NAME: Golden Flowers Fountain	DESCRIPTION: 4 3/4" Cylinder with Base
BRAND: Angel	NAME: Golden Shower / No. 3
DESCRIPTION: 5 1/4" Box	BRAND: Longhorn
NAME: Golden Flowers Fountain	DESCRIPTION: 7" Cone
BRAND: Hoihing	NAME: Golden Shower Fountain
DESCRIPTION: 5 1/4" Box	BRAND: TNT
NAME: Golden Flowers Fountain	DESCRIPTION: 5 1/4" Box
BRAND: Red Lantern	NAME: Golden Shower Cone / No. 3
DESCRIPTION: 5" Box	BRAND:
NAME: Golden Flowers Fountain	DESCRIPTION: 7" Cone
BRAND: Red Lantern	NAME: Golden Showers / No. 3
DESCRIPTION: 3" Box	BRAND: Longhorn
NAME: Golden Flowers Blossom	DESCRIPTION: 7" Cone
BRAND: Hoihing	NAME: Golden Silverflower
DESCRIPTION: 7" Cylinder with Base	BRAND: Hoihing
NAME: Golden Flowers Blossom / HN89	DESCRIPTION: 9" Cylinder with Base
BRAND: Red Lantern	NAME: Golden Silverflower / HN90
DESCRIPTION: 7" Cylinder with Base	BRAND: Red Lantern
NAME: Golden Flowers Blossom	DESCRIPTION: 9" Cylinder with Base
BRAND: Red Lantern	NAME: Golden Sparkler Tree
DESCRIPTION: 7" Cylinder with Base	BRAND: Easy-Lite
NAME: Golden Glittering Flower	DESCRIPTION: Box Containing 8" Sparkling Tree with Base
BRAND: Black Cat	NAME: Golden Sparkler Tree
DESCRIPTION: 7" Cylinder with Base	BRAND: Easy Lite
NAME: Golden Glittering Flower	DESCRIPTION: 10" Box Containing Golden Sparkler Tree
BRAND: Link Triad	NAME: Golden Swallow
DESCRIPTION: 7" Cylinder with Base	BRAND: Flying Dragon
NAME: Golden Glittering Flower	DESCRIPTION: 5" Goose
BRAND: Phantom Brand	NAME: Golden Zia / Large Cone Fountain
DESCRIPTION: 7" Cylinder with Base	BRAND: Flaming Arrow
NAME: Golden Leaves	DESCRIPTION: 7" Cone
BRAND: Whale	NAME: Gorilla Fountain
DESCRIPTION: 4 1/2" Cylinder with Base	BRAND:
NAME: Golden Leaves Fireworks	COVER: M-100
BRAND: Whale	DESCRIPTION: 8" Multi-Tube Cylinder
DESCRIPTION: 4 1/2" Cylinder with Base	NAME: Great Grizzly Sparklers / Brilliant Blue
NAME: Golden Orange Fountain	BRAND: Great Grizzly
BRAND: Tiger-Head	

DESCRIPTION: 10" Sparkler	BRAND: Red Lantern
NAME: Great Grizzly Sparklers / Brilliant Green	DESCRIPTION: 3 3/4" Ground Spinner
BRAND: Great Grizzly	NAME: Green Lightning
DESCRIPTION: 10" Sparkler	BRAND: Bald Eagle
NAME: Great Grizzly Sparklers / Brilliant Red	DESCRIPTION: 5" Cylinder with Base
BRAND: Great Grizzly	NAME: Green Spark Plug Fountain
DESCRIPTION: 10" Sparkler	BRAND: Phantom Fireworks
NAME: Great Grizzly Sparklers / Brilliant Green	DESCRIPTION: 1 1/4" X 1" Cylinder
BRAND: Great Grizzly	NAME: Green Willow
DESCRIPTION: 8" Sparkler	BRAND: Hoihing
NAME: Great Grizzly Sparklers / Brilliant Blue	DESCRIPTION: 9" Cylinder with Base
BRAND: Great Grizzly	NAME: Green Willow/HN90
DESCRIPTION: 8" Sparkler	BRAND: Red Lantern
NAME: Great Grizzly Sparklers / Brilliant Red	DESCRIPTION: 9" Cylinder with Base
BRAND: Great Grizzly	NAME: Ground Blaster
DESCRIPTION: 8" Sparkler	BRAND:
NAME: Great White	DESCRIPTION: 2" x 2 1/2" Box Containing Six Cups
BRAND:	NAME: Ground Bloom Flower
DESCRIPTION: 8" Multi-Tube Cylinder	BRAND: Angel
NAME: Green & Purple Fountain	DESCRIPTION: 2 1/2" Ground Spinner
BRAND: Tiger-Head	NAME: Ground Bloom Flower
DESCRIPTION: 5" Cylinder with Base	BRAND: Panda
NAME: Green Butterflies & Flower	DESCRIPTION: 2 1/8" Ground Spinner
BRAND: Red Lantern	NAME: Ground Bloom Flower
DESCRIPTION: 6" Hexagon	BRAND: Phantom
NAME: Green Dazzling Comet	DESCRIPTION: 2 1/8" Ground Spinner
BRAND: Peacock	NAME: Ground Bloom Flower
DESCRIPTION: 5" Cylinder with Base	BRAND: Red Lantern
NAME: Green Dazling Comet	DESCRIPTION: 2 1/8" Ground Spinner
BRAND: Peacock	NAME: Ground Bloom Flower/CP199
DESCRIPTION: 7" Cylinder with Base	BRAND: TNT
NAME: Green Fountain	DESCRIPTION: 2" Cylinder Ground Spinner
BRAND: Link Triad	NAME: Hail Fireworks
DESCRIPTION: 3 1/4" Cylinder with Base	BRAND: Flying Dragon
NAME: Green Glittering Flower	DESCRIPTION: 7" Cylinder with Base
BRAND: Black Cat	NAME: Haley's Comet
DESCRIPTION: 7" Cylinder with Base	BRAND: Bald Eagle
NAME: Green Glittering Flower	DESCRIPTION: 4 1/2" Cylinder with Base
BRAND: Link Triad	NAME: Hammerhead
DESCRIPTION: 7" Cylinder with Base	BRAND:
NAME: Green Glittering Flower	DESCRIPTION: 9" Cylinder with Base
BRAND: Phantom Brand	NAME: Happy Sound
DESCRIPTION: 7" Cylinder with Base	BRAND: Red Lantern
NAME: Green Glitter Fountain	DESCRIPTION: 3"x 2" box
BRAND: Tiger-Head	NAME: Happiness Fireworks
DESCRIPTION: 5" Cylinder with Base	BRAND: Flying Dragon
NAME: Green Ice	DESCRIPTION: 7" Cylinder with Base
BRAND: Great Grizzly	NAME: Happy Birthday
DESCRIPTION: 9" Cylinder with Base	BRAND:
NAME: Green Jade	DESCRIPTION: 1 3/4" Multi-Tube Cake

NAME:	Happy Festival	BRAND:	Phantom
BRAND:	Angel	DESCRIPTION:	8 1/2" Multi-Tube Cylinder
DESCRIPTION:	9" Cylinder with Base	NAME:	Hit Man
NAME:	Happy Festival	BRAND:	Great Grizzly
BRAND:	Red Lantern	DESCRIPTION:	8 3/4" Multi-Tube Cylinder
DESCRIPTION:	9" Cylinder with Base	NAME:	Hornet's Nest / No. 35
NAME:	Happy Lamp	BRAND:	Longhorn
BRAND:	Link Triad	DESCRIPTION:	7 1/2" Cylinder with Base and Bees
DESCRIPTION:	4" Hexagon Spinner with Wooden Stick	NAME:	Hornet's Nest
NAME:	Happy Lion	BRAND:	TNT
BRAND:	Flower Basket	DESCRIPTION:	6 3/4" Cylinder with Base and Bees
DESCRIPTION:	3" Cylinder on Base with Lion	NAME:	Hornet's Nest/APE035
NAME:	Happy Lion"*"	BRAND:	TNT
BRAND:	Flower Basket	DESCRIPTION:	6" X 3 1/2" Multi-Tube Box
DESCRIPTION:	3" Cylinder with Base and Green Lion	NAME:	Hot Rod
NAME:	Happy Silver Flowers	BRAND:	
BRAND:	Angel	DESCRIPTION:	7 1/2" Car
DESCRIPTION:	9" Cylinder with Base	NAME:	Hot Stuff
NAME:	Happy Sound	BRAND:	Patriot
BRAND:	Red Lantern	DESCRIPTION:	7" Cone
DESCRIPTION:	3 1/4" Box	NAME:	Howling Coyote / No. FN99
NAME:	Haunted Schoolhouse	BRAND:	Easy-Lite
BRAND:		DESCRIPTION:	8" Multi-Tube Cylinder
DESCRIPTION:	Cardboard House with a 4 1/2" Tube	NAME:	Howling Madness
NAME:	Havana Heat	BRAND:	TNT
BRAND:		DESCRIPTION:	7" Multi-Tube Triangle with Base
DESCRIPTION:	5 3/4" Multi-Tube Hexagon	NAME:	Humming Bird Ape 008
NAME:	Hells a Poping Fountain	BRAND:	
BRAND:	Black Cat	DESCRIPTION:	4" Multi-Tube Box
DESCRIPTION:	9" Cylinder with Base	NAME:	Hurricane
NAME:	Hellsacrackin / CP393	BRAND:	
BRAND:	TNT	COVER:	CP140
DESCRIPTION:	Bag of Six 1" Spheres	DESCRIPTION:	5" Multi-Tube Hexagon
NAME:	Hen Laying Egg	NAME:	Hurricane /CP140
BRAND:	Link Triad	BRAND:	Made in Hunan China
DESCRIPTION:	3" Hen	DESCRIPTION:	5" X 4 1/2" Hexagon
NAME:	Hen Laying Eggs	NAME:	Independence Celebration/Fountain
BRAND:	Link Triad	BRAND:	Black Cat
DESCRIPTION:	2 1/2" Chicken	DESCRIPTION:	4" Multi-Tube Hexagon
NAME:	Hibiscus Mutabiles Fountain	NAME:	India Magic / No. 35
BRAND:	Tiger-Head	BRAND:	Longhorn
DESCRIPTION:	5" Cylinder with Base	DESCRIPTION:	7 3/4" Cylinder with Base
NAME:	High Sierra Showdown	NAME:	Jade Ape 015D
BRAND:	Phantom	BRAND:	
COVER:	Fountain	DESCRIPTION:	6" Multi-Tube Cylinder with Base
DESCRIPTION:	6" Multi-Tube Hexagon	NAME:	Jade Flower / No. F079A
NAME:	Highway To Heaven Fountain	BRAND:	Angel
BRAND:	Black Cat	DESCRIPTION:	6" Cylinder with Base
DESCRIPTION:	4" Box	NAME:	Jade Flower / No. 0837A
NAME:	Hissing Cobra Fountain	BRAND:	Red Lantern

DESCRIPTION: 6" Cylinder with Base  
 NAME: Jade Flowers  
 BRAND:  
 DESCRIPTION: 6" Cylinder with Base  
 NAME: Jade Flowers  
 BRAND: Angel  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Jade Flowers  
 BRAND: Hoihing  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Jade Flowers  
 BRAND: Red Lantern  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Jade Flowers  
 BRAND: Red Lantern  
 DESCRIPTION: 6" Cylinder with Base  
 NAME: Jades of Green  
 BRAND: West Lake  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Jasmine Fountain  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Jet Stream  
 BRAND:  
 DESCRIPTION: 9" Multi-Tube Cylinder  
 NAME: Jitterbug  
 BRAND:  
 COVER: APE 016  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Joyful Spectrum  
 BRAND: Peacock  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Joyous  
 BRAND: Red Lantern  
 COVER: No. 0657 Made in Hunan China  
 DESCRIPTION: 4 3/4" Cylinder  
 NAME: Jr. Cuckoo  
 BRAND: Black Cat  
 DESCRIPTION: 4 1/2" x 1 3/4" Cylinder on blue base  
 NAME: JR Cuckoo Fireworks  
 BRAND: Link Triad  
 DESCRIPTION: 5" x 3 1/4" Box Containing Three 5"  
 Multi-Tube Cylinders  
 NAME: JR Cuckoo Fireworks  
 BRAND: Link Triad  
 DESCRIPTION: 4 1/2" Cylinder with Base  
 NAME: Jubilant Show  
 BRAND: Peacock  
 DESCRIPTION: 7 1/4" Cylinder with Base  
 NAME: Jubliation  
 BRAND: Black Cat  
 DESCRIPTION: 8 1/2" Multi-Tube Cylinder  
 NAME: Jumbo California Candle  
 BRAND:  
 DESCRIPTION: 21" Candle  
 NAME: Jumbo California Candle  
 BRAND: TNT  
 DESCRIPTION: 20" Candle  
 NAME: Jumbo Candle  
 BRAND:  
 DESCRIPTION: 20" Candle  
 NAME: Jumbo Carnival / Base Fountain  
 BRAND: Kent  
 DESCRIPTION: 11 1/2" Cone with Base  
 NAME: Jumbo Carnival / Cone Fountain  
 BRAND: Longhorn  
 DESCRIPTION: 11 1/2" Cone  
 NAME: Jumbo Carnival / Base Fountain  
 BRAND: Kent  
 DESCRIPTION: 11 1/2" Cone  
 NAME: Jumbo 20 Rocket / No. 165  
 BRAND: Peacock  
 DESCRIPTION: 5 1/2" Cylinder with Cone on Stick  
 NAME: Jumbo 20 Rocket / Fountain  
 BRAND: Peacock  
 DESCRIPTION: 5 1/2" Cylinder Attached to a Wooden  
 Stick  
 NAME: Jumbo Starburst / Cone Fountain  
 BRAND: Freedom Fireworks  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Jumbo Super  
 BRAND: Keystone  
 DESCRIPTION: 9" Cone  
 NAME: Jumping Cat  
 BRAND: Link Triad  
 DESCRIPTION: 1 1/2" Ground Spinner  
 NAME: Jumping Cat  
 BRAND: Link Triad  
 DESCRIPTION: 2 1/4" Ground Spinner  
 NAME: June Bugs Ape 019  
 BRAND:  
 DESCRIPTION: 2" Box Containing 2" Cylinder  
 NAME: Jurassic Paradise  
 BRAND: Black Cat  
 DESCRIPTION: 8" x 2 7/8" Multi-tube Cylinder  
 NAME: Kaleisdoscope Cone Fountain / No. 3  
 BRAND: Kent  
 DESCRIPTION: 6 3/4" Cone  
 NAME: Karoke Fountain  
 BRAND: Black Cat

DESCRIPTION: 4 1/2" x 1 1/2" Tube with red base  
 NAME: Kent California Candle / Medium Handle Fountain  
 BRAND: Kent  
 DESCRIPTION: 14 1/2" Candle  
 NAME: Kent California Candle / Medium  
 BRAND: Kent  
 DESCRIPTION: 14 1/2" Candle  
 NAME: Kent California Candle / Handle Fountain  
 BRAND: Kent  
 DESCRIPTION: 14 1/2" Candle  
 NAME: Killer Bee  
 BRAND: Link Triad  
 DESCRIPTION: 6 1/2" Cylinder with Base and Bees  
 NAME: King Kong/PY-101  
 BRAND: TNT  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: King Neptune's Party  
 BRAND: Black Cat  
 DESCRIPTION: 4 3/8" X 3 3/4" Base Triangle Shape  
 NAME: Lady Bug Fireworks  
 BRAND: Phantom  
 DESCRIPTION: Box of Two 4" Lady Bug  
 NAME: Lady Bugs CP533  
 BRAND: TNT  
 DESCRIPTION: 5" Multi-Tube Cylinder  
 NAME: Large California Rocket / Fountain Sparkling No. 160  
 BRAND: Peacock  
 DESCRIPTION: 7" Twin Cylinder with Cone on Stick  
 NAME: Large California Rocket / Fountain Sparkling  
 BRAND: Peacock  
 DESCRIPTION: 9" Cylinder on Wooden Stick  
 NAME: Large California Rocket / Fountain Sparkling  
 BRAND: Peacock  
 DESCRIPTION: 7 1/2" Cylinder on Wooden Stick  
 NAME: Large Diamond Jubilee Fountain / Cone Fountain  
 BRAND: Kent  
 DESCRIPTION: 6 1/4" Cone  
 NAME: Large Fountain  
 BRAND: Red Lantern  
 DESCRIPTION: 8 3/4" Multi-Tube  
 NAME: Large Nite Siren Whistling Fountain  
 BRAND: Angel  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Large Nite Siren Whistling Fountain  
 BRAND: Hoihing

DESCRIPTION: 9" Cylinder with Base  
 NAME: Large Nite Siren Whistling Fountain  
 BRAND: Red Lantern  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Laser Dragon  
 BRAND:  
 DESCRIPTION: 8" Mutil-Tube Hexagon  
 NAME: Laser Krackle  
 BRAND: TNT  
 COVER: CP604  
 DESCRIPTION: 5/8" Box Containing six 1/2" cylinders  
 NAME: Laser Krackle  
 BRAND: TNT  
 COVER: Laser Strobing Crackling CP604 TNT  
 DESCRIPTION: 3" x 3/4" with six 1/2" cylinders  
 NAME: Laser Parade  
 BRAND: Peacock  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Laser Parade  
 BRAND: Peacock  
 DESCRIPTION: 6 1/4" Cylinder with Base  
 NAME: Laser Parade  
 BRAND: Peacock  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Lava Cone  
 BRAND: TNT  
 DESCRIPTION: 2 3/4" Cone  
 NAME: Lazer Flash  
 BRAND: Phantom  
 DESCRIPTION: 2 3/8" x 3" Box with Six Cups  
 NAME: Lighthouse Fountain  
 BRAND: Black Cat  
 DESCRIPTION: 3 1/2" Cylinder Multi-tube  
 NAME: Lightning  
 BRAND: Link Triad  
 DESCRIPTION: 4 1/2" Cylinder with Base  
 NAME: Lightning Bugs  
 BRAND: TNT  
 DESCRIPTION: 3" x 3/4" Box with five 1 3/4" Cylinders with Base  
 NAME: Lightning Flash  
 BRAND:  
 DESCRIPTION: 2 1/2" x 3" Box with Six Cups  
 NAME: Lightning Flash  
 BRAND:  
 DESCRIPTION: 2 1/2" x 3 1/4" Box with Six Cups  
 NAME: Lightning Strike  
 BRAND: TNT  
 DESCRIPTION: 6" Multi-Tube Triangle  
 NAME: Lion Warrior CP537

BRAND: Monster Fireworks	DESCRIPTION: 14" Cylinder
DESCRIPTION: 8" Multi-Tube Cylinder	NAME: Mad Dog Fountain
NAME: Locomotive Breath	BRAND: TNT
BRAND: Phantom	DESCRIPTION: 7 5/8" X 3 1/2" Multi-tube cylinder
COVER: Fountain	NAME: Mad Magician
DESCRIPTION: 8" Multi-Tube Hexagon	BRAND: Peacock
NAME: Lotus Fireworks / No. 2	DESCRIPTION: 7 1/4" Cylinder with Base
BRAND:	NAME: Magic Ball
DESCRIPTION: 1 3/4" Double Cylinder Ground Spinner	BRAND: Red Lantern
NAME: Lotus Fireworks	DESCRIPTION: 2" Ground Spinners
BRAND:	NAME: Magic Mountain
DESCRIPTION: 2" Three Cylinder Ground Spinner	BRAND:
NAME: Lotus Fireworks	DESCRIPTION: 7" Multi-Tube Cylinder
BRAND: Horse	NAME: Magic Sparklers
DESCRIPTION: 1 3/4" Triple Cylinder Ground Spinner	BRAND: Easy-Lite
NAME: Lotus Fireworks / No. 2	DESCRIPTION: 11" Multi-Color Sparkler on Wooden Stick
BRAND: Horse	NAME: Magic Stick
DESCRIPTION: 1 3/4" Double Cylinder Ground Spinner	BRAND:
NAME: Lotus Fireworks / No. 3	COVER: Fountain Golden Flower
BRAND: Horse	DESCRIPTION: 20 3/4" Cylinder
DESCRIPTION: 1 3/4" Triple Cylinder Ground Spinner	NAME: Magic Stick
NAME: Lucky Leprechaun / Fountain	BRAND:
BRAND: Phantom	COVER: Fountain Red & Green Flower Rain
DESCRIPTION: 7" Multi-Tube Cylinder	DESCRIPTION: 20 3/4" Cylinder
NAME: M-1 Tank with Smoke	NAME: Magic Stick
BRAND: TNT	BRAND:
DESCRIPTION: 4 1/4" x 4 1/4" Box with 2 Camaflouge Tanks	COVER: Fountain Silvery Glittering
NAME: M-1 Tank with Spray	DESCRIPTION: 20 3/4" Cylinder
BRAND: TNT	NAME: Magic Whip
DESCRIPTION: 4 1/4" x 4 1/4" Box with 2 Plain Tanks	BRAND: Red Lantern
NAME: M-100 Gorilla Fountain	DESCRIPTION: 10 1/2" Box Containing Six 30" Fuses
BRAND:	NAME: Magnum Flasher
DESCRIPTION: 3 1/2" x 7 5/8" Multi-tube Cylinder	BRAND: Black Cat
NAME: Mach III Fountain / APE-051	DESCRIPTION: 3 3/4" x 1/2" Box 5 pieces/1/2" Cylinder Single
BRAND: TNT	NAME: Magpie Plays Plumblossom
DESCRIPTION: 4" X 1 3/4" Multi-tube Cylinder	BRAND: Red Lantern
NAME: Machine Gun Crackers	DESCRIPTION: 8" Multi-Tube Cylinder
BRAND:	NAME: Majestic Candle / Jumbo Size
DESCRIPTION: 2" Cylinder	BRAND: Easy-Lite
NAME: Machine Gun Kelly	DESCRIPTION: 15" Cylinder
BRAND: Great Grizzly	NAME: Majestic Geyser Fountain / H-105
DESCRIPTION: 8" Multi-Tube Cylinder	BRAND: Phantom
NAME: Mad Dog	DESCRIPTION: 3" Multi-Tube Hexagon
BRAND: TNT	NAME: Mako Shark
COVER: CP595	BRAND:
DESCRIPTION: 7 3/4" Multi-tube cylinder	DESCRIPTION: 9" Cylinder with Base
NAME: Mad Dog Fire Krackle	NAME: Malibu Madness
BRAND: TNT	BRAND:
COVER: CP594	DESCRIPTION: 8" Multi-Tube Cylinder



NAME: Mammoth Niagara Falls / Base Fountain	DESCRIPTION: 4 7/8" x 1 1/8" Cylinder
BRAND: Kent	NAME: Meltdown
DESCRIPTION: 10" Cylinder with Base	BRAND: Bald Eagle
NAME: Mandarin Duck / Disporting Water	DESCRIPTION: 7" Cone
BRAND: Link Triad	NAME: Meteor Shower/WG016
DESCRIPTION: 3" Multi-Tube Ground Spinner	BRAND:
NAME: Manderin Duck / Disporting Water	DESCRIPTION: 4 3/4" Multi-Tube Rectangle
Fireworks	NAME: Meteoric Storm
BRAND: Link Triad	BRAND: Kent
DESCRIPTION: 3" Ground Spinner	COVER: Maximum Load
NAME: Mandarin Duck Fountain	DESCRIPTION: 14 1/2" Multi-tube cylinder on base
BRAND: Tiger-Head	NAME: Meteorites/Fireworks
DESCRIPTION: 5 1/4" Cylinder with Base	BRAND: Phantom
NAME: Mardi Gras	DESCRIPTION: Box of Four 2" Cylinder with Base
BRAND: TNT	NAME: Mini Cuckoo
DESCRIPTION: 8" Multi-Tube	BRAND: Hoihing
NAME: Mars Fountain	DESCRIPTION: 4 1/2" Multi-Tube Cylinder with Base
BRAND: Black Cat	NAME: Mini Cuckoo
DESCRIPTION: 6" Multi-Tube Cylinder	BRAND: Red Lantern
NAME: Mega Flash	DESCRIPTION: 4 1/2" Multi-Tube Cylinder with Base
BRAND:	NAME: Mini Geyser Fountain
DESCRIPTION: 3 1/4" x 2 1/2" Box Containing Six 1/2"	BRAND: Black Cat
NAME: Mega Flash	DESCRIPTION: 4 piece box 2 3/4"x 7/8"
BRAND:	NAME: Mini Monster / CP409
DESCRIPTION: 2" disc	BRAND: Monster Fireworks
NAME: Mega Flsh	DESCRIPTION: 2 1/2" Cylinder
BRAND:	NAME: Miss Liberty / No. 3 Brilliant Flitter
COVER: Bright Strobe	BRAND: Keystone
DESCRIPTION: 3 1/4" x 3/4" Box with Six 1/4" Cylinders	DESCRIPTION: 7" Cone
NAME: Mega Smoke	NAME: Miss Liberty
BRAND:	BRAND: Keystone
COVER: Blue	DESCRIPTION: 7" Cone
DESCRIPTION: 5" Cylinder	NAME: Missle War / APE034
NAME: Mega Smoke	BRAND: TNT
BRAND:	DESCRIPTION: 5" X 3" Multi-tube Cylinder
COVER: Yellow	NAME: Missouri Melody
DESCRIPTION: 5" Cylinder	BRAND: Longhorn
NAME: Mega Smoke	DESCRIPTION: 6" with 2 Cylinders on Base
BRAND:	NAME: Molten Steel Y02-025
COVER: White	BRAND: Cannon
DESCRIPTION: 5" Cylinder	DESCRIPTION: 8" Multi-Tube Cylinder
NAME: Mega Smoke	NAME: Monoclonius / CP277A-12
BRAND:	BRAND: TNT
COVER: 3 Color Changing	DESCRIPTION: Box of Twelve 2 1/2" Dinosaur Spinners
DESCRIPTION: 5" Single Tube Cylinder	NAME: Monoclonius / CP277A
NAME: Mega Smoke Blue	BRAND: TNT
BRAND:	DESCRIPTION: 2 1/2" Cylinder with Dinosaur
DESCRIPTION: 4 7/8" x 1 1/4" Cylinder	NAME: Monster Blast / CP418
NAME: Mega Smoke Yellow	BRAND: Monster Fireworks
BRAND:	DESCRIPTION: Bag of Six 1" Sphere's

NAME: Monster Blast  
 BRAND: Monster  
 DESCRIPTION: Package Containing Six 3/4" Sheres  
 NAME: Monster Buster CP538  
 BRAND: Monster Fireworks  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: Monster Prom / CP435  
 BRAND: Monster  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: Moondance/Fountain  
 BRAND: Phantom  
 DESCRIPTION: 4" Multi-Tube Cylinder  
 NAME: Morning Glories  
 BRAND:  
 DESCRIPTION: 14" Box Containing 24 Bundles of Six 6" Cylinder on Wooden Stick  
 NAME: Morning Glories "\*" "  
 BRAND:  
 DESCRIPTION: 6" Cylinder on Wooden Stick wrapped in (Multi-Colored Tissue)  
 NAME: Morning Glory  
 BRAND:  
 DESCRIPTION: 34" Multi-Colored Stick  
 NAME: Morning Glory Sparklers  
 BRAND: Family  
 DESCRIPTION: Six 6" Cylinders on Wooden Sticks Inside Plastic Bag  
 NAME: Mountain Spring's Waterfall  
 BRAND: Red Lantern  
 DESCRIPTION: 6 3/4" Multi-Tube with Base  
 NAME: Mr. Turtle  
 BRAND: TNT  
 DESCRIPTION: 6" x 5" Box Containing Two Turtles  
 NAME: Mt. St. Helens / No. 3 Large Cone Fountain Golden Eruption  
 BRAND:  
 DESCRIPTION: 7" Cone  
 NAME: Mt. St. Helens / No. 4 Giant Cone Fountain Silver Eruption  
 BRAND:  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Mt. St. Helens / Giant Cone Fountain Silver Eruption  
 BRAND: Longhorn  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Mt. St. Helens / No. 3 Large Cone Fountain Golden Eruption  
 BRAND: Longhorn  
 DESCRIPTION: 7" Cone

NAME: Mt. St. Helens / No. 4 Giant Cone Fountain Silver Eruption  
 BRAND: Longhorn  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Mt. St. Helens / Giant Cone Fountain Silver Eruption  
 BRAND: Rainbow  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Multi-Color Multi Fountain  
 BRAND: Phantom  
 DESCRIPTION: 1 1/2" x 3" Box of Five 1" Cylinders  
 NAME: Musical Pyramid  
 BRAND: Longhorn  
 DESCRIPTION: 8 1/2" Cylinder with Base and Cone on Top  
 NAME: MX Space Lamp  
 BRAND: TNT  
 DESCRIPTION: 7 1/2" Missile Cylinder with Base  
 NAME: MX Space Lamp  
 BRAND: TNT  
 DESCRIPTION: 8 1/2" Cylinder with Base  
 NAME: Mystery Geyser /Giant  
 BRAND: TNT  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Mystic Fountain CP429  
 BRAND: TNT  
 DESCRIPTION: 4" Multi-Tube Box  
 NAME: Neon Lights  
 BRAND: Bald Eagle  
 DESCRIPTION: 3" Multi-Tube Cylinder  
 NAME: Neon Lights  
 BRAND: Bald Eagle  
 DESCRIPTION: 6" Multi-Tube Cylinder  
 NAME: Neon Lights  
 BRAND: Bald Eagle  
 DESCRIPTION: 8 3/4" Multi-Tube Cylinder  
 NAME: New Moon Ape 014B  
 BRAND:  
 DESCRIPTION: 9" Multi-Tube Cylinder with Base  
 NAME: Niagara Falls / Jumbo  
 BRAND: Flaming Arrow  
 DESCRIPTION: 10" Cylinder with Base  
 NAME: Night Devil CP529  
 BRAND: Monster Fireworks  
 DESCRIPTION: 4" Multi-Tube Box  
 NAME: Night Magic  
 BRAND: Bald Eagle  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Night Rider CP536  
 BRAND: TNT  
 DESCRIPTION: 8" Multi-Tube Cylinder

NAME:	Nite Howler Brilliant Whistling Fountain	BRAND:	Fiesta
BRAND:	Longhorn	DESCRIPTION:	9 1/2" Sparkler
DESCRIPTION:	6 1/4" Cylinder with Base	NAME:	No. 10 Gold Sparklers
NAME:	No. 3 Golden Shower	BRAND:	Miss Liberty
BRAND:	Longhorn	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	7 1/2" Cone	NAME:	No. 10 Gold Sparklers
NAME:	No. 10 Blue Electric Sparklers	BRAND:	TNT
BRAND:	Red Lantern	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Gold Sparklers
NAME:	No. 10 Blue Sparklers / Black Jack	BRAND:	United
BRAND:	Angel	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	9" Sparklers	NAME:	No. 10 Green E-Z-Glo Sparklers
NAME:	No. 10 Blue Sparklers	BRAND:	
BRAND:	TNT	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Green Electric Sparklers
NAME:	No. 10 Colored Sparklers	BRAND:	Red Lantern
BRAND:	Diamond	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Green Morning Glory
NAME:	No. 10 Gold Color Sparklers	BRAND:	TNT
BRAND:	Diamond	DESCRIPTION:	4" Cylinder on Wooden Stick
DESCRIPTION:	9" Sparkler	NAME:	No. 10 Green Sparklers / Black Jack
NAME:	No. 10 Gold E-Z Glo Sparklers	BRAND:	Angel
BRAND:		DESCRIPTION:	9" Sparklers
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Green Sparklers
NAME:	No. 10 Gold Electric Sparklers	BRAND:	Easy-Lite
BRAND:	Red Lantern	DESCRIPTION:	10" Sparkler
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Green Sparklers
NAME:	No. 10 Gold Morning Glory	BRAND:	Miss Liberty
BRAND:	TNT	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	4" Cylinder on Wooden Stick	NAME:	No. 10 Green Sparklers
NAME:	No. 10 Gold Night Orchid Sparklers / Super Bright	BRAND:	TNT
BRAND:	Flying Dragon	DESCRIPTION:	9 1/2" Sparkler
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Green Sparklers
NAME:	No. 10 Gold Sparkler	BRAND:	United
BRAND:	Flying Dragon	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Red E-Z-Glo Sparklers
NAME:	No. 10 Gold Sparklers /American	BRAND:	
BRAND:		DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Red Electric Sparklers
NAME:	No. 10 Gold Sparklers	BRAND:	Red Lantern
BRAND:	Easy-Lite	DESCRIPTION:	9 1/2" Sparklers
DESCRIPTION:	10" Sparkler	NAME:	No. 10 Red Morning Glory
NAME:	No. 10 Gold Sparklers	BRAND:	TNT
BRAND:	Easy-Lite	DESCRIPTION:	4" Cylinder on Wooden Stick
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Red Sparklers
NAME:	No. 10 Gold Sparklers	BRAND:	Easy-Lite
BRAND:	Family	DESCRIPTION:	10" Sparkler
DESCRIPTION:	9 1/2" Sparklers	NAME:	No. 10 Red Sparklers
NAME:	No. 10 Gold Sparklers	BRAND:	Miss Liberty
		DESCRIPTION:	9 1/2" Sparklers

NAME: No. 10 Red Sparklers	DESCRIPTION: 36" Sparkler
BRAND: United	NAME: No. 36 Gold Sparklers
DESCRIPTION: 9 1/2" Sparklers	BRAND: Miss Liberty
NAME: No. 10 Red Sparklers / Black Jack	DESCRIPTION: 36" Sparkler
BRAND: Red Lantern	NAME: No. 36 Gold Sparklers
DESCRIPTION: 9" Sparklers	BRAND: Miss Liberty
NAME: No. 10 Red Sparklers	DESCRIPTION: 34" Sparkler
BRAND: TNT	NAME: No. 8 Blue Electric Sparklers
DESCRIPTION: 9 1/2" Sparklers	BRAND: Red Lantern
NAME: No. 14 Gold Leader Sparklers	DESCRIPTION: 7" Sparklers
BRAND:	NAME: No. 8 Blue Night Orchid Sparklers / Superbright
DESCRIPTION: 13" Sparklers	BRAND: Flying Dragon
NAME: No. 14 Gold Sparklers / American	DESCRIPTION: 7" Sparklers
BRAND:	NAME: No. 8 Blue Sparklers Black Jack
DESCRIPTION: 13" Sparklers	BRAND: Red Lantern
NAME: No. 14 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: Diamond	NAME: No. 8 Blue Sparklers
DESCRIPTION: 13" Sparklers	BRAND: TNT
NAME: No. 14 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: Easy-Lite	NAME: No. 8 Colored Leader Sparklers
DESCRIPTION: 13" Sparklers	BRAND: Red Lantern
NAME: No. 14 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: Easy Lite	NAME: No. 8 Colored Rainbow Sparklers
DESCRIPTION: 14" Sparkler	BRAND: American
NAME: No. 14 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: Miss Liberty	NAME: No. 8 Colored Sparkler/Blockbuster
DESCRIPTION: 13" Sparklers	BRAND: B.J. Alan
NAME: No. 20 Gold Sparklers	DESCRIPTION: 7" Sparkler
BRAND: Diamond	NAME: No. 8 Colored Sparklers
DESCRIPTION: 19" Sparklers	BRAND: Diamond
NAME: No. 20 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: Easy-Lite	NAME: No. 8 Gold Color Sparklers
DESCRIPTION: 20" Sparkler	BRAND: Diamond
NAME: No. 20 Gold Sparklers	DESCRIPTION: 7" Sparkler
BRAND: Family	NAME: No. 8 Gold Electric Sparklers
DESCRIPTION: 19" Sparklers	BRAND: Horse
NAME: No. 20 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: Miss Liberty	NAME: No. 8 Gold Electric Sparklers
DESCRIPTION: 18" Sparkler	BRAND: Red Lantern
NAME: No. 20 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: TNT	NAME: No. 8 Gold Leader Sparklers
DESCRIPTION: 19" Sparklers	BRAND:
NAME: No. 20 Gold Sparklers	DESCRIPTION: 7" Sparklers
BRAND: TNT	NAME: No. 8 Gold Night Orchid Sparklers Superbright
DESCRIPTION: 18" Sparkler	BRAND: Flying Dragon
NAME: No. 36 Gold Sparkler	DESCRIPTION: 7" Sparklers
BRAND: Diamond	NAME: No. 8 Gold Sparklers Party Pack Brand
DESCRIPTION: 34" Sparkler	BRAND:
NAME: No. 36 Gold Sparklers	
BRAND: Easy-Lite	

DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: Flying Dragon  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: American  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers Family Brand  
 BRAND: Bald Eagle  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers Super Bright  
 BRAND: Black Cat  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: Diamond  
 DESCRIPTION: 7" Sparkler  
 NAME: No. 8 Gold Sparklers  
 BRAND: Easy-Lite  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: Easy-Lite  
 DESCRIPTION: 8" Sparkler  
 NAME: No. 8 Gold Sparklers  
 BRAND: Family  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: Fiesta  
 DESCRIPTION: 8" Sparkler  
 NAME: No. 8 Gold Sparklers  
 BRAND: Fiesta  
 DESCRIPTION: 7 1/2" Sparkler  
 NAME: No. 8 Gold Sparklers  
 BRAND: Flower Basket  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: Miss Liberty  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: Miss Liberty  
 DESCRIPTION: 7 1/2" Sparklers  
 NAME: No. 8 Gold Sparklers/Black Jack  
 BRAND: Red Lantern  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers/Super Tiger Brand  
 BRAND: Super Tiger  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: TNT  
 DESCRIPTION: 7" Sparkler  
 NAME: No. 8 Gold Sparklers

BRAND: TNT  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Sparklers  
 BRAND: United  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Gold Thunder Sparklers  
 BRAND: Apollo  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Green Sparklers  
 BRAND: Easy-Lite  
 DESCRIPTION: 8" Sparkler  
 NAME: No. 8 Green Sparklers  
 BRAND: ESCO  
 DESCRIPTION: 8" Sparkler  
 NAME: No. 8 Green Sparklers  
 BRAND: Fiesta  
 DESCRIPTION: 8" Sparkler  
 NAME: No. 8 Green Sparklers  
 BRAND: Fiesta  
 DESCRIPTION: 7 1/2" Sparkler  
 NAME: No. 8 Green Sparklers  
 BRAND: Miss Liberty  
 DESCRIPTION: 7 1/2" Sparklers  
 NAME: No. 8 Green Sparklers  
 BRAND: Miss Liberty  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Green Sparklers/Black Jack  
 BRAND: Red Lantern  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Green Sparklers  
 BRAND: TNT  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Green Sparklers  
 BRAND: TNT  
 DESCRIPTION: 7" Sparkler  
 NAME: No. 8 Green Sparklers  
 BRAND: United  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Red Electric Sparklers  
 BRAND: Red Lantern  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Red Night Orchid  
 Sparklers/Superbright  
 BRAND: Flying Dragon  
 DESCRIPTION: 7" Sparklers  
 NAME: No. 8 Red Sparklers  
 BRAND: Easy-Lite  
 DESCRIPTION: 8" Sparkler  
 NAME: No. 8 Red Sparklers  
 BRAND: ESCO

DESCRIPTION: 8" Sparkler	NAME: Opening Flower and Happy Bird
NAME: No. 8 Red Sparklers	BRAND: Angel
BRAND: Fiesta	DESCRIPTION: 4 1/2" Cylinder with Base
DESCRIPTION: 7 1/2" Sparkler	NAME: Opening Flower and Happy Bird
NAME: No. 8 Red Sparklers	BRAND: Red Lantern
BRAND: Fiesta	DESCRIPTION: 4" Cylinder with Base
DESCRIPTION: 8" Sparkler	NAME: Opening Flowers
NAME: No. 8 Red Sparklers	BRAND: Red Lantern
BRAND: Miss Liberty	DESCRIPTION: 5" Multi-Tube Hexagon
DESCRIPTION: 7 1/2" Sparklers	NAME: Over the Rainbow
NAME: No. 8 Red Sparklers	BRAND: Peacock
BRAND: Miss Liberty	DESCRIPTION: 7" Cylinder with Base
DESCRIPTION: 7" Sparklers	NAME: Over the Rainbow / 1074
NAME: No. 8 Red Sparklers/Black Jack	BRAND: Peacock
BRAND: Red Lantern	DESCRIPTION: 6 1/2" Cylinder with Base
DESCRIPTION: 7" Sparklers	NAME: Over the Rainbow
NAME: No. 8 Red Sparklers	BRAND: Peacock
BRAND: TNT	DESCRIPTION: 5" Cylinder with Base
DESCRIPTION: 7" Sparklers	NAME: Over The Rainbow
NAME: No. 8 Sparklers	BRAND: Peacock
BRAND: Diamond	DESCRIPTION: 6 1/4" Cylinder with Base
DESCRIPTION: 7" Sparklers	NAME: Over the Rainbow / 1064A
NAME: North Pole Scene	BRAND: Peacock
BRAND:	DESCRIPTION: 6 1/2" Cylinder with Base
DESCRIPTION: 7 3/4" Multi-tube cylinder	NAME: Palm Tree/Fireworks
NAME: Northern Lights	BRAND: Horse
BRAND:	DESCRIPTION: 2" Cylinder with Base
DESCRIPTION: 4 3/4" Box	NAME: Panda Fireworks "*"
NAME: Nutty Monkey	BRAND: Flower Basket
BRAND:	DESCRIPTION: 3" Cylinder with Panda Bear
DESCRIPTION: 7" Multi-Tube Cylinders	NAME: Patriot Cone Fountain / No. 3
NAME: Odyssey/Large Cone Fountain	BRAND: Patriot
BRAND: Flaming Arrow	DESCRIPTION: 7" Cone
DESCRIPTION: 7" Cone	NAME: Patriot Cone Fountain / Giant
NAME: Ohh Soo Good	BRAND: Patriot
BRAND:	DESCRIPTION: 9 1/2" Cone
DESCRIPTION: 4 1/4" Multi-tube Hexagon	NAME: Peach Flower / HN90
NAME: Old Glory/Gold Vesuvius	BRAND: Red Lantern
BRAND:	DESCRIPTION: 9" Cylinder with Base
DESCRIPTION: 7" Cone	NAME: Peach Flower in Spring
NAME: Old Glory	BRAND: Angel
BRAND: Keystone	DESCRIPTION: 4" Box
DESCRIPTION: 7" Cone	NAME: Peach Flower in Spring
NAME: Old Glory/Gold Vensuvius	BRAND: Hoihing
BRAND: Keystone	DESCRIPTION: 4" Box
DESCRIPTION: 7" Cone	NAME: Peach Flower in Spring
NAME: Old West Express	BRAND: Red Lantern
BRAND: Brothers	DESCRIPTION: 4" Multi-Tube Box
COVER: BP7016	NAME: Peach Flower in Spring
DESCRIPTION: 5" Length	BRAND: Swallow River

DESCRIPTION: 4" Multi-Tube Box Fountain	BRAND: Red Lantern
NAME: Peach Flowre	DESCRIPTION: 4 3/4" Cylinder with Base
BRAND: Hoihing	NAME: Pirates Revenge
DESCRIPTION: 9" Cylinder with Base	BRAND: Nitro
NAME: Peach Garden	DESCRIPTION: 8" Multi-Tube Cylinder
BRAND: Link Triad	NAME: Plum & White Chrysanthemum
DESCRIPTION: 4 1/2" Cylinder with Base	BRAND: Red Lantern
NAME: Peach Splendor	DESCRIPTION: 8" X 3" Multi-tube Cylinder
BRAND: Great Grizzly	NAME: Plum Flowers Report Spring
DESCRIPTION: 9" Cylinder with Base	BRAND: Red Lantern
NAME: Peacock / Fountain	DESCRIPTION: 3 1/4" Cylinder with Base
BRAND: Horse	NAME: Plum Flowers Report Spring
DESCRIPTION: 1 1/2" Cylinder	BRAND: Red Lantern
NAME: Peacock / Fountain Fireworks	DESCRIPTION: 7 1/4" Cylinder with Base
BRAND: Horse	NAME: Police Car
DESCRIPTION: 4 3/4" Cylinder with Base	BRAND: Flying Dragon
NAME: Peacock Fountain	DESCRIPTION: 6 1/2" Car
BRAND: Horse	NAME: Precious Stones
DESCRIPTION: 1 1/4" Cylinder	BRAND:
NAME: Peacock Fountain / Fireworks No. 2	COVER: APE018
BRAND: Horse	DESCRIPTION: 6" Multi-Tube Cylinder with Base
DESCRIPTION: 3 3/4" Cylinder with Base	NAME: Purple Cloud / EXCLUSIVE,CP720
NAME: Peacock Fountain / Fireworks	DESCRIPTION: 4" X 6" X 3" Rectangular Box
BRAND: Horse	NAME: Purple Fountain
DESCRIPTION: 3 3/4" Cylinder with Base	BRAND: Tiger-Head
NAME: Peacock Fountain / Fireworks	DESCRIPTION: 5 1/4" Cylinder with Base
BRAND: Horse	NAME: Purple Fireworks / No:1011
DESCRIPTION: 5" Cylinder with Base	BRAND: Red Lantern
NAME: Peacock Tail	DESCRIPTION: 8" Multi-Tube Cylinder
BRAND: Flower Basket	NAME: Purple Flower / No:GG1001-3
DESCRIPTION: 3 5/8" Cylinder	BRAND: Great Grizzly
NAME: Pearl Ape 015C	DESCRIPTION: 7" Cylinder with Base
BRAND:	NAME: Purple Haze
DESCRIPTION: 7" Multi-Tube Cylinder with Base	BRAND: Bald Eagle
NAME: Pee Wee Fountain	DESCRIPTION: 5" Cylinder with Base
BRAND: Black Cat	NAME: Purple Heaven
DESCRIPTION: 4 3/4" Cylinder with Base	BRAND: Great Grizzly
NAME: Phantom Fire / Fountain	DESCRIPTION: 9" Cylinder with Base
BRAND: Phantom	NAME: Purple Orchids
DESCRIPTION: 6 1/2" Multi-Tube Box	BRAND: Flaming Arrow
NAME: Phantom Fire / Fountain	DESCRIPTION: 6" Cylinder with Base
BRAND: Phantom	NAME: Purple Pearls / Fountain
DESCRIPTION: 4 1/2" Multi-Tube Box	BRAND: Tiger-Head
NAME: Phoenix Tailhowl / Fountain	DESCRIPTION: 5" Cylinder with Base
BRAND: Tiger-Head	NAME: Purple Rain / CP433
DESCRIPTION: 5" Cylinder with Base	BRAND: TNT
NAME: Phoenix Tailhowl Fountain	DESCRIPTION: 4" Multi-Tube Cylinder
BRAND: Tiger-Head	NAME: Purple Rain Candle / CP730
DESCRIPTION: 5 1/4" Cylinder with Base	BRAND: TNT
NAME: Piccolo Petes / Two Tone	DESCRIPTION: 20" X 1" Cylinder-Hand Held

NAME: Pyramid / W467  
 BRAND: Link Triad  
 DESCRIPTION: 4" Pyramid  
 NAME: Pyramid Peak  
 BRAND:  
 DESCRIPTION: 8" x 3 3/4" Multi-tube Cylinder  
 NAME: Pyro-Torch  
 BRAND: Phantom Brand  
 DESCRIPTION: Package of four 9 3/4" Torches  
 NAME: Racing Car  
 BRAND: Link Triad  
 DESCRIPTION: 5" Car  
 NAME: Racing Car\*\*\*  
 BRAND: Link Triad  
 DESCRIPTION: 5" Three Wheeler with Driver  
 NAME: Raging Ghoul  
 BRAND: Monster  
 DESCRIPTION: 4 1/2" Cylinder  
 NAME: Raging Ghoul / CP438  
 BRAND: Monster  
 DESCRIPTION: 4 1/2" Multi-Tube Cylinder  
 NAME: Raging Monster / CP403  
 BRAND: Monster Fireworks  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: Rainbow Fountain / Base Fountain  
 BRAND: Flaming Arrow  
 DESCRIPTION: 7 1/2" Cylinder with Base  
 NAME: Rainbow Fountain / (Four Color Changing)  
 Fireworks  
 BRAND: Horse  
 DESCRIPTION: 3 3/4" Cylinder with Base  
 NAME: Rainbow Fountain / CP372  
 BRAND: TNT  
 DESCRIPTION: Box of Six 5" Cylinders with Base  
 NAME: Rainbow Fountain / Gold  
 BRAND: TNT  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Rainbow Fountain / Silver  
 BRAND: TNT  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Rainbow Fountain / Blue  
 BRAND: TNT  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Rainbow Fountain / Orange  
 BRAND: TNT  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Rainbow Fountain / Red  
 BRAND: TNT  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Rainbow Fountain / Green

BRAND: TNT  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Rainbow Torch  
 BRAND:  
 DESCRIPTION: 7 1/2" Cylinder  
 NAME: Rainbow Triangle Wheel  
 BRAND: Taichung Fireworks  
 DESCRIPTION: Three 3" Cylinders on Wheel  
 NAME: Rainbow Warrior  
 BRAND:  
 DESCRIPTION: 5" Multi-Tube Hexagon  
 NAME: Rain Dance Ape 010  
 BRAND:  
 DESCRIPTION: 4" Box  
 NAME: Razzle Dazzler  
 BRAND: TNT  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Rebel Yell / CP163  
 BRAND:  
 DESCRIPTION: 5 1/2" Multi-Tube Hexagon  
 NAME: Red Begonia / Fountain  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Red Blasting Meteor  
 BRAND: Peacock  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Red Blasting Meteor  
 BRAND: Peacock  
 DESCRIPTION: 6 1/4" Cylinder with Base  
 NAME: Red Blasting Meteor  
 BRAND: Peacock  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Red Dawn  
 BRAND: Bald Eagle  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Red Fountain  
 BRAND: Link Triad  
 DESCRIPTION: 3 1/4" Cylinder with Base  
 NAME: Red Ground  
 BRAND: Link Triad  
 DESCRIPTION: 2 1/4" Ground Spinner  
 NAME: Red Rose / Fountain  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Red Spark Plug Fountain  
 BRAND: Phantom Fireworks  
 DESCRIPTION: 1 1/4" X 1" Cylinder  
 NAME: Reddish Green Flowers  
 BRAND: Tiger-Head



DESCRIPTION:	5" Cylinder with Base	NAME:	Sea Dragon
NAME:	Reddish Green Flowers / Fountain	BRAND:	Bald Eagle
BRAND:	Tiger-Head	DESCRIPTION:	9 1/2" Cone
DESCRIPTION:	5" Cylinder with Base	NAME:	Sea Tide / No:0093
NAME:	Rising Flag	BRAND:	Red Lantern
BRAND:	Link Triad	DESCRIPTION:	4 1/2" Multi-Tube Box Fountain
DESCRIPTION:	2 1/2" Cylinder with Base w/2 Spinners Attached	NAME:	Shantungosaurus/CD299C
NAME:	Rising Sun	BRAND:	
BRAND:		DESCRIPTION:	4 1/2" Multi-Tube Cylinder with Base
DESCRIPTION:	4" Box	NAME:	Shimmering Galaxy / English Type
NAME:	Riverboat Gambler	BRAND:	Longhorn
BRAND:		DESCRIPTION:	6 3/4" Cylinder with Base
DESCRIPTION:	5" Multi-tube Cylinder	NAME:	Shimmering Galaxy
NAME:	Roaring Lion / Fountain	BRAND:	Longhorn
BRAND:	Phantom	DESCRIPTION:	6 3/4" Cylinder with Base
DESCRIPTION:	5" Multi-Tube Hexagon	NAME:	Shimmering Galaxy
NAME:	Rocky Mountain High	BRAND:	Longhorn
BRAND:		DESCRIPTION:	6 1/2" Cylinder with Base
DESCRIPTION:	5" Multi-Tube Hexagon	NAME:	Shimmering Inferno
NAME:	Royal Flush / Jumbo Cone Fountain	BRAND:	Firefly
BRAND:	Longhorn	DESCRIPTION:	9 1/2" Cylinder with Base
DESCRIPTION:	11 1/2" Cone with Base	NAME:	Showtime
NAME:	Ruby Ape 015A	BRAND:	
BRAND:		DESCRIPTION:	7 1/4" Multi-Tube Cylinder
DESCRIPTION:	7" Multi-Tube Cylinder with Base	NAME:	Signal Flare
NAME:	Saturn Fountain	BRAND:	Great Grizzly
BRAND:	Black Cat	COVER:	CG0131
DESCRIPTION:	6" Multi-Tube Cylinder	DESCRIPTION:	6 pack 1/2" Length
NAME:	Saturn Rings	NAME:	Silver Chrysanthemum
BRAND:	Bald Eagle	BRAND:	Red Lantern
DESCRIPTION:	4 1/4" Cylinder with Base	DESCRIPTION:	7" Cylinder with Base
NAME:	Scarface Capone	NAME:	Silver Dust Y02-027
BRAND:	Great Grizzly	BRAND:	Cannon
DESCRIPTION:	5" x 5 3/8" Hexagon	DESCRIPTION:	4" Multi-Tube Box
NAME:	Screamin' Demon	NAME:	Silver Orchid / Fountain
BRAND:	Longhorn	BRAND:	Tiger-Head
DESCRIPTION:	7" Cone	DESCRIPTION:	5" Cylinder with Base
NAME:	Screamin' Willy	NAME:	Silver Salute / Base Fountain
BRAND:		BRAND:	Flaming Arrow
DESCRIPTION:	4 1/2" Cylinder with Base	DESCRIPTION:	6" Cylinder with Base
NAME:	Screeching Eagle / EA-912	NAME:	Silver Spangler / Base Fountain
BRAND:	Bald Eagle	BRAND:	TNT
DESCRIPTION:	3" Multi-Tube Cylinder	DESCRIPTION:	7" Cylinder with Base
NAME:	Screeching Eagle	NAME:	Silver Strike
BRAND:	Bald Eagle	BRAND:	
DESCRIPTION:	8 3/4" Multi-Tube Cylinder	DESCRIPTION:	6 3/4" x 4 1/4" Multi-tube Cylinder
NAME:	Screeching Eagle	NAME:	Silver Strike
BRAND:	Bald Eagle	BRAND:	
DESCRIPTION:	6" Multi-Tube Cylinder	DESCRIPTION:	7" Multi-Tube Cylinder
		NAME:	Silver Tree / Fountain

BRAND:		DESCRIPTION:	2 1/2" Triangle
DESCRIPTION:	2" Cylinder	NAME:	Silvery Water Fountain
NAME:	Silver Vesuvius / No. 3 Cone Fountain	BRAND:	Link Triad
BRAND:		DESCRIPTION:	2 1/2" Triangle
DESCRIPTION:	7" Cone	NAME:	Slaughter House
NAME:	Silver Vesuvius / Cone Fountain No. 3	BRAND:	Great Grizzly
BRAND:	Kent	DESCRIPTION:	3 3/4" Multi-Tube Cylinder
DESCRIPTION:	6 3/4" Cone	NAME:	Smoky Mountain Stream / FN86
NAME:	Silvery Chrysanthemum	BRAND:	Easy-Lite
BRAND:	Angel	DESCRIPTION:	7" Flattened Cylinder with Base
DESCRIPTION:	7" Cylinder with Base	NAME:	Snow Fall / Fireworks
NAME:	Silvery Chrysanthemum	BRAND:	Whale
BRAND:	Hoihing	DESCRIPTION:	4 1/2" Cylinder with Base
DESCRIPTION:	7" Cylinder with Base	NAME:	Snow Flakes Fireworks
NAME:	Silvery Chrysanthemum/HN89	BRAND:	Horse
BRAND:	Red Lantern	DESCRIPTION:	2" Cylinder with Base
DESCRIPTION:	7" Cylinder with Base	NAME:	Snow Shower
NAME:	Silvery Flowers	BRAND:	Longhorn
BRAND:	Red Lantern	DESCRIPTION:	6 1/2" Cylinder with Base
DESCRIPTION:	9" Cylinder with Base	NAME:	Snow Storm / No. 3
NAME:	Silvery Flowers	BRAND:	Olde Glory
BRAND:	Angel	DESCRIPTION:	7" Cone
DESCRIPTION:	9" Cylinder with Base	NAME:	Snowflakes / Fireworks
NAME:	Silvery Fountain	BRAND:	Horse
BRAND:	Link Triad	DESCRIPTION:	2" Cylinder with Base
DESCRIPTION:	3 1/4" Cylinder with Base	NAME:	Soaring Eagle / CP414
NAME:	Silvery Glittering Flowers	BRAND:	TNT
BRAND:	Horse	DESCRIPTION:	2 1/2" Cylinder with Eagle
DESCRIPTION:	1 1/2" Cylinder	NAME:	Soaring Eagle / CP414
NAME:	Silvery Glittering Flowers / Fireworks	BRAND:	TNT
	No. 2	DESCRIPTION:	Box of Six 2 1/2" Cylinders with Eagle
BRAND:	Horse	NAME:	Solar Flares / CP406
DESCRIPTION:	3 3/4" Cylinder with Base	BRAND:	TNT
NAME:	Silvery Glittering Flowers	DESCRIPTION:	Box of Four 2" Cylinders with Base
BRAND:	Horse	NAME:	Solar Wave
DESCRIPTION:	1 1/2" Cylinder	BRAND:	Black
NAME:	Silvery Glittering Flowers / Fireworks	DESCRIPTION:	7" Cone
BRAND:	Horse	NAME:	Solid Gold
DESCRIPTION:	5" Cylinder with Base	BRAND:	Great Grizzly
NAME:	Silvery Glittering Flowers	COVER:	GG0831A
BRAND:	Horse	DESCRIPTION:	5" x 2 3/8" Box with Single Cylinder
DESCRIPTION:	5" Cylinder with Base	NAME:	Sonic Boom
NAME:	Silvery Glittering Flowers / Fireworks	BRAND:	TNT
BRAND:	Horse	DESCRIPTION:	8 3/4" Multi-Tube Cylinder
DESCRIPTION:	3 1/2" Cylinder with Base	NAME:	Sound of City / Fountain
NAME:	Silvery Lights	BRAND:	Tiger-Head
BRAND:	Great Grizzly	DESCRIPTION:	7" Multi-Tube Cylinder with Base
DESCRIPTION:	9" Cylinder with Base	NAME:	Sound of Music
NAME:	Silvery Water / Fountain	BRAND:	Tiger-Head
BRAND:	Black Cat	DESCRIPTION:	4" Multi-Tube

NAME: Southern Lightning	NAME: Spirit of Fire
BRAND:	BRAND: Peacock
DESCRIPTION: 9" Multi-Tube Cylinder	DESCRIPTION: 4 3/4" Cylinder with Base
NAME: Southern Night	NAME: Spitfire Dragon
BRAND: TNT	BRAND:
DESCRIPTION: 3" Multi-Tube	COVER: MAF3046
NAME: Space Flare	DESCRIPTION: Cardboard Dragon with 2 1/2" Cylinder
BRAND: Black Cat	NAME: Splendid Show
COVER: GG0260	BRAND: Peacock
DESCRIPTION: 6 3/4" x 2 5/8" Tube with Blue Base	DESCRIPTION: 6 1/4" Cylinder with Base
NAME: Space Lamp / Fireworks	NAME: Splendid Show
BRAND: Flying Dragon	BRAND: Peacock
DESCRIPTION: 7 1/2" Missile Cylinder with Base	DESCRIPTION: 7" Cylinder with Base
NAME: Space Lamp / Fireworks	NAME: Spook Lights / MAF1902
BRAND: Flying Dragon	BRAND:
DESCRIPTION: 8 1/2" Missile Cylinder with Base	DESCRIPTION: 1 1/2" x 3" Box of 5 1" Cylinders
NAME: Space Station / CP278	NAME: Spring Greeting / Fireworks
BRAND: TNT	BRAND: Whale
DESCRIPTION: 5 1/2" Capsule with Cone Base	DESCRIPTION: 4 1/2" Cylinder with Base
NAME: Space Walk Fountain	NAME: Spring Peach
BRAND: Black Cat	BRAND: Angel
DESCRIPTION: 5" Multi-Tube Triangle	DESCRIPTION: 7" Cylinder with Base
NAME: Sparkler Surprise!	NAME: Spring Peach
BRAND: Bald Eagle	BRAND: Hoihing
DESCRIPTION: 9 3/4" Box Containing 9" Sparkling Tree	DESCRIPTION: 7" Cylinder with Base
NAME: Sparklers / Colored-Six Pieces	NAME: Spring Peach / HN89
BRAND: TNT	BRAND: Red Lantern
DESCRIPTION: 10" Sparklers	DESCRIPTION: 7" Cylinder with Base
NAME: Sparklers / Colored-Six Pieces	NAME: Star Dust
BRAND: TNT	BRAND: Bald Eagle
DESCRIPTION: 8" Sparkler	DESCRIPTION: 1 3/8" Cylinder
NAME: Sparkling Fountain	NAME: Star Dust
BRAND: Tiger-Head	BRAND: Bald Eagle
DESCRIPTION: 5" Cylinder with Base	DESCRIPTION: 4 3/4" Cylinder with Base
NAME: Sparkling Tree	NAME: Star Dust
BRAND: Flower Basket	BRAND: Bald Eagle
DESCRIPTION: 9" Sparkling Tree	DESCRIPTION: 3 1/2" Cylinder with Base
NAME: Sparkling Tree	NAME: Star Dust
BRAND: Phantom Fireworks	BRAND: Red Lantern
DESCRIPTION: 9 1/2" X 2" X 2" Rectangle Box with Tree	COVER: FOA1997
NAME: Speedway Racer / Black Cat 8	DESCRIPTION: 6 3/4" Multi-tube Cylinder
BRAND: Black Cat	NAME: Star Of The Orient
DESCRIPTION: Racer 5"	BRAND: Longhorn
NAME: Spirit of America	DESCRIPTION: 7 3/4" Cylinder with Base
BRAND: Longhorn	NAME: Star Spangled Banner / CP246
COVER: No. 3 Flitter Fountain	BRAND: TNT
DESCRIPTION: 7 1/4" Cone	DESCRIPTION: 5" Hexagon
NAME: Spirit of America / No. 3 Flitter Fountain	NAME: Star Sparklers / Long-Lasting
BRAND: Longhorn	BRAND: Bald Eagle
DESCRIPTION: 7" Cone	DESCRIPTION: 7 1/2" Star Shaped Sparkler

NAME: Star Warriors	DESCRIPTION: 3" Multi-Tube Ground Spinner
BRAND: Longhorn	NAME: Sunscape / CP431
DESCRIPTION: 7 3/4" Cylinder with Base	BRAND: TNT
NAME: Starburst Fountain	DESCRIPTION: 6 3/4" x 3 7/8" Multi-tube Cylinder
BRAND:	NAME: Sunscape / APE047
DESCRIPTION: 9" Cylinder	BRAND: TNT
NAME: Starburst Fountain	DESCRIPTION: 8" X 3 1/2" Multi-Tube Cylinder
BRAND: Black Cat	NAME: Super Carnival Cone
DESCRIPTION: 6" Multi-Tube Hexagon	BRAND: Keystone
NAME: Starfire / CP366	DESCRIPTION: 9" Cone
BRAND: TNT	NAME: Super Cone
DESCRIPTION: 9" Multi-Tube Cylinder	BRAND: Flaming Arrow
NAME: Starfire / No. 8	DESCRIPTION: 11 1/2" Cone with Base
BRAND: Longhorn	NAME: Super Jumbo Cone
DESCRIPTION: 12" Cone	BRAND: Freedom Fireworks
NAME: Starry Starry Night/ Fountain	DESCRIPTION: 11" Cone with Base
BRAND: Black Cat	NAME: Super Jumbo Cone
DESCRIPTION: 6" Multi-Tube Hexagon	BRAND: Keystone
NAME: Starry Starry Night Fountain	DESCRIPTION: 9" Cone
BRAND: Black Cat	NAME: Super Nova
DESCRIPTION: 6" Multi-Tube Hexagon	BRAND:
NAME: Stars of Sierra Y02-024	DESCRIPTION: 5" Multi-Tube
BRAND: Cannon	NAME: Super Screecher CP525
DESCRIPTION: 7" Multi-Tube Box	BRAND:
NAME: Stealth Fountain	DESCRIPTION: 3 1/2" Multi-Tube Cylinder
BRAND: Black Cat	NAME: Swordfish Fountain
DESCRIPTION: 7 3/4" x 3" box	BRAND: Phantom
NAME: Stegosaurus / CP299B	DESCRIPTION: 4" Multi-Tube Box
BRAND:	NAME: Sword Orchid / Fountain
DESCRIPTION: 4 1/2" Multi-Tube Cylinder with Base	BRAND: Tiger-Head
NAME: Stegosaurus	DESCRIPTION: 5" Cylinder with Base
BRAND:	NAME: Tank
DESCRIPTION: 4 1/4" Multi-Tube With Base	BRAND: Black Cat
NAME: Stegosaurus	DESCRIPTION: 2 7/8" x 1 1/2" Tank Camouflage
BRAND: TNT	NAME: Tank (No Report) with Sparkling Fountain
DESCRIPTION: 6 1/4" Multi-Tube Box	BRAND:
NAME: Stones of Treasure	DESCRIPTION: 3" Tank with Multi-Tubes
BRAND: West Lake	NAME: Tank (No Report) with Sparkling Fountain
DESCRIPTION: 5" Cylinder with Base	BRAND:
NAME: Strobe Light	DESCRIPTION: 2" Camoflauge Tank
BRAND:	NAME: Tank (No Report) with Sparkling Fountain
DESCRIPTION: 3" x 2 1/2" Box of 1/2" Cylinders	BRAND:
NAME: Summer Heat / Ape 014C	DESCRIPTION: 3 1/4" Multi-Tube Camflouge Tank
BRAND:	NAME: Tank Battle
DESCRIPTION: 9" Multi-Tube Cylinder with Base	BRAND: TNT
NAME: Sunburst CP 147	DESCRIPTION: Box Containing Two 3 1/2" Tanks
BRAND: TNT	NAME: Tank Fireworks
DESCRIPTION: 5" Multi-Tube Triangle	BRAND: Link Triad
NAME: Sunflower / Fireworks	DESCRIPTION: 3" Tank
BRAND: Flower Basket	NAME: Tank Fireworks

BRAND: Silk Road  
 DESCRIPTION: 3 1/4" Tank  
 NAME: Tanrantula / APE050  
 BRAND: TNT  
 DESCRIPTION: 7" X 2 3/4" Multi-tube Cylinder  
 NAME: Temple of Doom  
 BRAND:  
 DESCRIPTION: 7" Cylinder Base  
 NAME: Tequila Sunrise  
 BRAND: TNT  
 DESCRIPTION: 2 1/2" Multi-Tube Triangle  
 NAME: Texas Giant/Jumbo Cone  
 BRAND: Longhorn  
 DESCRIPTION: 9 1/2" Cone  
 NAME: Texas Whirlwind  
 BRAND:  
 DESCRIPTION: 12" Cone Fountain  
 NAME: Texas Whirlwind  
 BRAND: Longhorn  
 DESCRIPTION: 12" Cone Fountain  
 NAME: The Call of the Wild / MAF2000  
 BRAND:  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: The Four Seasons Flowers  
 BRAND: Red Lantern  
 DESCRIPTION: 5" Multi-Tube Hexagon  
 NAME: The Lord of Fire  
 BRAND: Keystone  
 DESCRIPTION: 7" Cone  
 NAME: The Turch  
 BRAND: TNT  
 COVER: CP586  
 DESCRIPTION: 20" Cylinder with Turch Shape A  
 NAME: Thrasher Shark  
 BRAND:  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Three Colours/Fountain  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Thunder Display  
 BRAND: Kent  
 COVER: Maximum Load  
 DESCRIPTION: 14 1/2" Multi-tube Cylinder on Base  
 NAME: Thunder Fest Fountain  
 BRAND: Phantom  
 DESCRIPTION: 8" Multi-Tube Cylinder  
 NAME: Thunder Shower Candle/CP424  
 BRAND: TNT  
 DESCRIPTION: 21" Candle Fountain  
 NAME: Thunder Wheel

BRAND: TNT  
 COVER: CP806 Ground Spinner  
 DESCRIPTION: 3" Wheel  
 NAME: Tiger Cone/Giant Cone Fountain  
 BRAND: Flaming Arrow  
 DESCRIPTION: 9" Cone  
 NAME: Tiger Shark  
 BRAND:  
 DESCRIPTION: 9" Cylinder with Base  
 NAME: Tigers Fury  
 BRAND: Phantom  
 DESCRIPTION: 8 1/2" Multi-Tube Cylinder  
 NAME: Tigers Roaring Fountain  
 BRAND: Tiger-Head  
 DESCRIPTION: 7 1/2" Cylinder with Base  
 NAME: TNT  
 BRAND: Flower Basket  
 DESCRIPTION: 4" Cylinder with Base with Butterfly Wings  
 NAME: TNT Flashing Fountain  
 BRAND: TNT  
 DESCRIPTION: 1 1/2" x 2 3/4" Box Containing Five 1 1/2" Cylinders  
 NAME: Torch  
 BRAND: TNT  
 DESCRIPTION: 21 1/2" Tube Hand Held  
 NAME: Top Fireworks  
 BRAND: Flower Basket  
 DESCRIPTION: 2 1/8" Ground Spinner  
 NAME: Topaz Ape 015B  
 BRAND:  
 DESCRIPTION: 7" Multi-Tube Cylinder with Base  
 NAME: Tortoise  
 BRAND: Black Cat  
 DESCRIPTION: 4 1/2" Turtle on Wheels  
 NAME: Tortoise/Black Cat  
 BRAND: Black Cat  
 COVER: BC-305  
 DESCRIPTION: 5 boxes of 2, 4 1/2" length  
 NAME: Torch/Fireworks  
 BRAND: Flower Basket  
 DESCRIPTION: 7" Cylinder  
 NAME: Tower of Jewels/Large  
 BRAND: Longhorn  
 DESCRIPTION: 7 1/4" Cylinder with Base  
 NAME: Tower of Mystery  
 BRAND: Flaming Arrow  
 DESCRIPTION: 8" Cylinder with Base  
 NAME: Train Fireworks  
 BRAND: Red Lantern

DESCRIPTION: 1 1/2" Multi-Tube Box  
 NAME: Treasure Chest Fountain  
 BRAND: Black Cat  
 DESCRIPTION: 4" Squares, 7 Tubes  
 NAME: Tri-Color Spray  
 BRAND: Phantom Brand  
 DESCRIPTION: 7" Cylinder w/base  
 NAME: Tri-Color Sprayer / Fireworks  
 BRAND: Black Cat  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Tri-Color Sprayer / Fireworks  
 BRAND: Link Triad  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Tri-Colour Fountain  
 BRAND: Horse  
 DESCRIPTION: 1 1/2" Cylinder  
 NAME: Tri-Colour / Fountain Fireworks  
 BRAND: Horse  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Tri-Colour / Fountain Fireworks No. 2  
 BRAND: Horse  
 DESCRIPTION: 3 3/4" Cylinder with Base  
 NAME: Tri-Colour / Fountain Fireworks  
 BRAND: Horse  
 DESCRIPTION: 3 3/4" Cylinder with Base  
 NAME: Tri-Colour (Whistle)  
 BRAND: Tiger-Head  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Tri-Colour Fountain  
 BRAND: Horse  
 DESCRIPTION: 1 1/4" Cylinder  
 NAME: Tropical Delight  
 BRAND: TNT  
 DESCRIPTION: 4 1/2" Box  
 NAME: Turbo Flash  
 BRAND: Black Cat  
 DESCRIPTION: 11 1/2" Cone  
 NAME: Twin Pack Tanks / Tank with Fountain  
 BRAND:  
 DESCRIPTION: Two 3" Tanks per Package  
 NAME: Twinkle and Dazzle  
 BRAND: West Lake  
 DESCRIPTION: 5" Cylinder with Base  
 NAME: Typhoon / CP349  
 BRAND: TNT  
 DESCRIPTION: 5" Multi-Tube Hexagon  
 NAME: Tyrannosaurus / CP299A  
 BRAND:  
 DESCRIPTION: 4 1/2" Multi-Tube Cylinder with Base  
 NAME: Tyrannosaurus Rex

BRAND:  
 DESCRIPTION: 8" Multi-Tube Hexagon  
 NAME: U.S.A. Space Shuttle  
 BRAND: Flower Basket  
 DESCRIPTION: 7 1/2" Airplane  
 NAME: U.S.A. Space Shuttle  
 BRAND: Flower Basket  
 DESCRIPTION: 6 1/2" Airplane  
 NAME: Variegated Battery  
 BRAND: Longhorn  
 DESCRIPTION: 7 3/4" Cylinder with Base  
 NAME: Variegated Fountain / Medium  
 BRAND: Longhorn  
 DESCRIPTION: 6" Cylinder with Base  
 NAME: Venus Butterfly/K-1205  
 BRAND: Phantom  
 DESCRIPTION: 4" Cylinder (Butterfly)  
 NAME: Venus Fountain  
 BRAND: Black Cat  
 DESCRIPTION: 6" Multi-Tube Cylinder  
 NAME: Vesuvius Fountain  
 BRAND: Longhorn  
 COVER: No.3  
 DESCRIPTION: 7 1/4" Cone  
 NAME: Vesuvius / Fountain No. 3  
 BRAND:  
 DESCRIPTION: 7" Cone  
 NAME: Vesuvius/Large Cone Fountain  
 BRAND: Freedom  
 DESCRIPTION: 7" Cone  
 NAME: Vesuvius Fountain / No. 3  
 BRAND: Longhorn  
 DESCRIPTION: 7" Cone  
 NAME: Violet and Butterflies  
 BRAND: Angel  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Violet and Butterflies  
 BRAND: Hoihing  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Violet and Butterflies/HN89  
 BRAND: Red Lantern  
 DESCRIPTION: 7" Cylinder with Base  
 NAME: Violets & Crimsons  
 BRAND: Angel  
 DESCRIPTION: 4" Cone  
 NAME: Violets & Crimsons  
 BRAND: Angel  
 DESCRIPTION: 2 1/2" Cone  
 NAME: Violets & Crimsons  
 BRAND: Angel

DESCRIPTION:	2 1/4" Cone	NAME:	Whistling Pete with Sparks
NAME:	Violets & Crimson	BRAND:	Tiger-Head
BRAND:	Red Lantern	DESCRIPTION:	5" Cylinder with Base
DESCRIPTION:	2 1/2" Cone	NAME:	Whistling Phantom
NAME:	Violets & Crimson	BRAND:	Phantom
BRAND:	Red Lantern	DESCRIPTION:	4 3/4" Cylinder with Base
DESCRIPTION:	4" Cone	NAME:	Whistling Stream
NAME:	Violets Crimson	BRAND:	Red Lantern
BRAND:	Red Lantern	DESCRIPTION:	4 1/2" Cylinder with Base
DESCRIPTION:	5" Cylinder with Base	NAME:	Whistling Wheel
NAME:	Volcanic Cavern / Large Cone Fountain	BRAND:	Red Lantern
BRAND:	Flaming Arrow	DESCRIPTION:	2 1/2" Ground Spinner
DESCRIPTION:	7" Cone	NAME:	Wild Bats / Large
NAME:	Volcano / No. 5 Cone Fountain	BRAND:	Phantom
BRAND:	Longhorn	DESCRIPTION:	9" Cylinder with Base with Bats
DESCRIPTION:	11" Cone with Base	NAME:	Wild Bats
NAME:	Volcano No. 5 Cone Fountain	BRAND:	Phantom
BRAND:	Longhorn	DESCRIPTION:	6 3/4" Cylinder with Base & Bats
DESCRIPTION:	11" Cone with Base	NAME:	Wild Bats / Fireworks
NAME:	Wailing Witch	BRAND:	Phantom
BRAND:		DESCRIPTION:	7 1/2" x 6" Box Containing Four 6 3/4" Cylinders with Base & Bats
DESCRIPTION:	8 1/2" Multi-Tube Cylinder	NAME:	Wild Boar
NAME:	Wailing Witch	BRAND:	TNT
BRAND:		DESCRIPTION:	7" Multi-Tube Cylinder
DESCRIPTION:	8 3/4" Multi-Tube	NAME:	Willow Flower
NAME:	Waterfall Fountain	BRAND:	Link Triad
BRAND:	Black Cat	DESCRIPTION:	4 1/2" Cylinder with Base
DESCRIPTION:	2 1/2" X 5" Box Single Cylinder	NAME:	Willow Tree / Medium
NAME:	Whirlwind Wonder	BRAND:	Longhorn
BRAND:	Kent	DESCRIPTION:	6" Cylinder with Base
COVER:	Max Load Spinning Comet	NAME:	Winter Storm Ape 014A
DESCRIPTION:	13" x 2 1/2" cylinder with base	BRAND:	
NAME:	Whistle Missile / Base Fountain	DESCRIPTION:	9" Multi-Tube Cylinder with Base
BRAND:	Flaming Arrow	NAME:	Witch Whistle
DESCRIPTION:	8" Cylinder with Base	BRAND:	
NAME:	Whistle Pete	DESCRIPTION:	2 1/4" Box
BRAND:		NAME:	WolfPack #8 Crackling Sparklers
DESCRIPTION:	5" Cylinder with Base	BRAND:	Phantom
NAME:	Whistle Pete	DESCRIPTION:	8" Box Containing 6 Sparklers
BRAND:	Red Lantern	NAME:	WolfPack #10 Crackling Sparklers
DESCRIPTION:	4 3/4" Cylinder with Base	BRAND:	Phantom
NAME:	Whistlin' Dixie / Fountain with Whistle	DESCRIPTION:	10" Box Containing 6 Sparklers
BRAND:	Tiger-Head	NAME:	Wolf Pack / Fountain
DESCRIPTION:	5" Cylinder with Base	BRAND:	Phantom
NAME:	Whistling Gator	DESCRIPTION:	5" Multi-Tube Cylinder
BRAND:		NAME:	Wooden 10" Gold Sparklers/No. 10 Gold
DESCRIPTION:	4 1/2" Multi-Tube with Base	BRAND:	Diamond Sparklers
NAME:	Whistling Pete	DESCRIPTION:	10" X 1 3/4" X 1/2" Box of Six Sparklers
BRAND:	Tiger-Head	NAME:	Wooden 8" Gold Sparklers / No. 8 Gold
DESCRIPTION:	5" Cylinder with Base		

**BRAND:** Diamond Sparklers  
**DESCRIPTION:** 8" x 1 3/4" X 1/2" Box of Six Sparklers  
**NAME:** Worlds Greatest Fountain  
**BRAND:** Black Cat  
**DESCRIPTION:** 9" Cylinder with Base  
**NAME:** Worlds Greatest / Fountain BC-214  
**BRAND:** Black Cat  
**DESCRIPTION:** 9" Cylinder with Base  
**NAME:** Wrath of the Hydra / Fountain  
**BRAND:** Phantom  
**DESCRIPTION:** 6" Multi-Tube Cylinder  
**NAME:** XMAS Tree / Fountain  
**BRAND:** Tiger-Head  
**DESCRIPTION:** 5" Cylinder with Base  
**NAME:** Yellow Spark Plug Fountain  
**BRAND:** Phantom Fireworks  
**DESCRIPTION:** 1 1/4" X 1" Cylinder  
**NAME:** Zenith Sparklers Assorted No.8  
**BRAND:** Zenith  
**DESCRIPTION:** 6 1/2" Wire Sparkler 8 1/4" Box  
**NAME:** Zombies / APE049  
**BRAND:** TNT  
**DESCRIPTION:** 7" X 3" X 3" Rectangular Box

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point  
 Franchise Motor Vehicle Dealer in a County of More  
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Hyundai Motor America, intends to allow the establishment of Cocoa Hyundai, Inc., as a dealership for the sale of Accent, Sonata, Tiburon and Elantra, at 304 South Cocoa Boulevard, Cocoa (Brevard County), Florida 32922, on or after March 25, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Cocoa Hyundai, Inc., are: dealer operator: Bruce Nelson, Sr., 915 W. New Haven Avenue, Melbourne, FL 32901; principal investor(s): Samuel X. DiFeo and Joseph C. DiFeo, 915 W. New Haven Avenue, Melbourne, FL 32901.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Marty Vaughn, Market Representation Manager, Hyundai Motor America, 240 Thornton Road, Suite A, Lithia Springs, GA 30122-1550.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
 Franchise Motor Vehicle Dealer in a County of More  
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Yamaha Motor America, intends to allow the establishment of Funstream Recreation, Inc., d/b/a/ Powersports of Delray, as a dealership for the sale of Yamaha motorcycles, ATV's and Riva motor scooters, at 1900 N. Federal Highway, Delray Beach (Palm Beach County), Florida 33483, on or after March 2, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Funstream Recreation, Inc., d/b/a/ Powersports of Delray are: dealer operator: Linn D. Heaton, 2998 Northwest 41st Street, Boca Raton, Florida 33434 and Lee W. Heaton, 400 North Flager Drive, #2206, West Palm Beach, Florida 33401; principal investors(s): Linn D. Heaton, 2998 Northwest 41st Street, Boca Raton, Florida 33434, Lee W. Heaton, 400 North Flager Drive, #2206, West Palm Beach, Florida 33401, Powersports, Inc., 215 5th Street, Suite 108, West Palm Beach, Florida 33401.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Russell D. Jura, Senior Vice President and General Counsel, Yamaha Motor Corporation, USA, 6555 Katella Avenue, Cypress, California 90630-5101.



If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Polaris Sales, Inc., intends to allow the establishment of Daytona Fun Machine, Inc., as a dealership for the sale of Victory Motorcycles, at 450 Ridgewood Avenue, Holly Hill (Volusia County), Florida 32117, on or after December 8, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Daytona Fun Machine, Inc., are: dealer operator: Christopher Gray, 793 Pheasant Run Court, Port Orange, Florida 32127; principal investor(s): Harold Gray and Steven Gray, 500 CR115N, Bunnell, Florida 32110.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Michael W. Malone, CFO, Secretary, Treasurer, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340-9770.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for the Relocation of a  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that General Motors Corporation, intends to allow the relocation of Dew Cadillac, Inc., as a dealership for the sale of Cadillac, from its present location at 224 Third St., South,

Saint Petersburg, FL 33701, to a proposed location at 4650 34th Street, North (US Highway 19), Saint Petersburg (Pinellas County), Florida 33701, on or after February 14, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Dew Cadillac, Inc. are: dealer operator: Stephen D. McFarlin, 224 Third Street, South, Saint Petersburg, FL 33701; principal investor(s): Stephen D. McFarlin and W. Page Harris III, 224 Third Street, South, Saint Petersburg, FL 33701. The notice indicates an intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jody L. Huey, Dealer Contractual Manager, General Motors Corporation, 100 Renaissance Center, Mail Code 482-A07-C66, Detroit, MI 48265-1000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Polaris Sales, Inc., intends to allow the establishment of Jet Wheels, as a dealership for the sale of Victory Motorcycles, at 13415 Panama City Beach Parkway, Panama City Beach (Bay County), Florida 32407, on or after December 17, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Jet Wheels are: dealer operator: Steve White, 1016 Barracuda Drive, Panama City Beach, FL 32408 and Paul C. White, 130 Hombre Circle, Panama City Beach, FL 32407; principal investor(s): Steve White, 1016 Barracuda Drive, Panama City Beach, FL 32408 and Paul C. White, 130 Hombre Circle, Panama City Beach, FL 32407.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Michael W. Malone, CFO, Secretary, Treasurer, Polaris Sales, Inc., 1225 Highway 169 North, Minneapolis, Minnesota 55441-5078.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

On, January 28, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Rachel W. Riles, R.N. license number RN 1286031. RILES's last known address is: 4037 North West Blythe Road, #45, Ocala, Florida 33482. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**CERTIFICATE OF NEED  
LETTERS OF INTENT**

The Agency For Health Care Administration received and accepted the following letters of intent for the March 15, 2000 application filing date for hospital batching cycle:

County: Escambia District: 1  
Date Filed: February 11, 2000 LOI#: H000201  
Facility/Project: Hospice of Northwest Florida, Inc.  
Applicant: Hospice of Northwest Florida, Inc.  
Project Description: Establish up to a 16 bed freestanding inpatient hospice through renovation & conversion of an existing hospice residence

County: Escambia District: 1  
Date Filed: February 11, 2000 LOI#: H000202  
Facility/Project: Pycomm, Inc.  
Applicant: Pycomm, Inc.

Project Description: Establish a Medicare certified home health agency  
County: Okaloosa District: 1  
Date Filed: January 14, 2000 LOI#: H000203

Facility/Project: Fort Walton Beach Medical Center  
Applicant: Fort Walton Beach Medical Center, Inc.  
Project Description: Establish an adult open heart surgery program

County: Walton District: 1  
Date Filed: February 14, 2000 LOI#: H000204  
Facility/Project: Sacred Heart Hospital of Pensacola  
Applicant: Sacred Heart Hospital of Pensacola

Project Description: Construct a 50 bed acute care hospital  
County: Leon District: 2  
Date Filed: February 14, 2000 LOI#: H000205

Facility/Project: HealthSouth Rehabilitation Hospital of Tallahassee  
Applicant: HealthSouth of Tallahassee, L.P.  
Project Description: Add up to 10 comprehensive medical rehabilitation beds

County: Alachua District: 3  
Date Filed: February 14, 2000 LOI#: H000206  
Facility/Project: Extended Health Care Services, Inc.  
Applicant: Extended Health Care Services, Inc.

Project Description: Establish a Medicare certified home health agency  
County: Citrus District: 3  
Date Filed: February 10, 2000 LOI#: H000207

Facility/Project: Citrus Memorial Hospital  
Applicant: Citrus Memorial Health Foundation, Inc.  
Project Description: Establish an adult open heart surgery program

County: Citrus District: 3  
Date Filed: February 14, 2000 LOI#: H000208  
Facility/Project: Citrus Memorial Hospital  
Applicant: Citrus Memorial Health Foundation, Inc.

Project Description: Establish an adult open heart surgery program  
County: Hernando District: 3  
Date Filed: February 14, 2000 LOI#: H000209

Facility/Project: Oak Hill Hospital  
Applicant: HCA Health Services of Florida, Inc.  
Project Description: Establish an adult open heart surgery program

County: Hernando District: 3  
Date Filed: February 14, 2000 LOI#: H000210

Facility/Project: HEALTHSOUTH of Spring Hill  
 Applicant: HEALTHSOUTH of Spring Hill, Inc.  
 Project Description: Construct up to a 60 bed freestanding comprehensive medical rehabilitation hospital  
 County: Columbia District: 3  
 Date Filed: February 14, 2000 LOI#: H000211  
 Facility/Project: Lake City Medical Center  
 Applicant: Notami Hospitals of Florida, Inc.  
 Project Description: Add up to 20 acute care beds  
 County: Marion District: 3  
 Date Filed: February 14, 2000 LOI#: H000212  
 Facility/Project: Munroe Regional Medical Center  
 Applicant: Munroe Regional Health System, Inc.  
 Project Description: Add up to 23 acute care beds  
 County: Sumter District: 3  
 Date Filed: February 11, 2000 LOI#: H000213  
 Facility/Project: The Villages Tri-County Medical Center  
 Applicant: The Villages Tri-County Medical Center, Inc.  
 Project Description: Construct up to a 60 bed acute care hospital  
 County: Alachua District: 3  
 Date Filed: February 14, 2000 LOI#: H000214  
 Facility/Project: North Central Florida Hospice, Inc.  
 Applicant: North Central Florida Hospice, Inc.  
 Project Description: To convert 18 existing hospice residential beds into 18 hospice inpatient beds  
 County: Duval District: 4  
 Date Filed: February 14, 2000 LOI#: H000215  
 Facility/Project: Shands Jacksonville Medical Center  
 Applicant: Shands Jacksonville Medical Center, Inc.  
 Project Description: Establish up to a 28 bed Level II NICU through the addition of beds, conversion of Level III NICU beds and/or the conversion of medical/surgical beds  
 County: Duval District: 4  
 Date Filed: February 14, 2000 LOI#: H000216  
 Facility/Project: St. Luke's Hospital  
 Applicant: St. Luke's Hospital Association  
 Project Description: Establish up to a 10 bed Level II NICU through the conversion of up to 10 existing acute care beds  
 County: Duval District: 4  
 Date Filed: February 14, 2000 LOI#: H000217  
 Facility/Project: St. Luke's Hospital  
 Applicant: St. Luke's Hospital Association  
 Project Description: Establish up to a 10 bed Level II NICU through the conversion of up to 10 existing hospital-based skilled nursing beds  
 County: Duval District: 4  
 Date Filed: February 11, 2000 LOI#: H000218  
 Facility/Project: St. Luke's Hospital  
 Applicant: St. Luke's Hospital Association

Project Description: Establish up to a 10 bed Level II NICU through the conversion of up to 10 existing hospital-based skilled nursing beds  
 County: Duval District: 4  
 Date Filed: February 11, 2000 LOI#: H000219  
 Facility/Project: St. Luke's Hospital  
 Applicant: St. Luke's Hospital Association  
 Project Description: Establish up to a 10 bed Level II NICU through the conversion of up to 10 existing acute care beds  
 County: Volusia District: 4  
 Date Filed: February 14, 2000 LOI#: H000220  
 Facility/Project: Comprehensive Senior Care, Inc.  
 Applicant: Comprehensive Senior Care, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Clay District: 4  
 Date Filed: February 14, 2000 LOI#: H000221  
 Facility/Project: Orange Park Medical Center  
 Applicant: Orange Park Medical Center, Inc.  
 Project Description: Add up to 50 acute care beds  
 County: St. Johns District: 4  
 Date Filed: February 11, 2000 LOI#: H000222  
 Facility/Project: Flagler Hospital  
 Applicant: Flagler Hospital, Inc.  
 Project Description: Add up to 39 acute care beds  
 County: Flagler District: 4  
 Date Filed: February 11, 2000 LOI#: H000223  
 Facility/Project: Halifax Fish Community Health, Inc.  
 Applicant: Halifax Fish Community Health, Inc.  
 Project Description: Construct up to a 75 bed acute care hospital  
 County: Flagler District: 4  
 Date Filed: February 11, 2000 LOI#: H000224  
 Facility/Project: Halifax Fish Community Health, Inc.  
 Applicant: Halifax Fish Community Health, Inc.  
 Project Description: Construct up to a 75 bed acute care hospital through the transfer of up to 75 acute care beds  
 County: Volusia District: 4  
 Date Filed: February 11, 2000 LOI#: H000225  
 Facility/Project: Halifax Fish Community Health, Inc.  
 Applicant: Halifax Fish Community Health, Inc.  
 Project Description: Construct up to a 100 bed acute care hospital  
 County: Volusia District: 4  
 Date Filed: February 11, 2000 LOI#: H000226  
 Facility/Project: Halifax Fish Community Health, Inc.  
 Applicant: Halifax Fish Community Health, Inc.  
 Project Description: Construct up to a 100 bed acute care hospital through the transfer of up to 100 acute care beds  
 County: Volusia District: 4

Date Filed: February 04, 2000 LOI#: H000227  
Facility/Project: Florida Hospital Fish Memorial  
Applicant: Southwest Volusia Healthcare Corp.  
Project Description: Add up to 50 acute care beds  
County: Baker District: 4  
Date Filed: February 14, 2000 LOI#: H000228  
Facility/Project: North Central Florida Hospice, Inc.  
Applicant: North Central Florida Hospice, Inc.  
Project Description: Establish a hospice program  
County: Duval District: 4  
Date Filed: February 14, 2000 LOI#: H000229  
Facility/Project: VITAS of North Florida, Inc.  
Applicant: VITAS of North Florida, Inc.  
Project Description: Establish a hospice program  
County: Duval District: 4  
Date Filed: February 11, 2000 LOI#: H000230  
Facility/Project: St. Luke's Hospital  
Applicant: St. Luke's Hospital Association  
Project Description: Establish an adult kidney transplantation program  
County: Pasco District: 5  
Date Filed: February 11, 2000 LOI#: H000231  
Facility/Project: University Community Hospital  
Applicant: University Community Hospital, Inc.  
Project Description: Construct a 50 bed long-term care hospital  
County: Pinellas District: 5  
Date Filed: February 11, 2000 LOI#: H000232  
Facility/Project: All Children's Hospital  
Applicant: All Children's Hospital, Inc.  
Project Description: Add up to three Level III NICU beds  
County: Pasco District: 5  
Date Filed: February 14, 2000 LOI#: H000233  
Facility/Project: East Pasco Medical Center  
Applicant: East Pasco Medical Center, Inc.  
Project Description: Add up to 40 acute care beds  
County: Hillsborough District: 6  
Date Filed: February 14, 2000 LOI#: H000234  
Facility/Project: Comprehensive Senior Care, Inc.  
Applicant: Comprehensive Senior Care, Inc.  
Project Description: Establish a Medicare certified home health agency  
County: Hillsborough District: 6  
Date Filed: February 11, 2000 LOI#: H000235  
Facility/Project: Oasis Home Care of Florida, Inc.  
Applicant: Oasis Home Care of Florida, Inc.  
Project Description: Establish a Medicare certified home health agency  
County: Hillsborough District: 6  
Date Filed: February 11, 2000 LOI#: H000236  
Facility/Project: University Community Hospital

Applicant: University Community Hospital, Inc.  
Project Description: Establish up to a 15 bed Level III NICU through the conversion of up to 15 existing acute care beds  
County: Hillsborough District: 6  
Date Filed: February 14, 2000 LOI#: H000237  
Facility/Project: Hernando Pasco Hospice, Inc.  
Applicant: Hernando Pasco Hospice, Inc.  
Project Description: Establish a hospice program  
County: Orange District: 7  
Date Filed: February 11, 2000 LOI#: H000238  
Facility/Project: Nirvana Health Services, Inc.  
Applicant: Nirvana Health Services, Inc.  
Project Description: Establish a Medicare certified home health agency  
County: Orange District: 7  
Date Filed: February 11, 2000 LOI#: H000239  
Facility/Project: Oasis Home Care of Florida, Inc.  
Applicant: Oasis Home Care of Florida, Inc.  
Project Description: Establish a Medicare certified home health agency  
County: Orange District: 7  
Date Filed: February 14, 2000 LOI#: H000240  
Facility/Project: Arnold Palmer Hospital  
Applicant: Orlando Regional Healthcare System, Inc.  
Project Description: Add one Level II NICU bed  
County: Lee District: 8  
Date Filed: February 11, 2000 LOI#: H000241  
Facility/Project: Oasis Home Care of Florida, Inc.  
Applicant: Oasis Home Care of Florida, Inc.  
Project Description: Establish a Medicare certified home health agency  
County: Sorriest District: 8  
Date Filed: February 14, 2000 LOI#: H000242  
Facility/Project: Doctors Hospital of Sarasota  
Applicant: Sarasota Doctors Hospital, Inc.  
Project Description: Establish an adult open heart surgery program  
County: Sarasota District: 8  
Date Filed: February 14, 2000 LOI#: H000243  
Facility/Project: Doctors Hospital of Sarasota  
Applicant: Sarasota Doctors Hospital, Inc.  
Project Description: Add up to 30 acute care beds  
County: Lee District: 8  
Date Filed: February 14, 2000 LOI#: H000244  
Facility/Project: Hope Hospice and Palliative Care  
Applicant: H.O.P.E. of Lee County, Inc.  
Project Description: Establish up to a 24 bed freestanding inpatient hospice facility  
County: Palm Beach District: 9  
Date Filed: February 14, 2000 LOI#: H000245

Facility/Project: Palms West Hospital  
 Applicant: Columbia Palms West Hospital, L.P.  
 Project Description: Add up to 10 Level II NICU beds  
 County: Palm Beach District: 9  
 Date Filed: February 14, 2000 LOI#: H000246  
 Facility/Project: Comprehensive Senior Care, Inc.  
 Applicant: Comprehensive Senior Care, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Palm Beach District: 9  
 Date Filed: February 10, 2000 LOI#: H000247  
 Facility/Project: Heritage Home Health, Inc.  
 Applicant: Heritage Home Health, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Palm Beach District: 9  
 Date Filed: February 11, 2000 LOI#: H000248  
 Facility/Project: Pycomm, Inc.  
 Applicant: Pycomm, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Palm Beach District: 9  
 Date Filed: February 14, 2000 LOI#: H000249  
 Facility/Project: Recovery Home Care, Inc.  
 Applicant: Recovery Home Care, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Palm Beach District: 9  
 Date Filed: February 11, 2000 LOI#: H000250  
 Facility/Project: St. Mary's Hospital  
 Applicant: St. Mary's Hospital, Inc.  
 Project Description: Add up to 11 Level II NICU beds through the conversion of up to 11 acute care beds  
 County: Palm Beach District: 9  
 Date Filed: February 14, 2000 LOI#: H000251  
 Facility/Project: Wellington Regional Medical Center  
 Applicant: Wellington Regional Medical Center, Inc.  
 Project Description: Establish up to a 10 bed Level II NICU  
 County: St. Lucie District: 9  
 Date Filed: February 14, 2000 LOI#: H000252  
 Facility/Project: St. Lucie Medical Center  
 Applicant: HCA Health Services of Florida, Inc.  
 Project Description: Add up to 25 acute care beds  
 County: Palm Beach District: 9  
 Date Filed: February 14, 2000 LOI#: H000253  
 Facility/Project: Wellington Regional Medical Center  
 Applicant: Wellington Regional Medical Center, Inc.  
 Project Description: Add up to 16 acute care beds through the conversion of up to 16 substance abuse beds  
 County: Broward District: 10  
 Date Filed: February 10, 2000 LOI#: H000254  
 Facility/Project: Catholic Hospice, Inc.  
 Applicant: Catholic Hospice, Inc.  
 Project Description: Establish a hospice program  
 County: Broward District: 10  
 Date Filed: February 14, 2000 LOI#: H000255  
 Facility/Project: Comprehensive Senior Care, Inc.  
 Applicant: Comprehensive Senior Care, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Broward District: 10  
 Date Filed: February 10, 2000 LOI#: H000256  
 Facility/Project: Heritage Home Health, Inc.  
 Applicant: Heritage Home Health, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Broward District: 10  
 Date Filed: February 11, 2000 LOI#: H000257  
 Facility/Project: Pycomm, Inc.  
 Applicant: Pycomm, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Broward District: 10  
 Date Filed: February 10, 2000 LOI#: H000258  
 Facility/Project: Memorial Hospital West  
 Applicant: South Broward Hospital District  
 Project Description: Add an adult open heart surgery program  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000259  
 Facility/Project: Cedars Medical Center  
 Applicant: Cedars Healthcare Group, Ltd.  
 Project Description: Add up to 25 adult inpatient psychiatric beds through the conversion and/or delicensure of up to 25 acute care beds  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000260  
 Facility/Project: Cedars Medical Center  
 Applicant: Cedars Healthcare Group, Ltd.  
 Project Description: Add up to 25 adult inpatient psychiatric beds  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000261  
 Facility/Project: HealthSouth Rehabilitation Hospital of Miami  
 Applicant: HealthSouth Rehabilitation Corporation  
 Project Description: Add up to 10 comprehensive medical rehabilitation beds  
 County: Dade District: 11  
 Date Filed: February 10, 2000 LOI#: H000262  
 Facility/Project: Heritage Home Health, Inc.  
 Applicant: Heritage Home Health, Inc.

Project Description: Establish a Medicare certified home health agency  
 County: Dade District: 11  
 Date Filed: February 11, 2000 LOI#: H000263  
 Facility/Project: MACtown, Inc.  
 Applicant: MACtown, Inc.  
 Project Description: Relocate existing 56 ICF/DD beds  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000264  
 Facility/Project: Aventura Hospital and Medical Center  
 Applicant: Miami Beach Healthcare Group, Ltd.  
 Project Description: Establish an adult open heart surgery program  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000265  
 Facility/Project: Miami Jewish Home and Hospital for the Aged, Inc.  
 Applicant: Miami Jewish Home and Hospital for the Aged, Inc.  
 Project Description: Establish a hospice program  
 County: Dade District: 11  
 Date Filed: February 11, 2000 LOI#: H000266  
 Facility/Project: Oasis Home Care of Florida, Inc.  
 Applicant: Oasis Home Care of Florida, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000267  
 Facility/Project: Select Specialty Hospital – Miami, Inc.  
 Applicant: Select Specialty Hospital – Miami, Inc.  
 Project Description: Establish up to a 40 bed long-term care hospital  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000268  
 Facility/Project: Deering Hospital  
 Applicant: South Dade Healthcare Group, Ltd.  
 Project Description: Add up to 10 hospital inpatient general child and adolescent psychiatric beds  
 County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000269  
 Facility/Project: Deering Hospital  
 Applicant: South Dade Healthcare Group  
 Project Description: Add up to 20 hospital inpatient general adult psychiatric beds  
 County: Dade District: 11  
 Date Filed: February 11, 2000 LOI#: H000270  
 Facility/Project: Southern Winds Hospital  
 Applicant: Westchester General Hospital, Inc.  
 Project Description: Add up to 18 child/adolescent psychiatric beds

County: Dade District: 11  
 Date Filed: February 14, 2000 LOI#: H000271  
 Facility/Project: American Health Services of Dade, Inc.  
 Applicant: American Health Services of Dade, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Broward District: 10  
 Date Filed: February 14, 2000 LOI#: H000272  
 Facility/Project: AAA Home Care, Inc.  
 Applicant: AAA Home Care, Inc.  
 Project Description: Establish a Medicare certified home health agency  
 County: Broward District: 10  
 Date Filed: February 10, 2000 LOI#: H000273  
 Facility/Project: Catholic Hospice, Inc.  
 Applicant: Catholic Hospice, Inc.  
 Project Description: Establish a hospice program  
 If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after April 19, 2000 the date the application is scheduled to be deemed complete. Tentative dates for hearings will be published on March 31, 2000.  
 AHCA Purchase Order Number S5900H00396

CERTIFICATE OF NEED  
 EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Dade District: 11  
 ID #: 0000018 Issue Date: 1/20/2000  
 Facility/Project: Anne Bates Leach Eye Hospital  
 Applicant: University of Miami  
 Project Description: Renovations to the ground floor area  
 Proposed Project Cost: \$2,500,000 Equipment Cost:  
 County: Duval District: 4  
 ID #: 0000019 Issue Date: 1/20/2000  
 Facility/Project: Shands Jacksonville Medical Center  
 Applicant: Shands Jacksonville Medical Center, Inc.  
 Project Description: Renovate the 4th floor Pavilion to relocated an 18 bed contract hospice  
 Proposed Project Cost: \$140,000 Equipment Cost:  
 County: Polk District: 6  
 ID #: 0000020 Issue Date: 1/24/2000  
 Facility/Project: Heart of Florida Regional Medical Center  
 Applicant: Haines City HMA, Inc.  
 Project Description: Establish 14 observation beds  
 Proposed Project Cost: \$100,000 Equipment Cost:  
 County: Seminole District: 7  
 ID #: 0000024 Issue Date: 1/26/2000

Facility/Project: South Seminole Hospital  
 Applicant: Orlando Regional Healthcare System, Inc.  
 Project Description: Establish an adult inpatient diagnostic cardiac cath program  
 Proposed Project Cost: \$1,735,000      Equipment Cost:  
 County: Indian River                      District: 9  
 ID #: 0000025                              Issue Date: 1/26/2000

Facility/Project: Indian River Memorial Hospital  
 Applicant: Indian River Memorial Hospital, Inc.  
 Project Description: Replace the CT scan in the oncology building of the hospital  
 Proposed Project Cost: \$776,000      Equipment Cost:  
 County: Duval                                District: 4  
 ID #: 0000029                              Issue Date: 1/26/2000

Facility/Project: St. Luke's Hospital  
 Applicant: St. Luke's Hospital Association  
 Project Description: Renovations to the existing labor and delivery unit  
 Proposed Project Cost: \$303,000      Equipment Cost:  
 County: Sarasota                          District: 8  
 ID #: 0000032                              Issue Date: 1/27/2000

Facility/Project: Sarasota Memorial Hospital  
 Applicant: Sarasota County Public Hospital Board  
 Project Description: Expand and renovate space in the hospital's endoscopy center  
 Proposed Project Cost: \$1,909,000      Equipment Cost:  
 County: Leon                                 District: 2  
 ID #: 0000035                              Issue Date: 1/27/2000

Facility/Project: Tallahassee Memorial Hospital  
 Applicant: Tallahassee Memorial HealthCare, Inc.  
 Project Description: Construct an outpt. emergency ctr. on top of a 450 car parking deck  
 Proposed Project Cost: \$7,585,000      Equipment Cost:  
 County: Hillsborough                      District: 6  
 ID #: 0000037                              Issue Date: 1/27/2000

Facility/Project: University Community Hospital  
 Applicant: University Community Hospital, Inc.  
 Project Description: Linear Accelerator Project  
 Proposed Project Cost: \$2,300,000      Equipment Cost:  
 County: Palm Beach                        District: 9  
 ID #: 0000038                              Issue Date: 1/27/2000

Facility/Project: Hospice By The Sea

Applicant: Hospice By The Sea, Inc.  
 Project Description: Convert 16 semi-private room beds to private room beds  
 Proposed Project Cost: \$650,000      Equipment Cost:  
 County: Duval                                District: 4  
 ID #: 0000039                              Issue Date: 1/27/2000

Facility/Project: Memorial Hospital Jacksonville  
 Applicant: Memorial Healthcare Group, Inc.  
 Project Description: Replacement of existing equipment  
 Proposed Project Cost: \$125,000      Equipment Cost:  
 County: St. Lucie                          District: 9  
 ID #: 0000042                              Issue Date: 2/7/2000

Facility/Project: St. Lucie Medical Center  
 Applicant: HCA Health Services of Florida, Inc.  
 Project Description: Add two operating rooms  
 Proposed Project Cost: \$4,350,241      Equipment Cost:  
 County: Orange                              District: 7  
 ID #: 0000043                              Issue Date: 2/7/2000

Facility/Project: Florida Hospital Orlando  
 Applicant: Adventist Health System/Sunbelt, Inc.  
 Project Description: Create an ultrasound suite  
 Proposed Project Cost: \$1,210,000      Equipment Cost:  
 County: Osceola                              District: 7  
 ID #: 0000044                              Issue Date: 2/7/2000

Facility/Project: Florida Hospital-Celebration Health  
 Applicant: Adventist Health System/Sunbelt, Inc.  
 Project Description: Create a surgical learning center  
 Proposed Project Cost: \$530,000      Equipment Cost:  
 County: Hillsborough                      District: 6  
 ID #: 0000045                              Issue Date: 2/7/2000

Facility/Project: H. Lee Moffitt Cancer Ctr. & Res. Inst. Hosp.  
 Applicant: H. Lee Moffitt Cancer Ctr. & Res. Inst.  
 Project Description: Establish a research center and outpatient clinic  
 Proposed Project Cost: \$117,800,000      Equipment Cost:  
 County: Volusia                              District: 4  
 ID #: 0000046                              Issue Date: 2/7/2000

Facility/Project: John Knox Village Medical Center-Orange City  
 Applicant: John Knox Village-Central Florida, Inc.  
 Project Description: Replace the existing 120-bed nursing facility

Proposed Project Cost: \$7,200,000      Equipment Cost:  
 County: Polk      District: 6  
 ID #: 0000047      Issue Date: 2/10/2000  
 Facility/Project: Heart of Florida Behavioral Center  
 Applicant: Haines City HMA, Inc.  
 Project Description: Delicense facility as specialty psych. hospital

Proposed Project Cost:      Equipment Cost:  
 County: Hillsborough      District: 6  
 ID #: 0000048      Issue Date: 2/10/2000  
 Facility/Project: St. Joseph's Hospital  
 Applicant: St. Joseph's Hospital, Inc.  
 Project Description: Construct an outpatient urgent care center

Proposed Project Cost: \$850,000      Equipment Cost:  
 County: Palm Beach      District: 9  
 ID #: 9800633C      Issue Date: 2/10/2000  
 Facility/Project: Delray Medical Center  
 Applicant: Tenet HealthSystem Hospitals, Inc.  
 Project Description: Construct an outpatient cardiac catheterization laboratory

Proposed Project Cost: \$3,000,000      Equipment Cost:  
 AHCA Purchase Order Number S5900H00396.

CON #: 9283      Decision Date: 1/27/2000      Decision: A  
 Facility/Project: Tandem Health Care of Vero Beach, Inc.  
 Applicant: Tandem Health Care of Vero Beach, Inc.  
 Project Description: Transfer CON 8846 from Vantage Healthcare Corp.  
 Approved Cost: \$1,369,543  
 County: Alachua      Service District: 3

CON #: 9284      Decision Date: 2/14/2000      Decision: A  
 Facility/Project: Alachua County Health Care LLC  
 Applicant: Alachua County Health Care LLC  
 Project Description: Transfer CON # 8284 from Arbor Health Care Company  
 Approved Cost: \$8,089,987

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900H0396.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Agency Strategic Plan (Program Focus) Public Participation  
 To comment on our FY 2000-2001 Agency Strategic Plan (Program Focus) please see:  
<http://www.state.fl.us/dbpr/html/os/index.html>

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

January 26, 2000      3:00 p.m.      Dogwood Conference Room  
 Members Mike Murphy, Acting Hospital Administrator,  
 Present: Dr. Richard Solomon, Medical Executive Director;  
 and Fran Gibbons, District Administrator.

**CERTIFICATE OF NEED**

**DECISIONS ON EXPEDITED APPLICATIONS**

The Agency For Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

County: Citrus      Service District: 3  
 CON #: 9282      Decision Date: 2/11/2000      Decision: A  
 Facility/Project: Citrus County Health Care  
 Applicant: Citrus County Health Care, LLC  
 Project Description: Transfer of CON # 8471  
 Approved Cost: \$8,385,682  
 County: Indian River      Service District: 9



Guests: Mary Hackney, Director of Nursing; Coral Conner, Assistant Hospital Superintendent; Lynda Sommers, Quality Assurance, Protocol Monitoring and Risk Management Director; Sally Long for Martin Casola, Assistant Hospital Superintendent; Phil Gorelick, Associate Administrator; and Don West, OMC II.

APPROVAL OF MINUTES

The November 16, 1999 Governing Body meeting minutes were approved as written.

OLD BUSINESS

None.

NEW BUSINESS

Administrator's Comments – Mike Murphy

Mr. Murphy provided the following updates:

- DOJ trial continued until August.
- Will be working to meet the objectives described in the Interim Stipulation Agreement.
- Opportunity to deploy objectives to appropriate individuals.
- Will use Sterling tools to train staff to meet objectives.
- HEC disbanded to create the Hospital Leadership Team as of 5:00 p.m. today, January 26.
- To eliminate the barriers that exist between executive staff and line staff.
- Improve communication throughout all levels of the organization.
- Approximately 20 regular members comprised of several levels of management staff.

- Meetings open for Members to bring whomever they feel would like to participate according to the agenda.
- Third Mondays of each month open to all levels of staff.
- Resident Advisory Boards are being created. The first group will be created by Sam Davis and represented through direct care staff to surface issues where the HLT can target for necessary action. Dr. Von Holden will also be coordinating a similar group.
- The District 8 Staff Empowerment Team will meet at GPW on February 16.

Performance Improvement Report – Coral Conner for Diane Dusenbury

Discussion/Conclusion: Ms. Conner gave the performance improvement report for the second quarter of FY 1999-2000 (attached).

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the July 26 meeting.

Financial Report – Phil Gorelick

Discussion/Conclusion: Mr. Gorelick gave the financial report for the second quarter of FY 1999-2000 (attached).

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the July 26 meeting.

Medical Staff Report – Dr. Richard Solomon

Discussion/Conclusion: Dr. Solomon gave the medical staff report for the second quarter of FY 1999-2000 (attached).

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the July 26 meeting.

Nursing Report – Mary Hackney

Discussion/Conclusion: Ms. Hackney gave the nursing report for the second quarter of FY 1999-2000 (attached).

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the July 26 meeting.

Quality Assurance and Risk Management Report – Lynda Sommers

Discussion/Conclusion: Ms. Sommers gave the quality assurance and risk management report for the second quarter of FY 1999-2000 (attached).

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the July 26 meeting.

Safety Report – Martin Casola

Discussion/Conclusion: Mr. Casola gave the safety report for the second quarter of FY 1999-2000 (attached).

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the July 26 meeting.

GENERAL DISCUSSION

Mr. Murphy made a motion that future Governing Body Meetings be held on a bi-annual basis. Ms. Gibbons seconded and the motion was carried to amend the Bylaws to reflect that the Governing Body Meetings will be held every six months. Ms. Lucas will distribute the bylaw amendment accordingly.

The next meeting of the Governing Body will be held July 26, 2000, 3:00 p.m. in the Dogwood Conference Room located at G. Pierce Wood Memorial Hospital.

Recorded by:  
Debbie K. Lucas  
Administrative Assistant II

Attachments

Copy to: Members and Guests

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN February 8, 2000  
and February 14, 2000

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF INSURANCE**

4-149.200	2/11/00	3/2/00	25/36	
4-149.201	2/11/00	3/2/00	25/36	
4-149.202	2/11/00	3/2/00	25/36	
4-149.203	2/11/00	3/2/00	25/36	
4-149.204	2/11/00	3/2/00	25/36	
4-149.205	2/11/00	3/2/00	25/36	
4-149.206	2/11/00	3/2/00	25/36	
4-149.207	2/11/00	3/2/00	25/36	

**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-14.072	2/9/00	2/29/00	25/51	
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**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

12A-1.048	2/10/00	3/1/00	25/40	
12A-1.049	2/10/00	3/1/00	25/40	
12A-1.050	2/10/00	3/1/00	25/40	
12A-1.087	2/10/00	3/1/00	25/40	

**DEPARTMENT OF CORRECTIONS**

33-602.203	2/11/00	3/2/00	25/44	22/52
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**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

**Division of Vocational Rehabilitation**

38J-1.002	2/10/00	3/1/00	26/1	
38J-1.003	2/10/00	3/1/00	26/1	
38J-1.004	2/10/00	3/1/00	26/1	
38J-1.005	2/10/00	3/1/00	26/1	
38J-1.006	2/10/00	3/1/00	26/1	
38J-1.007	2/10/00	3/1/00	26/1	
38J-1.008	2/10/00	3/1/00	26/1	
38J-1.009	2/10/00	3/1/00	26/1	

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

40A-1.004	2/11/00	3/2/00	25/50	
40A-1.1003	2/11/00	3/2/00	25/50	
40A-1.1010	2/11/00	3/2/00	25/50	
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40A-1.1020	2/11/00	3/2/00	25/50	

40A-1.2025	2/11/00	3/2/00	25/50	
40A-1.203	2/11/00	3/2/00	25/50	
40A-1.208	2/11/00	3/2/00	25/50	
40A-1.510	2/11/00	3/2/00	25/50	
40A-1.511	2/11/00	3/2/00	25/50	
40A-3.461	2/11/00	3/2/00	25/50	
40A-4.101	2/11/00	3/2/00	25/50	
40A-6.011	2/11/00	3/2/00	25/50	
40A-6.371	2/11/00	3/2/00	25/50	

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

**Fleming Island Plantation Community Development District**

42BB-1.001	2/8/00	2/28/00	25/47	
42BB-1.002	2/8/00	2/28/00	25/47	
42BB-1.003	2/8/00	2/28/00	25/47	

**Capital Region Community Development District**

42CC-1.001	2/8/00	2/28/00	25/51	
42CC-1.002	2/8/00	2/28/00	25/51	
42CC-1.003	2/8/00	2/28/00	25/51	

**Dunes Community Development District**

42E-1.002	2/8/00	2/28/00	25/50	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

61G5-32.001	2/8/00	2/28/00	25/40	
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**Board of Professional Geologists**

61G16-1.0071	2/11/00	3/2/00	25/42	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-620.100	2/11/00	3/2/00	25/51	
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**DEPARTMENT OF HEALTH**

**Board of Medicine**

64B8-55.001	2/10/00	3/1/00	25/47	
64B8-55.0021	2/10/00	3/1/00	25/47	

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

66B-1.004	2/14/00	3/5/00	25/47	
66B-1.006	2/14/00	3/5/00	25/47	
66B-1.008	2/14/00	3/5/00	25/47	