

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G19-9.001 follows. See Florida Administrative Code for present text.)

61G19-9.001 Continuing Education for Biennial Renewal.

(1) Except as noted below, prior to the end of each biennial certification period, all certificate holders shall complete a minimum of fourteen (14) classroom hours of continuing education courses, which shall include a minimum of two (2) classroom hours in the area of accessibility, as a condition of the biennial renewal of all certifications held by the certificate holder.

(2) Applicants who are first certified when there is more than one-half of their initial biennial certification period remaining, shall only be required to complete a minimum of seven (7) classroom hours of continuing education courses, which shall include a minimum of one (1) classroom hour in the area of accessibility, prior to the end of their initial biennial certification period as a condition of the initial renewal of all certifications held by the certificate holder.

(3) Applicants who are first certified when there is one-half or less of their initial biennial certification period remaining, shall not be required to complete any hours of continuing education courses as a condition of the initial renewal of all certifications held by the certificate holder.

(4) For those certificate holders who are certified in more than one certification category, completion of the minimum number of hours of continuing education course requirements as set forth above shall be sufficient for the biennial renewal of all certifications held by the certificate holder.

Specific Authority 455.2124, 468.606, 468.627 FS. Law Implemented 455.2124, 468.603(2), 468.627 FS. History—New 5-23-94, Amended 5-21-95, 11-28-95, 6-9-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 1, 1999

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

**Section III**  
**Notices of Changes, Corrections and Withdrawals**

**DEPARTMENT OF INSURANCE**

RULE NO.: 4-127  
RULE TITLE: Fees and Procedures Regarding Department Informational Services

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule(s), as noticed in Vol. 25, No., 15. April 16, 1999, in the Florida Administrative Weekly, have been withdrawn.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE CHAPTER NO.: 5C-23  
RULE CHAPTER TITLE: Transporting Animal Carcasses/ Refuse

RULE NOS.: 5C-23.003  
RULE TITLES: Vehicle and Container Requirements

5C-23.004  
Transporting or Hauling Animal Carcasses or Refuse Procedures; Records; Equipment; Quarantine

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the proposed Rule 5C-23.003, F.A.C., as originally published in the Florida Administrative Weekly, Vol. 25, No. 28, July 16, 1999, is withdrawn. Rule 5C-23.004, FAC, as originally published in the Florida Administrative Weekly, Vol. 25, No. 28, July 16, 1999 has been changed, as noticed in the Florida Administrative Weekly, Vol. 25, No. 36, September 10, 1999, to reflect renumbering to 5C-23.003.

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-8.014  
RULE TITLE: Auditing Procedures

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 34, August 27, 1999, Florida Administrative Weekly, has been withdrawn.

**PUBLIC SERVICE COMMISSION**

RULE NO.: 25-6.049  
RULE TITLE: Measuring Customer Service

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the Notice of Rulemaking published in Vol. 25, No. 7, February 19, 1999, issue of the Florida Administrative Weekly, has been withdrawn. The Notice of Proposed Rulemaking is being re-published in this issue of the Florida Administrative Weekly.  
Docket No. 981104-EU.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-11.008  
RULE TITLE: Licensure Examination Format and Procedures for Candidates with Disabilities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule amendments as published in Vol. 25, No. 1, January 8, 1999, Florida Administrative Weekly have been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.:	RULE TITLE:
61-11.017	Candidates' Post Exam Review of Examination Questions, Answers, Papers, Grades and Grading Key

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule amendments as published in Vol. 25, No. 4, January 29, 1999, Florida Administrative Weekly have been withdrawn.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Gear Specifications and Prohibited Gear

RULE NOS.:	RULE TITLES:
68B-4.002	Gear Definitions
68B-4.0081	Statewide Net Gear Specifications; Soaking Requirements; Definition; Cast Net Specifications

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments to Rule 68B-4.002 and 68B-4.0081, FAC, as published in the September 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 October 7, 1999, in St. Petersburg, Florida. The proposed amendments were changed to read:

68B-4.002 Gear Definitions.

As used in Title 68B, F.A.C., unless otherwise defined:

(1) "Cast net" means a circular cone-shaped net thrown by hand and designed to spread out and capture fish as the weighted circumference sinks to the bottom and comes together when pulled by a line.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-89, Amended 11-26-92, 1-1-97, 4-28-98, Formerly 46-4.002, Amended.

68B-4.0081 Statewide Net Gear Specifications; Soaking Requirements; Definition; Cast Net Specifications.

(3) Cast Nets

(a) The Fish and Wildlife Conservation Commission finds that the maximum specifications established for cast nets in paragraph (b) are appropriate to allow the largest cast nets that

can be reasonably, practically, and effectively thrown by hand to take marine species in nearshore and inshore Florida waters, within the 500-square foot limit imposed by Article X, Section 16(b) of the State Constitution.

(b) No person shall fish with, set, or place in nearshore and inshore Florida waters any cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) radius greater than 14 feet 7 inches in length. No more than two cast nets shall be fished in such waters from a single vessel at any time.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9 and Art. X, Sec. 16, Fla. Const. History—New 11-26-92, Amended 4-12-93, 1-1-97, 4-27-98, Formerly 46-4.0081, Amended.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Miscellaneous

RULE NO.:	RULE TITLE:
68B-5.004	Possession of Fish Legally Harvested in the Bahamas Allowed Under Certain Circumstances.

NOTICE OF WITHDRAWAL

The Fish and Wildlife Conservation Commission announces the withdrawal of proposed new Rule 68B-5.004, as originally published in the September 2, 1999 issue of the Florida Administrative Weekly.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Florida Keys National Marine Sanctuary

RULE NO.:	RULE TITLE:
68B-6.003	Florida Keys National Marine Sanctuary: Prohibited Activities in Specified State Waters.

NOTICE OF CHANGES

The Fish and Wildlife Conservation commission announces changes to proposed amendment of Rule 68B-6.003, FAC, as published in the September 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 October 7, 1999, in St. Petersburg, Florida. The proposed rule amendment was changed to read:

68B-6.003 Florida Keys National Marine Sanctuary: Prohibited Activities in Specified State Waters.

(1) ECOLOGICAL RESERVE AND SANCTUARY PRESERVATION AREAS – The following activities are prohibited within the Western Sambos Ecological Reserve and

the Cheeca Rocks, Eastern Dry Rocks, Hens and Chickens, Newfound Harbor Key, Rock Key, and Sand Key Sanctuary Preservation Areas, described in Rule 68B-6.002:

(b) Except as provided in subparagraphs 1. And 2. below, fishing by any means. However, gear capable of harvesting fish may be aboard a vessel in an Ecological Reserve or Sanctuary Preservation Area (other than Sand Key), provided such gear is not available for immediate use when entering and during transit through such Ecological Reserve or Sanctuary Preservation Area. The following fishing activities are allowed as indicated:

1. Catch and release fishing by trolling is allowed in the Sand Key Sanctuary Preservation Area.
2. The harvest of baitfish species (ballyhoo, balao, halfbeaks, or herring only) is allowed in the Sanctuary Preservation Areas specified in Rule 68B-6.002(2), subject to the following conditions:
  - a. No person shall engage in such harvest except pursuant to a valid permit issued for such purpose by the National Marine Sanctuary Division of the National Ocean Service on behalf of the Florida Keys National Marine Sanctuary.
  - b. In the Newfound Harbor Key Sanctuary Preservation Area, harvest pursuant to this subparagraph shall only be by means of a cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) radius no greater than 14 1/2 feet, 7 inches in length. In the Cheeca Rocks, Eastern Dry Rocks, Hens and Chickens, Rock Key, and Sand Key Sanctuary Preservation Areas, harvest pursuant to this subparagraph shall only be by means of a cast net or modified lampara net.
  - c. All bycatch (species other than ballyhoo, balao, halfbeaks, or herring) shall be returned to the water alive.
  - d. Contact with or disturbance of the seabed is prohibited.
  - e. Harvest of baitfish in the Sanctuary Preservation Areas specified herein by the use of any gear other than those specifically allowed in this subparagraph is prohibited.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-1-97, Amended 11-16-98, Formerly 46-6.003, Amended \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: King Mackerel Resource Renewal

RULE NOS:	RULE TITLES:
68B-12.002	Definitions
68B-12.0035	Size Limit
68B-12.004	Bag Limits

**NOTICE OF WITHDRAWAL**

The Fish and Wildlife Conservation Commission announces the withdrawal of proposed amendment to Rules 68B-12.002, and 68B-12.004, FAC as originally published pursuant to

section 120.54(6), F.S., in the September 10, 1999, issue of the Florida Administrative Weekly. Proposed amendment to Rule 68B-12.0035, FAC, is not being withdrawn.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Queen Conch

RULE NO.:	RULE TITLE:
68B-16.003	Queen Conch, Regulation

**NOTICE OF WITHDRAWAL OF PROPOSED RULE**

The Fish and Wildlife Conservation Commission announces the withdrawal of proposed amendment of Rule 68B-16.004, FAC, as originally published in September 3, 1999 issue of the Florida Administrative Weekly.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Shrimp

RULE NOS.:	RULE TITLES:
68B-31.005	Purpose and Intent; Repeal of Certain General and Special Acts; Designation of Shrimp as Restricted Species
68B-31.006	Definitions
68B-31.008	Statewide Live Bait Shrimp Production Restrictions
68B-31.009	Statewide Food Shrimp Production Restrictions

**NOTICE OF CHANGES TO PROPOSED RULES**

The Fish and Wildlife Conservation Commission announces changes to proposed amendments and new rule for Rule Chapter 68B-31, FAC, as published in the September 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 October 7, 1999, in St. Petersburg, Florida. The proposed amendment to Rule 68B-31.007 and proposed new Rule 68B-31.0135 were not changed. The proposed amendments to Rules 68B-31.005, 68B-31.006, 68B-31.008, and 68B-31.009 were changed to read as follows:

68B-31.005 Purpose and Intent; Repeal of Certain General and Special Acts; Designation of Shrimp as Restricted Species.

(5) Beginning January 1, 2001, shrimp are hereby designated as a restricted species pursuant to Section 370.01(20), Florida Statutes.

Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History--New 1-1-92, Amended 9-30-96, Formerly 46-31.005, Amended \_\_\_\_\_.

68B-31.006 Definitions.

As used in Rules 68B-31.005 through the remainder of the chapter:

(7) "Food shrimp producer" means a person who is not a live bait shrimp producer, but is harvesting shrimp in quantities greater than the bag limit specified in Rule 68B-31.007 or with a gear authorized for the specific region in Rules 68B-31.010 through 68B-31.014.

(12) "Live bait shrimp producer" means any person harvesting shrimp pursuant to a valid license issued as provided in Section 370.15(8) or Section 370.153(3)(a), Florida Statutes, in addition to a valid saltwater products license with a restricted species endorsement. Beginning January 1, 2001, the saltwater products license must include a restricted species endorsement.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 3-16-93, 11-29-93, 10-3-94, 6-3-96, 6-1-99, Formerly 46-31.006, Amended.

68B-31.008 Statewide Live Bait Shrimp Production Restrictions.

Each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall comply with the requirements specified in this rule.

(6) Each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall possess a valid license issued as provided in Section 370.15(8) or Section 370.153(3)(a), Florida Statutes, and a valid saltwater products license with a restricted species endorsement. Beginning January 1, 2001, the saltwater products license must include a restricted species endorsement.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 10-3-94, 1-1-96, Formerly 46-31.008, Amended.

68B-31.009 Statewide Food Shrimp Production Restrictions.

The following requirements shall apply to each person harvesting shrimp in or on the waters of the state as a food shrimp producer. Each such person shall also comply with the regional food shrimp production requirements of Rules 68B-31.010 through 68B-31.015 and the area or seasonal closures in the remainder of the chapter.

(1) Size Limit

(a) Each person harvesting shrimp in or on state waters as a food shrimp producer shall possess shrimp that are of legal size. Shrimp shall be considered of legal size if all the shrimp in possession of the harvester are determined to have an average count not exceeding 47 shrimp per pound with the heads on or 70 shrimp per pound with the heads off. An average count shall be determined separately for the two portions of the catch consisting of heads-on and heads-off shrimp. The average count shall be determined by sampling the catch at five different locations selected randomly to be as widely separated within the catch or portion of the catch as

practicable. Each sample shall consist of at least one pound of shrimp. The counts of each of these five samples shall be averaged to determine the average count for the catch or portion of the catch. This subsection shall not apply to any seabob (*Xiphopenaeus kroyeri*) in possession of the harvester.

(b) ~~Beginning January 1, 1994,~~ The size limit provisions of paragraph (a) shall not apply in:

1. The Big Bend Region.

~~2.(e) Beginning July 1, 1996, the size limit provisions of paragraph (a) shall not apply in~~ The Northeast Region.

~~3.(d) The size limit provisions of paragraph (a) shall not apply in~~ Any of the waters of the Northwest Region east of the line formed by 85°13.50' West Longitude.

4. Any waters of the Southeast Region in Dade County.

(5) Beginning January 1, 2001, each person harvesting shrimp in or on the waters of the state as a food shrimp producer shall possess a valid saltwater products license with a restricted species endorsement.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 11-29-93, 1-1-96, 6-3-96, 7-16-96, Formerly 46-31.009, Amended.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Shrimp

RULE NO.: 68B-31.007

RULE TITLE:

State Recreational Shrimping Restrictions

**NOTICE OF CHANGES TO PROPOSED RULES**

The Fish and Wildlife Conservation Commission announces changes to proposed amendment of Rule 68B-31.007, FAC, as published in the September 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 October 7, 1999, in St. Petersburg, Florida. The proposed rule amendment was changed to read:

68B-31.007 Statewide Recreational Shrimping Restrictions.

Except for persons harvesting shrimp commercially as either a food shrimp producer or a live bait shrimp producer, each person harvesting shrimp in or on the waters of the state shall comply with the requirements specified in this rule.

(2) Allowable Gear – No person subject to the requirements of this rule shall use any type of gear to harvest shrimp other than those types of gear specified herein:

(a) Landing or dip net with an opening no larger than 96 inches around the perimeter.

(b) Cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) radius no greater than 14 1/2 feet.

(c) Push net.

(d) One frame net with an opening no larger than 16 feet around the perimeter, if deployed from a vessel or from a structure other than an operational bridge or causeway or catwalk attached to such bridge or causeway.

(e) Shrimp traps meeting the requirements of Section 370.15(5), Florida Statutes.

(f) Beach or haul seine with a mesh area no larger than 500 square feet.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, 6-3-96, Formerly 46-31.007, Amended.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Mullet

RULE NO.: RULE TITLE:

68B-39.0047 Allowable Harvesting Gear

**NOTICE OF CHANGES TO PROPOSED RULES**

The Fish and Wildlife Conservation Commission announces changes to proposed amendment of Rule 68B-39.0047, F.A.C., as published in the September 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 October 7, 1999, in St. Petersburg, Florida. The proposed rule amendment was changed to read:

68B-39.0047 Allowable Harvesting Gear.

(1) The harvest or attempted harvest of any mullet by or with the use of any gear or method other than the following is prohibited.

(a) Cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) radius no greater than 14 1/2 feet 7 inches, provided that no more than two such nets shall be fished from any vessel at any time.

(b) Beach or haul seine with a total area (mesh area plus the area of any other attached material that adds to the fishing surface of the net) no larger than 500 square feet, provided that no more than two such nets unconnected shall be fished from any vessel at any time.

(c) Until January 1, 2000, skimmer net meeting the following specifications:

1. No skimmer net shall have an opening larger than 28 feet around the perimeter.

2. No more than two skimmer nets shall be attached to or fished from a single vessel.

3. No skimmer net shall have a total area (mesh area plus the area of any other attached material that adds to the fishing surface of the net) larger than 500 square feet. No skimmer net shall be longer than 30 feet long in a stretched condition.

4. The bag of any skimmer net shall be constructed of no smaller than #12 dipped nylon mesh. The use of monofilament netting material in any part of the net is prohibited. The mesh size in the final 8 feet of the net shall not exceed 3 1/2 inches stretched mesh and the mesh size in the remainder of the net shall not exceed 4 1/2 inches stretched mesh.

5. No skimmer net shall come in contact with the sea bottom while being deployed from a vessel under power.

(d) Hook and line gear.

(e) Spearing.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-3-97. Amended, 1-1-98, 11-16-98, 12-31-98, Formerly 46-39.0047, Amended.

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game 58 Specifics  
RULE NO.: 53ER99-49

SUMMARY OF THE RULE: This emergency rule describes Instant Game 58, "CRAZY 8'S," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the 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:

53ER99-49 Instant Game 58 Specifics.

(1) Name of Game. Instant Game Number 58 "CRAZY 8'S."

(2) Price. CRAZY 8'S tickets sell for \$1.00 per ticket.

(3) CRAZY 8'S 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 CRAZY 8'S 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 CRAZY 8'S Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The play symbols and play captions in CRAZY 8'S are as follows:

INSERT CHART