

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE FUTURE.

SPECIFIC AUTHORITY: 403.8532 FS.

LAW IMPLEMENTED: 403.8532, 403.804 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Don Berryhill, Bureau of Water Facilities Funding, MS #3505, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Acupuncture Examination RULE NO.: 64B1-3.004

PURPOSE AND EFFECT: The purpose of the amendment is to implement a transition to use of computerized administration for the approved licensing exam.

SUBJECT AREA TO BE ADDRESSED: Acupuncture Examination.

SPECIFIC AUTHORITY: 455.574(1)(c), 457.104 FS.

LAW IMPLEMENTED: 455.574(1)(c), 457.104 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP 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 Acupuncture, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-3.004 Acupuncture Examination.

The Board hereby approves as the Florida examination for licensure the ~~two-part~~ written NCCAOM examination (~~one part on acupuncture theory and one part on clean needle technique~~), and Computer Simulated Point Location Examination (CSPLE). Initial applicants will apply directly to NCCAOM for examination the point location examination.

(1) For the May and October 1999 examinations only, the Board approves both the Practical Examination of Point Location Skills (PEPLS) and the Computer Simulated Point Location Examination (CSPLE) at the election of the candidate.

(2) For May and October of 1999, the Board approves a special administration for the two parts of the former NCCAOM written examination for candidates who have failed one part of the examination and passed the other. The two parts of the examination are:

(a) one part on acupuncture theory, and

(b) one part on clean needle technique.

Specific Authority 455.574(1)(c), 457.104 FS. Law Implemented 455.574(1)(c), 457.104 FS. History—New 8-13-84, Amended 10-2-84, Formerly 21AA-3.04, Amended 1-25-88, 9-3-89, 2-27-92, 5-6-92, Formerly 21AA-3.004, Amended 1-27-94, Formerly 61F1-3.004, Amended 11-21-95, Formerly 59M-3.004, Amended 10-15-97, 5-11-98,_____.

Section II Proposed Rules

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Standard For Layout, Installation, and Maintenance of Sprinkler Systems for Light Hazard Occupancies RULE CHAPTER NO.: 4A-45

RULE TITLES: Scope RULE NOS.: 4A-45.001

Maintenance 4A-45.004

Classification of Occupancies 4A-45.006

Design and Installation 4A-45.007

Working Plan 4A-45.008

Approval of Sprinkler Systems 4A-45.009

Acceptance Test 4A-45.010

Water Supplies 4A-45.011

Connections to Water Works Systems 4A-45.012

Fire Department Connections 4A-45.013

Arrangement of Water Supply Connections 4A-45.014

System components 4A-45.015

Spacing, Location and Position of Sprinklers 4A-45.016

Hydraulically Designed Sprinkler Systems 4A-45.017

PURPOSE AND EFFECT: Repeals Rule Chapter 4A-45, F.A.C., which is duplicative and unnecessary since the same standards and requirements now exist within NFPA 13R which has been incorporated by reference and adopted by the Department through Rule 4A-46.035, F.A.C.

SUMMARY: This action repeals Rule Chapter 4A-45, F.A.C., which is duplicative and unnecessary since the same standards and requirements now exist within NFPA 13R which has been incorporated by reference and adopted by the Department through Rule 4A-46.035, F.A.C.

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: 633.01 FS.

LAW IMPLEMENTED: 633.01(3)(c), 633.082 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: 10:00 a.m., February 2, 1999

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Terry Barrow, State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0342

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 at (850)922-3100, ext. 4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4A-45.001 Scope.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.004 Maintenance.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.006 Classification of Occupancies.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.007 Design and Installation.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.008 Working Plans.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.009 Approval of Sprinkler Systems.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.010 Acceptance Tests.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.011 Water Supplies.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.012 Connections to Water Works Systems.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.013 Fire Department Connections.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.014 Arrangement of Water Supply Connections.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.015 System Components.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.016 Spacing, Location and Position of Sprinklers.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.017 Hydraulically Designed Sprinkler Systems.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terry Barrow, Safety Program Manager, State Fire Marshal

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Clark, Division Director, State Fire Marshal

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 25, 1998

FLORIDA PAROLE COMMISSION

RULE TITLE: Compulsory Conditional Release
 RULE NO.: 23-21.023

PURPOSE AND EFFECT: The purpose and effect of the proposed rule repeal is to eliminate a rule for which the statutory authority has been repealed.

SUMMARY: Rule 23-21.023 is being repealed as the statutory authority for the rule, s. 944.598, F.S., has been repealed.

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: 120.53, 947.07 FS.

LAW IMPLEMENTED: 944.598 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., February 5, 1999

PLACE: Building C, Room 220, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William L. Camper, Office of the General Counsel, Florida Parole Commission, Building C, Room 220, 2601 Blair Stone Road, Tallahassee, Florida 32399-2450

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:

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.023 Compulsory Conditional Release.

25-6.097 Customer Deposits.

Specific Authority 120.53, 947.07 FS. Law Implemented 944.598 FS. History--New 7-1-84, Formerly 23-21.23, Amended 1-5-94, Repealed _____.

(1) Deposit required; establishment of credit. Each company's tariff shall contain their specific criteria for determining the amount of initial deposit. Each utility may require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the utilities' rules for prompt payment of bills. Credit will be deemed so established if:

NAME OF PERSON ORIGINATING PROPOSED RULE: William L. Camper

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edward M. Spooner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 1998

(a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service requested. For residential customers, a satisfactory guarantor shall, at the minimum, be a customer of the utility with a satisfactory payment record. For non-residential customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall develop minimum financial criteria that a proposed guarantor must meet to qualify as a satisfactory guarantor. A copy of the criteria shall be made available to each new non-residential customer upon request by the customer. A guarantor's liability shall be terminated when a residential customer whose payment of bills is secured by the guarantor meets the requirements of subsection (2) of this rule. Guarantors providing security for payment of residential customers' bills shall only be liable for bills contracted at the service address contained in the contract of guaranty.

PUBLIC SERVICE COMMISSION

DOCKET NO. 980658-EI

RULE TITLE: Customer Deposits RULE NO.: 25-6.097

PURPOSE AND EFFECT: The purpose of the amendment is to allow a non-residential customer to use its parent or affiliate company as a guarantor of bills even if the guarantor is not a customer of the utility.

SUMMARY: Rule 25-6.097, F.A.C., is designed to insure that the utility has reasonable recourse to collect unpaid bills. Florida Power & Light Company (FPL) has proposed a modification to the existing rule to eliminate the requirement for non-residential customers that the guarantor also be a customer. This would allow, for example, Florida businesses that are part of a national chain to use the parent company as a guarantor of bills.

(b) The applicant pays a cash deposit.
(c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.
(2) through (7) No change.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.041(1), 366.05(1), 366.06(1) FS. History--New 7-29-69, Amended 5-9-76, 7-8-79, 6-10-80, 10-17-83, 1-31-84, Formerly 25-6.97, Amended 10-13-88, 4-25-94, _____.

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 366.05(1), 350.127(2) FS.

LAW IMPLEMENTED 366.03, 366.041(1), 366.05(1), 366.06(1) FS.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Ging

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 24, No. 33, August 14, 1998

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 SCHEDULED AND ANNOUNCED IN THE FAW.

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).

PUBLIC SERVICE COMMISSION

DOCKET NO. 981755-GU

RULE TITLE: Customer Deposits
 RULE NO.: 25-7.083

PURPOSE AND EFFECT: The purpose of the amendment is to allow a non-residential customer to use its parent or affiliate company as a guarantor of bills even if the guarantor is not a customer of the utility.

SUMMARY: The amendment to the rule eliminates the requirement that a guarantor of a non-residential customer of a gas utility also be a customer of the utility.

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

LAW IMPLEMENTED: 366.03, 366.05(1) 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 SCHEDULED AND ANNOUNCED IN THE FAW.

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:

25-7.083 Customer Deposits.

(1) Deposit required; establishment of credit. Each company's tariff shall contain their specific criteria for determining the amount of initial deposit. Each utility may require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the utilities' rules for prompt payment of bills. Credit will be deemed so established if:

(a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service requested. For residential customers, a satisfactory guarantor shall, at

the minimum, be a customer of the utility with a satisfactory payment record. For non-residential customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall develop minimum financial criteria that a proposed guarantor must meet to qualify as a satisfactory guarantor. A copy of the criteria shall be made available to each new non-residential customer upon request by the customer. A guarantor's liability shall be terminated when a residential customer whose payment of bills is secured by the guarantor meets the requirements of subsection (6) of this rule. Guarantors providing security for payment of residential customers' bills shall only be liable for bills contracted at the service address contained in the contract of guaranty.

(b) The applicant pays a cash deposit.

(c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.

(2) through (7) No change.

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS. History—Repromulgated 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-88, 4-25-94, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Wayne Makin

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: December 15, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: Vol. 24, No. 43, October 23, 1998

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).

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Jobs and Benefits

RULE TITLE: Insurance Coverage
 RULE NO.: 38H-11.005

PURPOSE AND EFFECT: The repeal of Rule 38H-11.005, F.A.C. is proposed as part of the Department's ongoing rule review pursuant to Section 120.536, Florida Statutes. Rule

38H-11.005 is unnecessary because the requirements mandated by the Rule are now part of Subsection 450.33(5), Florida Statutes (1998 Supp.).

SUMMARY: Repeals Rule 38H-11.005, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The repeal of the cited rule will not impact economically the Agency, any other governmental agency, or persons directly affected by the rule.

SPECIFIC AUTHORITY: 450.36 FS.

LAW IMPLEMENTED: 450.28, 450.30, 450.31, 450.32, 450.33, 120.53(a) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Francisco R. Rivera, Suite 307, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, Florida 32399-2189, Telephone Number (850)488-9370

THE FULL TEXT OF THE PROPOSED RULE IS:

38H-11.005 Insurance Coverage.

Specific Authority 450.36 FS. Law Implemented 450.33 FS. History--New 1-19-73, Revised 1-29-74, Amended 10-30-78, Formerly 8B-4.05, Amended 11-28-85, Formerly 38B-4.05, 38B-4.005, Amended 5-23-88, Formerly 38H-4.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hayden Gray, Chief, Office of Compliance, Division of Jobs and Benefits, 2661 Executive Center Drive, Room 101, Clifton Building, Tallahassee, Florida 32399, Telephone (850)487-2536

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kathleen L. McLeskey, Director, Division of Jobs and Benefits, Department of Labor and Employment Security

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 1998

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Jobs and Benefits

RULE TITLES: Administrative Hearings

RULE NOS.: 38H-14.010

Vocational Education

38H-14.011

PURPOSE AND EFFECT: The repeal of Rules 38H-14.010 and 38H-14.011, F.A.C. is part of the Department's ongoing rule review pursuant to Section 120.536, Florida Statutes, (1997). Rules 38H-14.010 is unnecessary because it merely restates parts of Subsections 120.569(1) and 120.57(2), Florida Statutes (1997). Rule 38H-14.011 is likewise dispensable because Subsection 450.121(1), Florida Statutes (1997) establishes the parameters for inter-departmental agreements.

SUMMARY: Repeals Rules 38H-14.010 and 38H-14.011, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The repeal of the cited rule will not impact economically the Agency, any other governmental agency, or persons directly affected by the rule.

SPECIFIC AUTHORITY: 120.536 FS.

LAW IMPLEMENTED: 450.121, 120.536 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Francisco R. Rivera, Suite 307, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, Florida 32399-2189, Telephone Number (850)488-9370

THE FULL TEXT OF THE PROPOSED RULES IS:

38H-14.010 Administrative Hearings.

Specific Authority 450.121 FS. Law Implemented 450.121, 450.141 FS. History--New 10-7-93, Repealed.

38H-14.011 Vocational Education.

Specific Authority 450.121 FS. Law Implemented 450.095, 450.121, 450.161 FS. History--New 10-7-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hayden Gray, Chief, Office of Compliance, Division of Jobs and Benefits, 2661 Executive Center Drive, Room 101, Clifton Building, Tallahassee, Florida 32399, Telephone (850)487-2536

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kathleen L. McLeskey, Director, Division of Jobs and Benefits, Department of Labor and Employment Security

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: Licensure Examination Format and Procedures for Candidates with Disabilities

RULE NO.: 61-11.008

PURPOSE AND EFFECT: To notify examination candidates who need special accommodations for a disability of Department procedures.

SUMMARY: These rule amendments make necessary changes to revise the Department's examination procedures to comply with the Americans with Disabilities Act.

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: 455.203(5) FS.

LAW IMPLEMENTED: 455.217(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Thomas, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0792

THE FULL TEXT OF THE PROPOSED RULE IS:

61-11.008 Licensure Examination Examinations Format and Examination Procedures for Handicapped Candidates with Disabilities.

(1) The Department of Business and Professional Regulation, ~~Office of Examination Services~~, will provide reasonable and appropriate accommodations ~~special assistance~~ to candidates with physical, mental, or specific learning disabilities ~~or physical handicapped conditions~~ to the ultimate extent permitted by possible. ~~It is understood that in some instances the Department's capabilities may be affected and limited by cost, administration restraints, security considerations and availability of resources. The Department recognizes that little is known about how much time and type of examination setting people with different handicapping conditions will need. It is also recognized that time and setting will~~ Accommodations made will vary depending upon the nature and the severity of the impairment. Each case will be dealt with on an individual basis within the limits prescribed herein. In the instances of National examinations, guidance will be sought from the National provider. Reference information and guidelines regarding the process for documenting disabilities are contained in the document titled "Request for Test Accommodations for Examinees with Disabilities" prepared and made available by the Bureau of Testing, which may be obtained by writing the Department of Business and Professional Regulation, Attention: Special Testing, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0793.

(2) Candidates requesting special accommodation assistance must file their request for special accommodation with their completed application for licensure examination by the final application deadline of the assigned examination. The candidate must provide documentation of their disability completed be certified as handicapped by a an appropriate professional. The application and documentation required by this subsection must be provided on form number 2002-064, incorporated herein by reference and dated 11/98. This form can be obtained by writing the Department of Business and Professional Regulation, Attention: Special Testing, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0793. psychologist, physician or learning disability specialist. The candidate's documentation Candidate's certification shall include:

(a) ~~The Name of the test used, the diagnosis, and length of time with condition;~~

(b) The name and the results of the test(s) used for diagnosis ~~Recommended time per regular hour of examination including rest periods; and~~

(c) Recommended accommodations and testing environment; ~~and~~

~~(d) Recommended format of the examination.~~

(3) Reasonable and appropriate accommodations will be made for qualifying candidates. All accommodations must be directly linked to the amelioration of the identified functional limitations caused by the asserted disability and must be reasonable and effective. Permissible accommodations ~~The Department may modify the test instrument and test administration procedures. Such modifications may include:~~

(a) Flexible Time. Candidates requiring extra time for the examination must submit a recommendation of such from an appropriate professional will be provided with the examination time recommended by a psychologist, physician or learning disability specialist. Time allocation will be based on candidate's certification and doctor's recommendations. The Department recognizes that reading braille or and using a cassette recorder or a live reader takes longer than reading regular print. Additional rest periods will be given to avoid mental fatigue when extended time periods are allowed. Untimed examinations will not be provided.

(b) Flexible Setting. Individual and small group setting examination administrations shall be available to candidates test takers when requesting such a service is recommended by an appropriate professional. Requests shall be accompanied by documentation provided by a psychologist, physician or learning disability specialist justifying such a service. Consideration should be given to sites with handicapped areas and special lighting for visually impaired candidates.

(c) Flexible Recording of Responses. The candidate's Test takers' responses can be recorded by a proctor, a tape recorder, a typewriter, a braille writer, or marked on the test booklet, or other method approved by the department. Test takers will be allowed also to point to the correct response. The proctor may transcribe the candidate's responses onto a machine scannable answer sheet. In these instances, the candidate will verify that the correct answer was marked. In instances where the proctor is required to mark the responses on behalf of the candidate there will be a tape recording of the candidate's selected responses.

(d) Flexible Format. The test booklet may be produced in large print, high quality regular print, braille, or the test may be tape recorded or read aloud. For hearing impaired candidates, considerations should be given to written, spoken language or an interpreter, upon approval of the department, will be allowed who that signs, and interprets and reads instructions or examination questions simultaneously.

(e) Assistive Devices. The candidate, upon approval of the department, will be allowed to use appropriate assistive devices, such as lights, magnifiers, or special computer screens.

(4) The Department shall request further evidence on the necessity of the accommodation when the evidence substantiating the need for the accommodation is not complete. The Department shall request that the applicant submit to another professional examination to verify the disability or to determine what accommodations are most appropriate and effective when the initial examination is inconclusive, unclear, or does not substantiate the need for the requested accommodation.

(5)(4) In no case shall any time modifications authorized herein be interpreted or construed as an authorization to provide a candidate with assistance in determining the answer to any test item. No accommodation or modification shall be made that adversely affects the integrity of the examination.

(6)(5) Definition of Terms.

(a) A handicapped person with disabilities means any person who:

1. Has a physical, or mental, or specific learning disability impairment which presently substantially limits one or more major life activities;
2. Has a record of such a disability an impairment; or
3. Is regarded as having such a disability an impairment.

(b) Major life activities are activities that an average person can perform with little or no difficulty which include: walking, talking, hearing, breathing, learning, working, caring for one's self, and performing manual tasks.

(c) A person with a physical disability means any person Physically handicapped constitutes a wide diverse group of individuals who has a have permanent or temporary physical or psychomotor disability disabilities. Examples of a disability under this section include those disabilities that require the use of These candidates may be in a wheelchairs, wear braces, or use crutches. It also includes candidates with a hearing or sight disability, or who they may need special accommodation assistance to move about.

(d)(e) A person with a learning disability means any person who has a Learning disabled constitutes a group of individuals with permanent or temporary mental disability disabilities such as brain damage, brain dysfunction, dyslexia, or a perceptual disorders, or language disorder.

(e) For purposes of this rule, "an appropriate professional" means a physician licensed pursuant to chapters 458 (Medical Practice) or 459 (Osteopathic Medicine), Florida Statutes; a professional licensed pursuant to chapters 460 (Chiropractic), 461 (Podiatric Medicine), 463 (Optometry), 468, Part I (Speech-Language Pathology and Audiology), or 490 (Psychological Services), Florida Statutes; or appropriately licensed in the state in which the certification of disability was performed. Any certification, documentation or

recommendation relating to a candidate's disability provided by an appropriate professional pursuant to the requirements of this rule must not be beyond the scope permitted by law for that professional or which the professional knows or has reason to know that he or she is not competent to perform.

Specific Authority 455.203(5) FS. Law Implemented 455.217(1) FS. History--New 9-25-80, Formerly 21-11.08, Amended 6-22-88, Formerly 21-11.008, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Thomas, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0792

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Henry P. Osborne, Acting Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 23, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 17, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Written Certification Examination

RULE NO.:

Requirements 61G4-16.001

PURPOSE AND EFFECT: The Department of Business and Professional Regulation's Bureau of Testing has proposed to the Board a change in the content outlines for examination of all contractor licensure categories. Under the Board's authority, these changes have been reviewed and are hereby being amended in this proposed rule.

SUMMARY: The Board has reviewed the current rule's content and, under its authority, is amending the rule's language.

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, 489.108 FS.

LAW IMPLEMENTED: 455.217, 489.113 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., February 1, 1999

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

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:

61G4-16.001 Written Certification Examination Requirements.

The general areas of competency to be covered by the written certification examination and the relative weight to be assigned in grading each area tested shall be as follows:

(1) Certification Examination for General Contractors.

(a) Areas of Competency. The certification examination shall consist of three (3) tests. The content areas to be covered and the relative weight shall be as follows:

1.(a) Test one 1 shall consist of two parts, one with questions relating to the business administration and one with questions relating to financial management of a contracting firm. The content areas to be covered and the relative weights to be assigned to of said areas are set forth enumerated in Rule 61G4-16.001(19)(a), F.A.C.

2.(b) Test two 2 shall consist of questions relating to contract administration including managing and operating the day to day activities of a contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows company including knowledge, understanding and application of:

a. 28% Proposals and Bids 1. 20% Contracts, subcontracts, and agreements

b. 24% Project Contracts 2. 18% Scheduling, cost control, and budgeting

c. 34% Contract Scheduling 3. 14% Reading plans and specifications

d. 14% Obtaining Licenses, Permits and Approvals 4. 14% Cost estimates for proposals and bids

5. 14% Materials, tools, equipment and construction methods

6. 8% Contract amendments and change orders

7. 8% All phases of liens and Florida lien law

8. 4% Obtaining licenses, permits and approvals

3.(e) Test three 3 shall consist of questions relating to project management including managing, controlling and conducting a specific project. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows include managing, controlling and conducting a specific project including knowledge, understanding and application of:

a. 20 1. 25% Materials, Ttools, and Eequipment and construction methods

b. 12% Safety 2. 19% Reading plans and specifications

c. 30% Construction Methods 3. 18% Scheduling, cost control and budgeting

d. 38% Reading Plans and Specifications 4. 9% Quantity, time and cost estimating

5. 7% Obtaining licenses, permits and approvals

6. 7% Contract amendments

7. 5% Proposals and bids, cost estimates, bidding, obtaining and evaluating bids

8. 5% Project contracts

9. 5% Job safety

(2) Certification Examination for Building Contractors.

(a) Areas of Competency. The certification examination shall consist of three (3) tests. The content areas to be covered and the relative weight shall be as follows:

1.(a) Test one 1 shall consist of two parts, one with questions relating to the business administration and one with questions relating to financial management of a contracting firm. The content areas to be covered and the approximate relative weights to be assigned to of said areas are set forth enumerated in Rule 61G4-16.001(19)(a), F.A.C.

2.(b) Test two 2 shall consist of questions relating to contract administration including managing and operating the day to day activities of a contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows company including knowledge, understanding and application of:

a. 28% Proposals and Bids 1. 20% Contracts, subcontracts, and agreements

b. 24% Project Contracts 2. 18% Scheduling, cost control, and budgeting

c. 34% Contract Scheduling 3. 14% Reading plans and specifications

4. 14% Cost estimates for proposals and bids

5. 14% Materials, tools, equipment and construction methods

6. 8% Contract amendments and change orders

7. 8% All phases of liens and Florida lien law

d. 14% 8. 4% Obtaining licenses, permits and approvals

3.(e) Test three 3 shall consist of questions relating to project management including managing, controlling, and conducting a specific project. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows include managing, controlling and conducting a specific project including knowledge, understanding and application of:

a. 20% 1. 25% Materials, Ttools, and Eequipment and construction methods

b. 12% Safety

c. 30% Construction Methods

d. 38% 2. 19% Reading Pplans and Sspecifications

3. 18% Scheduling, cost control, and budgeting

4. 9% Quantity, time and cost estimating

5. 7% Obtaining licenses, permits and approvals

6. 7% Contract amendments

~~7. 5% Proposals and bids, cost estimates, bidding, obtaining and evaluating bids~~

~~8. 5% Project contracts~~

~~9. 5% Job safety~~

(3) Certification Examination for Residential Contractors.

(a) Areas of Competency. The certification examination shall consist of three (3) tests. ~~The content areas to be covered and the relative weight shall be as follows:~~

~~1.(a) Test one 1 shall consist of two parts, one with questions relating to the business and administration and one with questions relating to financial management of a contracting firm. The content areas to be covered and the approximate relative weights to be assigned to of said areas are set forth enumerated in Rule 61G4-16.001(19)(a), F.A.C.~~

~~2.(b) Test two 2 shall consist of questions relating to contract administration including managing and operating the day to day activities of a contracting firm company including knowledge, understanding and application of: The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:~~

~~a. 28% Proposals and Bids 1. 20% Contracts, subcontracts, and agreements~~

~~b. 24% Project Contracts 2. 18% Scheduling, cost control, and budgeting~~

~~c. 34% Contract Scheduling 3. 14% Reading plans and specifications~~

~~4. 13% Cost estimates for proposals and bids~~

~~5. 15% Materials, tools, equipment and construction methods~~

~~6. 9% Contract amendments and change orders~~

~~7. 7% All phases of liens and Florida lien law~~

~~d. 14% 8. 4% Obtaining Licenses, Permits and Approvals~~

~~3.(e) Test three 3 shall consist of questions relating to project management including managing and operating the day to day activities of a contracting firm. The content areas covered include managing, controlling and conducting a specific project including knowledge, understanding and application of: The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:~~

~~a. 20% 1. 25% Materials, Tools, and Equipment and construction methods~~

~~b. 12% Safety 2. 19% Reading plans and specifications~~

~~c. 30% Construction Methods 3. 18% Scheduling, cost control, and budgeting~~

~~d. 38% Reading Plans and Specifications 4. 9% Quantity, time and cost estimating~~

~~5. 8% Obtaining licenses, permits and approvals~~

~~6. 7% Contract amendments~~

~~7. 5% Proposals and bids, cost estimates, bidding, obtaining and evaluating bids~~

8. 4% Project contracts

9. 5% Job safety

(4) Certification Examination for Mechanical Contractors.

(a) Areas of Competency. The certification examination shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~mechanical~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the mechanical contracting trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

a. 10% Pre-Installation and Design Engineering

b. 10% ~~Sheet Metal Ducts~~ Ductwork and HVAC Materials

c. 12 ½% Installation of Refrigeration and HVAC Systems

d. 15% Installation of Mechanical Systems

e. 10% Installation of Refrigeration and HVAC Equipment and Components

f. 15% Installation of Mechanical Equipment and Components

g. 10% Maintenance Analysis of Refrigeration and HVAC Systems

h. 5% Maintenance Service of Refrigeration and HVAC Systems

i. 10% Safety and Equipment

j. 2 1/2% Excavating

(5) Certification Examination for Class A Air Conditioning Contractors.

(a) Areas of Competency. The certification examination ~~for a Class A air conditioning contractor~~ shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~Class A air conditioning~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the Class A air conditioning trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

a. 15% Pre-Installation

b. 10% Sheet Metal Ducts

c. 25% Installation of Refrigeration and HVAC Systems

d. 15% Installation of Refrigeration and HVAC Equipment and Components

e. 10% Maintenance Analysis of Refrigeration and HVAC Systems

f. 15% Maintenance Service of Refrigeration and HVAC Systems

g. 10% Safety and Equipment

(6) Certification Examination for Class B Air Conditioning Contractors.

(a) Areas of Ceompetency. The certification examination for a ~~Class B air conditioning contractor~~ shall consist of two (2) tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~Class B air conditioning~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas are ~~shall be as~~ set forth in Rule 61G4-16.001(19)(~~b~~), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the Class B air conditioning trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. 15% Pre-~~i~~nstallation
- b. 10% Sheet Metal Ducts ~~Work~~
- c. 25% Installation of Refrigeration and HVAC Systems
- d. 15% Installation of Refrigeration and HVAC Equipment and Components
- e. 10% Maintenance Analysis of Refrigeration and HVAC Systems
- f. 15% Maintenance Service of Refrigeration and HVAC Systems
- g. 10% Safety and Equipment

(7) Certification Examination for Roofing Contractors.

(a) Areas of Ceompetency. The certification examination for a ~~roofing contractor~~ shall consist of two (2) tests.

1. Test one shall consist of questions relating to the business and financial management of a contracting roofing firm. The content areas to be covered and the approximate weights to be assigned to said areas are ~~shall be as~~ set forth in Rule 61G4-16.001(19)(~~b~~), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the roofing trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. ~~20%~~ 15% Built-Up Roofs
- b. ~~20%~~ Shingles and Shakes 5% Tie-Ins
- c. 10% Architectural Metal Roofs
- d. ~~5%~~ Drains/Water Conductors
- d.e. 10% Single-ply Systems
- e. 10% Modified Roofing Systems
- f. 10% Concrete and Tile Roofs
- g.f. 5% Membrane Waterproofing ~~Liquid Applied Coatings~~
- h.g. 5% Drains and Gutters ~~Vapor Retarders~~
- i.h. 10% Equipment and Safety ~~Valleys and Ridges~~
- i. 10% ~~Flashings~~
- j. 15% ~~Shingles/Shakes~~
- k. 5% ~~Insulation~~
- l. 5% ~~Equipment~~

(8) Certification Examination for Sheet Metal Contractors.

(a) Areas of Ceompetency. The certification examination for a ~~sheet metal contractor~~ shall consist of two (2) tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~sheet metal~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas are ~~shall be as~~ set forth in Rule 61G4-16.001(19)(~~b~~), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the sheet metal trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. 15% Pre-~~i~~nstallation and Site Work
- b. ~~25%~~ 20% Industrial Duct Fabrication
- c. 10% Architectural Sheet Metal ~~Coping, Gravel Stop, Fascia and Flashing~~ Fabrication
- d. ~~5%~~ Fabricate Metal Roofs and Metal Roof Components
- e. ~~5%~~ Fabricate Gutters and Downspouts
- d.f. 10% Fabrication ~~Fabricate of~~ Other Sheet Metal Structures
- e. ~~25%~~ ~~g.~~ 20% Installation of Sheet Metal Systems
- f.h. 15% Safety and Equipment

(9) Certification Examination for Commercial Pool/Spa Contractors.

(a) Areas of Ceompetency. The certification examination for a ~~commercial pool/spa contractor~~ shall consist of two (2) tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~commercial pool/spa~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas are ~~shall be as~~ set forth in Rule 61G4-16.001(19)(~~b~~), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the commercial pool/spa trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. ~~5~~ 7 1/2% Pre-~~i~~nstallation and Site Preparation
- b. 15% Pool and Spa Excavation
- c. 12 1/2% Plumbing Work
- d. 5% Electrical Work
- e. 10% Shell Placement
- f. 5% Deck Work
- g. 10% Tile, Coping and Trim Work
- h. 10% Accessory Work
- i. 5% Interior Surface Preparation and Finishing
- j. 5% Start Up
- k. 10% Service and Maintenance
- l. 7 1/2 5% Equipment

(10) Certification Examination for Residential Pool/Spa Contractors.

(a) Areas of Competency. The certification examination ~~for a residential pool/spa contractor~~ shall consist of two (2) tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~residential pool/spa contracting firm~~. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the residential pool/spa trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. 7 1/2% Pre-~~i~~nstallation and Site Preparation
- b. 15% Pool and Spa Excavation
- c. 12 1/2% Plumbing Work
- d. 5% Electrical Work
- e. 10% Shell Placement
- f. 5% Deck Work
- g. 10% Tile, Coping and Trim Work
- h. 5% Accessory Work
- i. 5% Interior Surface Preparation and Finishing
- j. 5% Start Up
- k. 10% Service and Maintenance
- l. 10% Equipment

(11) Certification Examination for Swimming Pool/Spa Servicing Contractors.

(a) Areas of Competency. The certification examination ~~for swimming pool/spa servicing contractor~~ shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~swimming pool/spa servicing contracting firm~~. The content areas to be covered and the approximate weights to be assigned to said areas ~~are set forth in Rule 61G4-16.001(19), F.A.C. shall be as follows:~~

- a. ~~10% Maintenance of Adequate Cash Liquidity (Managing Cash Flow)~~
- b. ~~15% Estimating and Bidding a Job~~
- e. ~~10% Negotiating and Interpreting Contracts and Agreements~~
- d. ~~5% Processing Change Orders~~
- e. ~~5% Controlling Purchasing~~
- f. ~~10% Scheduling for a Contract~~
- g. ~~5% Controlling Costs of Fixed Assets~~
- h. ~~5% Obtaining Insurance and Bonding (Risk Management)~~
- i. ~~10% Complying with Contracting Laws and Rules~~
- j. ~~10% Managing Personnel~~
- k. ~~5% Complying with Payroll and Sales Tax Laws~~
- l. ~~10% Interpreting Financial Statements and Reports~~

2. Test two shall consist of questions relating to general knowledge of the swimming pool/spa servicing trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. 10% Plumbing Work
- b. 10% Deck Work
- c. 10% Tile, Coping and Trim Work
- d. 10% Accessory Work
- e. 10% Interior Surface Preparation and Finishing
- f. 10% Start Up
- g. 35% Service and Maintenance
- h. 5% Safety Procedures

(12) Certification Examination for Plumbing Contractors.

(a) Areas of Competency. The certification examination ~~for a plumbing contractor~~ shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~plumbing contracting firm~~. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the plumbing trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. 20% Drainage
- b. 20% Water Distribution
- c. 15% Natural Gas Piping
- d. 20% Medical Gas Piping
- e. 10% Industrial Piping
- f. 5% Swimming Pools, Wells and Irrigation
- g. 5% Solar
- h. 5% Fire Protection

~~The design, installation and maintenance of the following systems shall comprise 40% of the examination:~~

- (i) ~~Roof and Storm Drainage Systems~~
- (ii) ~~Sanitary Drainage Systems~~
- (iii) ~~Waste Piping Systems~~
- (iv) ~~Venting Systems (DMV)~~
- (v) ~~Hot Water Distribution Systems~~
- (vi) ~~Water Distribution Systems~~
- (vii) ~~Water Transmission Lines (Water Mains)~~

~~The design, installation, and maintenance of the following systems shall comprise 40% of the examination:~~

- (i) ~~Chemical Waste Drainage Systems~~
- (ii) ~~Natural Gas Piping Systems~~
- (iii) ~~Medical Gasses Piping Systems (Oxygen, Helium, Nitrous Oxide, Compressed Air)~~
- (iv) ~~Medical Gasses Vacuum Piping Systems~~
- (v) ~~Compressed Industrial Gas Piping Systems~~
- (vi) ~~Natural and L.P. Gas Venting Systems~~
- (vii) ~~Industrial Water Drainage Systems~~

(viii) Fire Protection Systems

e. The design, installation and maintenance of the following systems shall comprise 20% of the examination:

(i) Sewage Disposal Systems (Septic Tanks, Pumps, Lift Stations)

(ii) Process Piping Systems

(iii) Oil and Gasoline Storage and Distribution Systems

(iv) Swimming Pool Piping Systems

(v) Water Wells and Irrigation Systems

(vi) Water Treatment Systems

(vii) Industrial Vacuum Piping Systems

(viii) Solar Water Heating Systems

(ix) Steam Distribution Systems

1.d. Test two shall include, but shall not be limited to, five plumbing isometric drawings. The content of the isometric drawings shall conform to the content areas listed in 2.a., through 2.h., 2.b., and 2.e. above. Each of the isometric drawings is worth up to a maximum of 10 points. Based on the criteria listed below, each drawing will be independently evaluated by three graders. At least two of the three graders must agree that a criterion is correct in order for that the criterion to be graded as correct and points to be awarded. If one or more criterion is determined to be incorrect by at least two of the graders, points will not be awarded for that criterion. The awarded points for all criteria will be summed and converted to a 10 point scale to determine the score for each drawing. the entire drawing will be counted as incorrect. All specified criteria below must be met for each drawing to obtain credit. No partial credit will be given for a drawing. The following are the criteria and points used by the graders to evaluate each of the five isometric drawings.

(i) Legibility. Drawing is clear and readable. Drawing is sufficient in size. Lines and labels are distinguishable. (8 points)

(ii) Orientation. All fixtures are shown in the correct location relative to each other. (20 points)

(iii) Flow. Direction of flow is shown when going from vertical to horizontal. The direction of flow must be indicated even if the direction is implied for all waste lines and all fixture connections. Direction of flow is not required for vent lines. (12 points)

(iv) Angles. Isometric drawing uses 30-60-90 degree angles. All angles used on the drawing are displayed at the appropriate orientation. (8 points)

(v) Piping. All pipes, fittings, traps, clean-outs, and similar portions of the piping structure are included on the drawing. All piping is shown exactly as on the drawing (regardless of specific code requirements). The piping must display the correct elevation in reference to the floor plan. (20 points)

(vi) Labeling. All fixtures are labeled according to the legend provided in the examination instructions. (4 points)

(vii) Vents. All vents are properly indicated. (16 points)

(vii) Fixtures. All fixtures shown on the floor plan are appropriately indicated on the isometric drawing. (12 points)

(i) Proper Orientation of Fixtures and Piping in Reference to the Floor Plan. All fixtures and piping must be properly oriented as outlined by the floor plan.

(ii) Display of Symbols on Isometric Drawings. All symbols must be displayed in the correct manner.

(iii) Indication of Direction of Flow as per the National Standard Plumbing Code Illustrated 1993 and the 1994 supplement. The direction of flow must be indicated even if the direction is implied.

(iv) Elevations of Connections. All connections must be displayed at the proper elevations.

(v) Use of 30-60-90 Degree Angles. All angles must be displayed at the proper orientation.

(vi) Code Compliance as per Standard Plumbing Code, 1994 (SBCCI). The drawing must be in compliance with this code and pass inspection.

(vii) Representation of Floor Plan Elevations in Piping. The piping must display the correct elevation in reference to the floor plan.

(13) Certification Examination for Underground Utility and Excavation Contractors.

(a) Areas of Competency. The certification examination for an underground utility contractor shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of an underground utility and excavation contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas are shall be as set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the underground utility and excavation trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. 20% Pre-Installation
- b. 5% Traffic Control
- c. 20% Excavating, Backfill and Compaction
- d. 15% Pipe Installation and Repairs
- e. 15% Piping, Valves and Fittings
- f. 10% Testing and Disinfecting
- g. 5% Drainage Systems
- h. 10% Equipment

(14) Certification Examination for Pollutant Storage System Specialty Contractors.

(a) Areas of Competency. The certification examination for a pollutant storage system specialty contractor shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a pollutant storage system specialty contracting firm. The content areas to be

covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the pollutant storage system specialty trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. ~~7%~~ 7% Pre-installation and Site Preparation ~~40%~~
- ~~Pre-Installation~~
- b. 5% Material Handling
- c. 10% Excavating
- d. ~~7~~ 40% Supports and Anchorage
- e. 10% Backfill
- f. ~~12%~~ 40% Tank Installation
- g. ~~14%~~ 40% Piping, Valves and Fittings
- h. 5% Above Tank Covering
- i. 10% Leak Detection
- j. 5% Cathodic Protection Systems
- k. 10% Tank Removal and Abandonment
- l. 5% Equipment

(15) Certification for Gypsum Drywall Specialty Contractors.

(a) Areas of Competency. The certification examination ~~for a gypsum drywall specialty contractor~~ shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~gypsum drywall specialty~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the gypsum drywall specialty trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. ~~35%~~ 40% Gypsum/Gypsum Wallboard Installation
- b. ~~15%~~ 20% Taping and Texturing
- c. ~~35%~~ 20% Metal Stud Walls and Ceiling Grid Systems
- d. ~~15%~~ 20% Special Applications

(16) Certification Examination for Specialty Structure Contractors.

(a) Areas of Competency. The certification examination ~~for a Specialty Structure Contractor~~ shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~specialty structure~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the specialty structure ~~contracting~~ trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. ~~7 1/2~~ 7.5% Foundations
- b. 15% Wall Sections
- c. 15% Roof Sections
- d. ~~7 1/2~~ 7.5% Insulation
- e. 15% Windows
- f. 15% Post and Beam Structures
- g. 15% Roofovers
- h. 10% Siding, Soffit, Fascias, Gutters, and Downspouts
- (17) Certification Examination for Solar Contractors.

(a) Areas of Competency. The certification examination ~~for a solar contractor~~ shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~solar~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the solar ~~contracting~~ trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. ~~40%~~ 30% Swimming Pools
- b. ~~40%~~ 30% Domestic Hot Water
- c. ~~20%~~ 40% Photovoltaics

(18) Certification Examination for Gas Line Contractors.

(a) Areas of Competency. The certification examination ~~for a gas line contractor~~ shall consist of two tests.

1. Test one shall consist of questions relating to the business and financial management of a ~~gas line~~ contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas ~~are shall be as~~ set forth in Rule 61G4-16.001(19)(b), F.A.C.

2. Test two shall consist of questions relating to general knowledge of the gas line ~~contractor~~ trade. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:

- a. 10% General Knowledge
- b. 5% Testing and Code Compliance
- c. 5% Taps and Connections
- d. 5% Pigging and Purging
- e. 5% Maintenance
- f. 20% Welding and Fusions
- g. 20% Safety
- h. 10% Excavation
- i. 10% Equipment
- j. 5% Materials
- k. 5% Location and Investigation

(19) Business and Finance Examination. ~~The content areas to be covered and the relative weights shall be as follows:~~

Test one for all construction certification categories shall consist of questions relating to the business and financial management of a contracting firm. (a) ~~The business and~~

finance examination for general, building and residential contractors shall consist of two parts, one with questions relating to business administration and one with questions relating to financial management.

1. ~~Business Administration: General business management skills, including knowledge, understanding and application of:~~

- a. ~~16% Business risk management~~
- b. ~~15% Business recordkeeping~~
- e. ~~13% Health and safety laws, rules, and practices~~
- d. ~~12% Business organization, policies and procedures~~
- e. ~~15% General business laws for setting up a contract business~~
- f. ~~11% Federal and State tax laws, regulations and procedures~~
- g. ~~9% Federal and State labor laws and regulations~~
- h. ~~9% Laws and regulations governing contractors~~

2. ~~Financial Administration: Controlling and managing the money end of a contracting business, including knowledge, understanding and application of:~~

- a. ~~28% Cash flow management~~
- b. ~~12% Management accounting principles~~
- e. ~~14% Analysis of financial statements and reports~~
- d. ~~24% Equipment and property purchases~~
- e. ~~8% Credit and borrowing principles~~
- f. ~~14% Financial ratios, calculations and basic math.~~

(b) ~~The business and finance examination for mechanical, class A air conditioning, class B air conditioning, roofing, sheet metal, commercial pool/spa, residential pool/spa, plumbing, underground utility and excavation, pollutant storage, gypsum drywall, specialty structure, solar and gas line contractors shall consist of questions relating to the business and financial management of a contracting firm. The content areas to be covered and the approximate weights to be assigned to said areas shall be as follows:~~

- (a) ~~1. 20% Managing Cash Flow Maintenance of adequate cash liquidity (managing cash flow)~~
- (b) ~~2. 20% Estimating and Bidding a Jjobs~~
- (c) ~~3. 5% Negotiating and Iinterpreting Ccontracts and Aagreements~~
- (d) ~~4. 5% Processing Cchange Oorders~~
- (e) ~~5. 5% Controlling Ppurchasing~~
- (f) ~~6. 5% Scheduling for a Ccontract~~
- (g) ~~7. 5% Controlling Ceosts of Ffixed Aassets~~
- (h) ~~8. 10% Obtaining Iinsurance and Bbonding (#risk management)~~
- 9. ~~10% Complying with contracting laws and rules~~
- (i) ~~10. 5% Managing Ppersonnel~~
- (j) ~~11. 5% Complying with Ppayroll and Ssales Ttax Llaws~~
- (k) ~~12. 5% Interpreting Ffinancial Sstatements and Rreports~~

(20) No change.

(21) Passing Score. The score necessary to achieve a passing grade on all of the construction certification examinations shall be no less than a percentage of seventy (70.0%) out of one hundred percent (100%) on each of the required tests ~~of the examination~~.

Specific Authority 455.217, 489.108 FS. Law Implemented 455.217, 489.113 FS. History—New 1-6-80, Amended 9-24-84, Formerly 21E-16.01, Amended 5-3-87, 10-4-87, 6-2-88, 12-19-88, 5-23-89, 8-23-89, 2-5-91, 1-29-92, 10-11-92, 5-2-93, Formerly 21E-16.001, Amended 10-17-93, 5-9-95, 11-28-95, 3-11-96, 11-13-97, _____.

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: October 15, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 1, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLES: Requirements to Set Examination Date
Examination and Reexamination

RULE NOS.: 61G4-16.002
61G4-16.009

PURPOSE AND EFFECT: Proposed Rule 61G4-16.002 is being amended in order to extend the deadline required to contact the Department or examination vendor from “within 30 days” to “within 45 days” of receipt of notification of approval. Proposed Rule 61G4-16.009 is being amended with in subsections (1)(b)3., and (2), to extend the 60 day application requirements to 90 days.

SUMMARY: The Board, under its authority, is amending the proposed rules in order to extend the deadline requirements.

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, 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 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., February 1, 1999

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

61G4-16.002 Requirements to Set Examination Date.

(1) In order to schedule an examination date, applicants shall be required to contact either the Department or the examination vendor within forty-five (45) ~~thirty (30)~~ days of receipt of notification of approval.

(2) Failure of the applicant to contact either the Department or the examination vendor within forty-five (45) ~~thirty (30)~~ days of notification of approval, shall result in forfeiture of all fees and the applicant shall be required to file a new application and pay all necessary fees.

(3) No change.

Specific Authority 455.217, 489.108 FS. Law Implemented 455.217 FS. History--New 10-17-93, Amended 7-20-94, 9-3-96, _____.

61G4-16.009 Examination and Reexamination.

(1)(a) No change.

(b) Reexamination.

1. through 2. No change.

3. An applicant who fails the examination in whole or in part may apply to the Department to retake said examination no less than ninety (90) ~~sixty (60)~~ days prior to the next administration date provided he or she pays all appropriate fees as set forth in paragraph (3) below.

(2) Manner of Application for Examination. An original application for examination must be received by the Board office at least ninety (90) ~~sixty (60)~~ days prior to the administration of the examination the applicant wishes to take. The examination application submitted must be accompanied by the submission of two recent photographs of the applicant (said photos to be no older than twelve (12) months and 1 1/2 x 1 1/2 inches in size).

(3) 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, _____.

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: October 15, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 2, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Local Disciplinary Actions RULE NO.: 61G4-20.001

PURPOSE AND EFFECT: The Board shall undertake a review of the rule regarding local disciplinary actions for any technical, grammatical or substantial text changes which it may deem necessary.

SUMMARY: The Board has reviewed the current rule's content and, under its authority, is amending the rule's language.

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: 120, 489.108, 489.113, 489.117 FS. LAW IMPLEMENTED: 489.117(2), 489.131 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., February 1, 1999

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

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:

61G4-20.001 Local Disciplinary Actions.

(1) through (7) No change.

(8) Orders imposing disciplinary action against a contractor that do not contain the minimum items, terms, or conditions set out in subparagraph (3)(a)-(h) and (4)(a)-(d) above shall be reviewed by Board staff, and the following actions shall be taken:

(a) Contact the local jurisdiction to obtain any attachments required under (4)(a)-(d) above which were omitted;

(b) Route local disciplinary orders to the designated processing point for prosecutor review upon receipt of the required attachments;

(c) Provide a copy of those local jurisdiction orders to the Board counsel and prosecuting attorney; and

(9) Local orders imposing disciplinary action on certified contractors shall be forwarded to the appropriate consumer complaints analyst as an attachment to a uniform complaint form.

Specific Authority 120, 489.108, 489.113, 489.117 FS. Law Implemented 489.117(2), 489.131 FS. History–New 5-23-94, Amended 10-17-96, _____.

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: October 15, 1998
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 14, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Claims Review
PURPOSE AND EFFECT: Under the Board’s authority, the proposed rule is being amended in order to modify procedures for review and processing of claims.

RULE NO.: 61G4-21.004

SUMMARY: The proposed rule gives more uniformity and certainty to claimants and staff in the processing of claims.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 489.141, 489.143 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., February 1, 1999

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

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:

61G4-21.004 Claims Review.

(1) No claims will be processed until 45 days after the date indicated on the Civil Judgment or Final Restitution Order.

(a) A claim case number shall not be assigned until a completed and signed construction industries recovery fund claim form is received;

(b) Upon receipt of the completed claim form as set out above, notice will be given to the contractor(s) determined to be the qualifier(s) of the business entity involved in the contract;

(2) through (3) No change.

(4) The Board shall give notice to the claimant and the licensee of the time and place where the committee will review the claim and the Board will take action on the claim. Claim cases will not be set on the committee agenda for review unless all the major elements of the claim are present. These are: a completed and signed claim form, a judgement or final order of restitution, evidence of a diligent effort at collection, and an asset search where appropriate.

(5) No change.

(6) Board staff shall provide the recovery fund committee information each month showing all payments approved and made to claimants.

(7) Approved recovery fund claim cases shall be forwarded to the Department’s Division of Regulation for collection efforts following payment to the claimant when appropriate.

Specific Authority 489.108 FS. Law Implemented 489.141, 489.143 FS. History–New 7-11-95, Amended _____.

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: October 15, 1998
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 14, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Grade Review Procedure
RULE NO.: 61G15-21.006

PURPOSE AND EFFECT: The purpose of amending this rule is to only allow applicants who have taken and failed an examination to be able to review the examination. The current rule reads that any applicant can review the examination and this language is inconsistent with departmental rules.

SUMMARY: The Board proposes to amend Rule 61G15-21.006 to revise the rule language regarding the procedures for an applicant to review his/her examination grade.

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) FS.

LAW IMPLEMENTED: 455.217(2) 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: 8:30 a.m., February 3, 1999

PLACE: The Radisson Hotel, Camellia Room, 415 N. Monroe St., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dennis Barton, Executive Director, Florida Engineers Management Corporation, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-21.006 Grade Review Procedure.

Any applicant who has taken and failed an ~~takes the~~ examination may, upon payment of \$75 to FEMC, and at a mutually convenient time, examine his answers, questions, papers, grades and grading key upon such terms and conditions as are set forth by FEMC. All such reviews shall be subject to national testing security requirements in order to insure the integrity of the examination.

Specific Authority 455.217(2) FS. Law Implemented 455.217(2) FS. History—New 1-8-80, Formerly 21H-21.06, Amended 12-24-89, Formerly 21H-21.006, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Design of Structures Utilizing Prefabricated Wood Components

RULE NO.:

61G15-31.003

PURPOSE AND EFFECT: The Board proposes to amend this rule to substantially revise its language regarding the apportionment of responsibility between the Engineer of Record for the Structure and the Delegated Engineer.

SUMMARY: The Board, under its authority, is amending this proposed rule in order to clarify the rule's intent.

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: 471.033(2), 471.008 FS.

LAW IMPLEMENTED: 471.033(1)(g) 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: 8:30 a.m., February 3, 1999

PLACE: The Radisson Hotel, Camellia Room, 415 N. Monroe St., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dennis Barton, Executive Director, Florida Engineers Management Corporation, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G15-31.003 follows. See Florida Administrative Code for present text.)

61G15-31.003 Design of Structures Utilizing Prefabricated Wood Components.

Apportionment of responsibilities between Structural Engineer of Record (Building Designer) and Delegated Engineer (Truss Designer) shall be as set forth in Chapter 8 of ANSI/TPI 1-1995.

Specific Authority 471.033(2), 471.008 FS. Law Implemented 471.033(1)(g) FS. History—New 1-26-93, Formerly 21H-31.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Examination Review

RULE NO.:

61J1-5.002

PURPOSE AND EFFECT: Rule 61J1-5.002 is being repealed because only the Department of Business and Professional Regulation has the statutory authority for a rule on examination review.

SUMMARY: Rule 61J1-5.002 provides for the procedure for an applicant to review the state examination. In 1991, when the rule was initially promulgated, s. 455.217(2), Florida Statutes, granted authority for examination review rulemaking to the regulatory boards. In 1997, s. 455.217, Florida Statutes, was amended by adding a paragraph (3) which granted the authority for examination review rulemaking to the Department of Business and Professional Regulation and not the regulatory boards such as the Appraisal Board. Therefore, the board has lost the authority for this rule and must repeal same.

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: 455.217, 475.614 FS.

LAW IMPLEMENTED: 455.217, 455.229 FS.

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

TIME AND DATE: 9:00 a.m., February 2, 1999

PLACE: Office of Florida Real Estate Appraisal Board, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James D. Kimbler, Acting Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-5.002 Examination Review.

Specific Authority 455.217, 475.614 FS. Law Implemented 455.217, 455.229 FS. History—New 10-15-91, Amended 11-8-92, Formerly 21VV-5.002, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James D. Kimbler, Acting Director, Division of Real Estate

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Athletic Commission

RULE TITLES:	RULE NOS.:
Purpose, Applicability and Scope of Rules	61K1-1.001
Definitions	61K1-1.002
Commission, Commission Employees, Duties and Responsibilities; Deputy Commissioners	61K1-1.0023
Medical Advisory Council, Duties and Responsibilities	61K1-1.0024
Executive Secretary, Assistant Executive Secretary, Duties and Responsibilities	61K1-1.0025
Commission Representatives, Duties and Responsibilities	61K1-1.0027
Chief Inspector, Inspectors, Duties and Responsibilities	61K1-1.0028
License, Permits; Requirement, Procedure and Period, Fee	61K1-1.003
Insurance	61K1-1.0035
Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee	61K1-1.004
Drugs and Foreign Substances; Penalties	61K1-1.0043
Promoter and Matchmaker; Licensing and Bond; Duties and Conduct	61K1-1.005
Arena Equipment; Ring Requirements; Floor Plan and Apron Seating; Emergency Medical and Other Equipment and Services	61K1-1.006
Participants' Apparel and Appearance	61K1-1.007
Bandages and Handwraps	61K1-1.008
Gloves and Mouthpieces	61K1-1.009
Physician; License and Duties; Authority	61K1-1.010
Manager; License; Contract Between Manager and Participant	61K1-1.011
Participant; License; Conduct and Other Requirements	61K1-1.012
Judge; License and Duties	61K1-1.013
Timekeeper or Knockdown Timekeeper; License and Duties	61K1-1.017
Second; License and Duties	61K1-1.018
Referee; License and Duties	61K1-1.019
Trainer; License and Conduct	61K1-1.023
Rounds	61K1-1.030
Scoring System; Scoring, Criteria; Knockdowns; Fouls; Determination of Win or Draw; Decision Final, Exceptions	61K1-1.035
Post-Match Physical Requirements; Suspensions	61K1-1.037
Post-Match Reports Required to be Filed; Penalty for Late Filing	61K1-1.040
Closed Circuit Telecasts; Requirements; Penalty for Late Filing	61K1-1.042
Administrative Complaints	61K1-1.070
Forms	61K1-1.080

PURPOSE AND EFFECT: The proposed rule amendments are intended to implement numerous changes to the current boxing rules.

SUMMARY: The proposed rule amendments substantially reword the rules to address numerous changes in the existing rules.

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: 548.003 FS.

LAW IMPLEMENTED: 548 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Shelley Bradshaw, Assistant Executive Secretary, 1313 Tampa Street, Suite 510, Tampa, Florida 33602-3329

THE FULL TEXT OF THE PROPOSED RULES IS:

61K1-1.001 Purpose, Applicability and Scope of Rules.

(1) through (2) No change.

(3) All forms referenced in these rules may be obtained by contacting, and shall be filed with, Executive Secretary, State Athletic Commission, 1313 North Tampa Street, Suite 510, Tampa, Florida 33602-3329 or 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006, 548.007 FS. History--New 2-7-85, Formerly 7F-1.01, Amended 4-6-89, 1-1-90, Formerly 7F-1.001, Amended 9-10-95,_____.

61K1-1.002 Definitions.

The definitions contained in s. 548.002, F.S., apply equally herein unless expressly indicated otherwise. As used in this chapter the term:

(1) through (14) No change.

(15) "Employee of the commission" means the executive director, the commission's legal counsel, and, to the extent that they are assigned to work for the commission, any full time or part time salaried employee of the Department of Business and Professional Regulation, and all OPS employees of the Department of Business and Professional Regulation, except those OPS employees determined to be independent contractors and who are not involved in making policy decisions for the commission. This definition is only for the purposes of implementing Chapter 548, Florida Statutes, Rule Chapter 61K1, Florida Administrative Code, and Pub. L.

104-272, October 9, 1996, as set forth in Title 15, Section 6301-6313, USCA, and does not confer employee status for any other purpose.

(16) "Boxing Registry" means any person who maintains the fight by fight records of any boxer or kickboxer.

Specific Authority 548.003 FS. Law Implemented 548.002, 548.006, 548.013, 548.017, 548.021, 548.045, 548.046, 548.057, 548.06, 548.061 FS. History--New 2-7-85, Formerly 7F-1.02, Amended 4-6-89, Formerly 7F-1.002, Amended 9-10-95, 11-20-95,_____.

(Substantial rewording of Rule 61K1-1.0023 follows. See Florida Administrative Code for present text.)

61K1-1.0023 Commission, Commission Employees, Duties and Responsibilities; Deputy Commissioners.

(1) A meeting of the commission shall be convened, after the executive secretary gives proper notice, upon the call of the chairman or at least three members of the commission. The location of the meeting shall be determined by a majority of the commission. Under no circumstances shall a meeting of the commission occur unless proper legal notice has been made as required in chapter 286, F.S.

(2) At the first meeting after June 1 of each year, the commission shall elect a chairman from among its membership.

(3) No member or employee of the commission shall be a member of, belong to, contract with, or receive any compensation from, any person who sanctions, arranges, or promotes professional boxing or who otherwise has a financial interest in an active boxer currently registered with a boxing registry.

(4) No commissioner shall represent to another person or organization that he is acting for or representing the commission unless he has first obtained the authority of the commission to so act or represent.

(5) No member or employee of the commission shall supervise a boxing event in another state.

Specific Authority 548.003 FS. Law Implemented 548.003, 548.004, 548.006, 548.011, 548.025, 548.035, 548.054, 548.056, 548.07, 548.071, 548.073 FS. History--New 4-6-89, Amended 8-28-89, Formerly 7F-1.0023, Amended _____.

(Substantial rewording of Rule 61K1-1.0024 follows. See Florida Administrative Code for present text.)

61K1-1.0024 Medical Advisory Council, Duties and Responsibilities.

A meeting of the council shall be convened, after the executive secretary gives proper notice, upon the call of the chairman of the commission, three members of the commission or the executive secretary. The location of the meeting shall be determined by a majority of the council. Under no circumstances shall a meeting of the council occur unless proper legal notice has been made as required in chapter 286, F.S.

Specific Authority 548.003 FS. Law Implemented 548.046 FS. History--New 4-6-89, Formerly 7F-1.0024, Amended _____.

61K1-1.0025 Executive Secretary, Assistant Executive Secretary, Duties and Responsibilities.

(1) The executive secretary and the assistant executive secretary of the commission are designated as a deputy commissioners and commission representatives. For the purpose of ensuring that the rules and policies of the commission are carried out and because both the executive secretary and assistant executive secretary must enforce such rules and policies at times when it is impossible for them to communicate with one another, the assistant executive secretary shall have the same authority as the executive secretary in carrying out and enforcing the rules and policies of the commission to the extent that such authority does not violate a written directive to the contrary. The executive secretary shall:

(a) through (d) No change.

(e) Attend all meetings of the commission and the council;

(f) through (g) No change.

(h) Ensure that all matches are conducted in accordance with the provisions of chapter 548, F.S., and the rules set forth herein. This shall include appointing or causing to be appointed licensed match officials, in accordance with the criteria established within these rules, and reviewing and approving or disapproving a match or fight card based on weights, abilities, records or physical condition of the prospective participants. The executive secretary shall not approve a match where it is reasonable to assume, based on weights, abilities, records or physical condition of the prospective participants, that the match would not be competitive, would be unreasonably physically unsafe for one or both participants, would be in conflict with the suspension requirements imposed by any other jurisdiction's boxing commission against one or both participants, except as provided for in Pub. L. 104-272, October 9, 1996, as set forth in Title 15, Section 6306(b), USCA, or would not be in the best interest of the sport or the welfare of the public;

(i) through (j) No change.

(2) through (4) No change.

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006, 548.056 FS. History—New 4-6-89, Amended 1-1-90, Formerly 7F-1.0025, Amended 9-10-95, _____.

(Substantial rewording of Rule 61K1-1.0027 follows. See Florida Administrative Code for present text.)

61K1-1.0027 Commission Representatives, Duties and Responsibilities.

(1) A commission representative shall be appointed by the commission or the executive secretary for the purpose of supervising or assisting in the supervision of a match regulated under chapter 548, F.S., and such other duties as described herein. The following process and criteria will be used to select commission representatives:

(a) Any person desiring to become a commission representative must submit a State of Florida OPS employment application which may be obtained by writing to the State Athletic Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or the State Athletic Commission, 1313 North Tampa Street, Suite 510, Tampa, Florida 33602. Any person desiring to assist the commission by attending closed circuit telecasts and accumulating information for the commission to use in the collection of taxes, needs only to contact the commission by writing to either of the commission addresses set forth above.

(b) Commission representatives will be appointed to perform a variety of functions such as supervising at weigh-ins and boxing events in the absence of the executive secretary and the assistant executive secretary, coordinate events at weigh-ins and boxing events, travel to closed circuit venues and audit ticket sales for tax purposes and attend meetings when requested by the commission, executive secretary or assistant executive secretary.

(c) Recognizing that commission representatives require expertise in a variety of disciplines, each will be appointed to serve in positions in accordance with the particular expertise each commission representative possesses.

1. Commission representatives desiring to work weigh-ins will be referred to as Weigh-in Assistants and must:

a. Be knowledgeable of the processes and paperwork requirements that must be completed prior to any participant being permitted to be weighed;

b. Be authorized to handle cash, write receipts and be able to reconcile revenue to receipts to applications;

c. Be able to work in a highly stressful environment with a known deadline;

d. Be knowledgeable of the information to be gathered and have the ability to quickly gather the information necessary in the shortest period of time so that the participants can weigh-in and be permitted to eat and re-hydrate;

e. Be able to organize and complete their work before arriving at the premises of the boxing match on the evening of the event.

2. Commission representatives desiring to work boxing events will be referred to as District Coordinators and must:

a. Be knowledgeable of and perform all assignments referred to in subparagraph 1. above;

b. Be familiar with the rules of boxing contained within these rules and must be immediately able to advise as to the correct interpretation and procedure for any occurrence that presents itself;

c. Ensure that all safety and security issues have been addressed and are in place prior to the beginning of the event;

d. Ensure that all officials are present and all equipment is in place and working;

e. Be able to correctly organize, direct and administer the provisions of these rules while faced with a variety of complex situations that can arise during the course of the event;

f. Be responsible for inscribing the result of each match on the official result sheet to be filed with the commission at the conclusion of the program of matches;

g. Have available required equipment for commission representatives, inspectors and officials, such as previously prepared score cards for both official and unofficial judges, pens for official and unofficial judges, forms that may be needed during the event, danger sign cards, electronic timer, bell, mallet, stop watches, name badges and an extra set of 8 oz. and 10 oz. gloves at ringside;

h. Ensure that all referees and judges, unless the judge or referee has previously agreed to the acceptance of a check, are paid in cash by the promoter prior to leaving the premises of the program of matches after the program of matches has been concluded; and that all officials acknowledge by signature, in a record provided by the commission, the receipt of payment. Commission representatives shall utilize Form BPR-0009-460, entitled Acknowledgment Of Payment Of Fees To Officials and effective October 1994 or a bank style envelope with a removable stub on which stub the official has acknowledged receipt of payment; the stub shall be maintained in the possession of the commission; and

i. Have performed as a weigh-in assistant and an inspector for a minimum of 10 events.

3. Commission representatives desiring to be assigned to a closed circuit venue for the purpose of auditing ticket sales for taxes will be referred to as Commission Representatives and must be familiar with their duties and responsibilities as provided on form BPR-0009-482, entitled Report Of Ticket Sales By Commission Representative For A Closed Circuit Telecast and a form entitled Instruction Sheet For Form BPR-0009-482, Commission Representative's Report For Closed Circuit Event. A commission representative appointed to represent the commission at a facility during the telecast of a closed circuit match or program of matches shall be responsible for the following:

a. Arriving at the facility prior to the opening of the gates so as to become familiar with the layout of the facility and determine how many employees of the facility are present;

b. Taking a position at a location from which the number of customers being admitted to the facility can be observed and counted;

c. Ensuring that no person is admitted to the facility to view the telecast unless a ticket stub is deposited in the ticket stub container or unless such person is an employee of the facility and is actively working during the telecast;

d. Observing the telecast or portions of the telecast and reporting the quality of the picture and sound;

e. Reporting the refunding of any tickets; and

f. Completing Form BPR-0009-482, entitled Report Of Ticket Sales By Commission Representative For A Closed Circuit Telecast with an effective date of May 1993, and submitting such report to the commission office within 24 hours after the conclusion of the telecast. A commission representative, while representing the commission at a closed circuit telecast, shall not require or request that the operator or owner of the facility allow the complimentary admittance of any other person.

(2) The commission representative shall be responsible for immediately notifying the executive secretary or the assistant executive secretary of any violation of any person under the jurisdiction of the commission or of problems that, if unresolved, could cause the cancellation of a match or any matter which could reasonably be anticipated to negatively affect the health of a participant or the safety or welfare of the public.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.057 FS. History—New 4-6-89, Amended 8-28-89, 1-1-90, 5-13-90, Formerly 7F-1.0027, Amended 9-10-95, _____.

(Substantial rewording of Rule 61K1-1.0028 follows. See Florida Administrative Code for present text.)

61K1-1.0028 Chief Inspector, Inspectors, Duties and Responsibilities.

(1) The executive secretary shall appoint a minimum of one chief inspector for each program of matches for the purpose of overseeing and coordinating the activities occurring in the dressing rooms with the activities occurring at ringside and the television coordinator as appropriate. The following process and criteria will be used to select chief inspectors:

(a) Any person desiring to become a chief inspector shall submit a State of Florida OPS employment application which may be obtained by writing to the State Athletic Commission at either 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or 1313 North Tampa Street, Suite 510, Tampa, Florida 33602.

(b) Applicants for chief inspector must:

1. Be knowledgeable of the rules governing handwraps, glove weights and types, approved substances and equipment and supplies that must be in the corner;

2. Be able to observe, assimilate and react to a variety of complex situations;

3. Be able to work in a highly stressful environment with a known deadline;

4. Be able to work as a team member while exhibiting a demeanor of control of the dressing room area and the activities of the seconds at ringside;

5. Be knowledgeable of the rules governing the conduct of the seconds in the corner;

6. Be knowledgeable of the rules governing how a contest may be stopped by the chief second;

7. Be knowledgeable and proficient regarding anti-doping test administration; and

8. Have worked as an inspector for a minimum of 20 programs of matches.

(c) The duties of a chief inspector are:

1. Enforce the rules regarding handwraps, glove weights and types, approved substances and equipment and supplies that must be in the corner during a match, conduct of the seconds in the corner during the match, how a fight may be stopped by the chief second, and anti-doping test administration.

2. Have available and in good working condition two-way radios, drug testing kits, tape, pens and gloves.

(2) The chief inspector shall appoint a minimum of four inspectors for each program of matches for the purpose of overseeing, directing and controlling the activities occurring in the dressing room and at ringside. The following process and criteria will be used to select the inspectors:

(a) Any person desiring to become an inspector shall submit a State of Florida OPS employment application which may be obtained by writing to the State Athletic Commission at either 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or 1313 North Tampa Street, Suite 510, Tampa, Florida 33602.

(b) Applicants for inspector must:

1. Be knowledgeable of the rules governing handwraps, glove weights and types, approved substances and equipment and supplies that must be in the corner;

2. Be able to observe, assimilate and react to a variety of complex situations;

3. Be able to work in a highly stressful environment with a known deadline;

4. Be able to work as a team member while exhibiting a demeanor of control of the dressing room area and the activities of the seconds at ringside;

5. Be knowledgeable of the rules governing the conduct of the seconds in the corner;

6. Be knowledgeable of the rules governing how a fight may be stopped by the chief second;

7. Be knowledgeable and proficient regarding anti-doping test administration; and

8. Have participated as an unofficial inspector for a minimum of 4 events.

(c) The duties of an inspector are to enforce the rules regarding handwraps, glove weights and types, approved substances, equipment and supplies that must be in the corner during a match, conduct of the seconds in the corner during the match, how a fight may be stopped by the chief second, and anti-doping test administration.

Specific Authority 548.003 FS. Law Implemented 548.006 FS. History--New 4-6-89, Amended 8-28-89, Formerly 7F-1.0028, Amended _____.

61K1-1.003 Licenses, Permits; Requirement, Procedure and Period, Fee.

(1) License; Requirement, Procedure and Period, Fee.

(a) No change.

(b) Licensing Procedure and Period.

1. All applications for a license shall be in writing on a form provided by the commission, verified by the applicant, complete and have any required attachments, and accompanied by the required fee. An applicant for a license as an announcer, booking agent, judge, matchmaker, referee, representative of a booking agent, second, timekeeper or trainer shall utilize Form BPR-000908-450, entitled Application for License, incorporated herein by reference and effective _____ ~~October, 1994~~. An applicant for a license as a manager shall utilize Form BPR-000908-492, entitled Application for Manager License, incorporated herein by reference and effective _____ ~~October, 1994~~. An applicant for a license as a physician shall utilize Form BPR-000908-470, entitled Application for Physician License, incorporated herein by reference and effective _____ ~~July, 1993~~. An applicant for a license as a promoter or foreign copromoter shall utilize Form BPR-000908-452, entitled Application for Promoter or Foreign Copromoter License, incorporated herein by reference and effective _____ ~~May, 1993~~. An applicant for a license as a participant shall utilize Form BPR-000908-467, entitled Application for Participant License, incorporated herein by reference and effective _____ ~~May, 1993~~.

2. Upon receipt of an application for a license, the ~~application executive secretary~~ shall be reviewed ~~the application~~ and, if the application is in compliance with the requirements of chapter 548, F.S., and the rules set forth herein, ~~the license shall be issued he shall issue the license~~. If it is ~~determined the executive secretary determines~~ that the application is not in compliance, ~~he shall notify~~ the applicant shall be immediately notified and advised of ~~and set forth~~ the reasons for ~~the his~~ finding that the application is not in compliance.

3. No change.

(c) No change.

(2) Permit; Requirement, Procedure and Period, Fee.

(a) No change.

(b) ~~Permit Applications Permitting Procedure and Period~~.

1. ~~Each application for a permit shall be in writing on a form provided by the commission, verified by the applicant, complete and have any required attachments, and accompanied by the required fee. The application for permit accompanied by the required fees shall be required to be on file with the commission at least seven calendar days prior to the scheduled program of matches. An applicant for a permit shall utilize Form BPR-000908-454, entitled Application for Permit, incorporated herein by reference and effective July, 1996 May, 1990.~~

2. No change.

3. The promoter or matchmaker shall be required to provide the proposed fight card not later than 7 calendar days prior to the proposed date of the program. The promoter or matchmaker will be allowed to propose additional matches until 12 noon on the day prior to the scheduled program of matches. After such time, matches may only be proposed if records can be verified to the satisfaction of the executive secretary and prior to the conclusion of the weigh-in. At the conclusion of the weigh-in no further matches may be proposed or approved shall advise the Executive Director verbally of the names of the proposed participants or shall submit Form BPR-08-456, entitled Proposed Fight Card, incorporated herein by reference and effective May, 1990. The executive secretary shall review the proposed fight card and, if he determines that all the proposed matches meet the requirements of chapter 548, F.S., and the rules set forth herein, he shall approve the proposed fight card. If the executive secretary determines that the proposed fight card is not in compliance with chapter 548, F.S., or the rules set forth herein, he shall not approve the proposed fight card and shall immediately advise the promoter or matchmaker that the proposed fight card has been disapproved and the reasons for the disapproval.

4. All other pre-match requirements of the promoter described in chapter 548, F.S., and the rules set forth herein shall be accomplished before final approval is given and the permit issued. The final approval of the permit shall not be given unless the executive secretary or commission representative has observed that all requirements related to facilities, equipment, personnel, licensing and approvals, and procurement of insurance have been met by the promoter. Immediately upon determining that the promoter has met all the requirements as set forth herein, the executive secretary shall cause issue the permit to be issued. If the executive secretary or commission representative determines that the promoter is not in compliance with the requirements set forth above, the executive secretary or commission representative shall rescind the tentative approval of the permit and the program of matches shall be canceled. If the program of matches is canceled, all tickets shall be refunded in accordance with the refund provisions set forth in s. 548.066, F.S.

5. A permit shall only be valid for the program of matches for which it was issued. A new permit shall be required for each program of matches. ~~If, after the payment of the permit fee to the commission, a program of matches is canceled for any reason, whether by the promoter or the commission, the permit fee shall not be refunded, provided however, that the fee shall be refunded if the cancellation by the commission was the result of an error made by the commission and which was through no fault of the promoter.~~

(c) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.045, 548.046, 548.057, 548.066 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.03, Amended 4-6-89, 8-28-89, 5-13-90, Formerly 7F-1.003, Amended 9-10-95,_____.

61K1-1.0035 Insurance.

(1) Each participant in a match held in Florida shall be covered by insurance for medical, surgical and hospital care for injuries sustained while engaged in a match as described in s. 548.049, F.S. Said coverage shall be for an amount not less than \$5,000 \$2,500 for each participant. In addition, each participant shall have life insurance for an amount not less than \$10,000 covering death caused by injuries received while engaged in a bout.

(2) The promoter for the match shall be responsible for acquiring and paying the insurance coverage described above and filing with the commission written evidence of insurance no later than the weigh-in 72 hours prior to the date of the match. Such evidence of insurance shall specify, at a minimum, the name of the insurance company, the insurance policy number, the effective date of the coverage and evidence that each participant is covered by the insurance. Any deductible associated with the insurance policy shall be paid by the promoter and shall not be paid by or charged to the participant.

(3) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.049, 548.071 FS. History—New 10-16-88, Amended 8-28-89, Formerly 7F-1.0035, Amended _____.

61K1-1.004 Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee.

(1) No change.

(2) Weigh-In.

(a) Participants in matches shall be weighed on the same scale at a time and place to be determined by the commission representative, in the presence of the opponent and a commission representative, provided however, that if a participant fails to arrive at the weigh-in at the time and place determined by the commission, the opponent of such participant shall be permitted to be weighed without the need for the participant to observe the weighing in of his opponent, provided however that the participant who arrived at the weigh-in on time does not lose his privilege of observing the weighing in of his opponent. The weigh-in shall occur no sooner than 4:00 p.m. the day preceding the date of the program of matches 12 hours or less prior to the scheduled starting time of the first match of the program of matches, provided however, that where a program of matches is scheduled to begin between 12:00 noon and 3:00 p.m., the executive secretary, if requested by the promoter, shall approve an early weigh in time of 8:00 p.m. or later the evening before the day of the program of matches. When such early weigh in time is approved, the promoter shall be required to pay actual expenses of all officials and employees of the commission for

the additional day of lodging and meals which was required in order to accommodate the promoter's request for the early weigh-in. In the event that the early weigh-in requires a more costly mode of transportation due to conflicting schedules related to another program of matches, the promoter shall be required to pay the difference in transportation cost for officials and employees of the commission. Substitution of a participant or participants shall not be allowed after the weigh-in.

(b) No change.

(c) If, at the time of the official weigh-in, the weight of any participant in a contest fails to meet the weight parameters of the rules set forth herein or the weight limit set by the signed contract, he shall have 2 additional hours to meet such weight parameters or limit. If, at the end of the additional 2 hour period the participant has failed to meet the weight parameters set forth herein, the match shall be canceled. If, at the end of the additional 2 hour period the participant has met the weight parameters set forth herein but has failed to meet the weight limit set by contract, the commission shall authorize that the match may proceed, provided however that the participant making weight as provided in the signed contract, the promoter, or the sanctioning body (in the event of a championship fight) may elect to cancel the match with no disciplinary action to be taken against the participant making the weight. The participant who did not meet the weight parameters set forth herein or the weight limit set by the signed contract will be subject to disciplinary action by the commission. In making its determination of disciplinary action to be taken, the commission will consider the relative importance of the match, when the match was made and therefore how long the participant had to make weight and the history of the participant relative to making weight.

(d) A ~~main event~~ participant is not permitted to lose more than 3 percent of his body weight during the two additional hours established in (c) above ~~5-calendar-day period preceding the scheduled contest.~~

(e) At the time of weigh-in, each participant in a contest shall be required to provide to the commission representative for inspection, an identification card issued by the state in which the participant resides or Florida. Such identification card shall contain a recent photograph of the participant, the participant's social security number, and a personal identification number assigned to the participant by the Association of Boxing Commissions' official boxer registry. In order to obtain an identification card issued by Florida, the participant must present to the commission a picture identification issued by a federal, state or local unit of government or other similar authority or passport issued by the United States of America or a foreign government. This identification card must be renewed every two years. If a participant presents fictitious identification to the commission, the commission shall, upon the first occurrence disallow the

participant from participating in a boxing or kickboxing match for a period of one year. Upon the second occurrence, the participant shall be permanently banned from participating from boxing or kickboxing in Florida and his participant identification commonly known as a passport. A properly issued and annotated passport shall be required for all participants who are licensed in any state which requires and issues a passport. If the participant is not licensed in any state which requires a passport, then he shall be issued a passport in Florida and shall be required to maintain, in an up-to-date manner the passport from that time forward. He shall be required to present his passport prior to being allowed to engage in any future match in Florida. Any participant who fails to provide a picture identification as described above shall not be permitted to box. Failure of a participant to provide a true and accurate passport shall result in the following penalties:

1. In lieu of suspension or revocation of the participant's license for the first occurrence, the participant shall be penalized by assessing a fine of \$25;

2. If the participant fails to provide his passport at the time of weigh-in for a subsequent match, his license shall be suspended, and he shall not be permitted to engage in the match or in any future matches in Florida until such time that he is able to provide a properly issued and annotated, complete and correct passport. The participant may utilize the passport issued by another state in which he is licensed provided that such passport contains the minimum information as required below, or shall utilize Form BPR-08-463, entitled Participant Passport, incorporated herein by reference and effective May, 1993. This passport shall contain, at a minimum, the following:

a. Legal name of participant;

b. Ring name of participant;

c. A passport type picture which clearly shows the face of the participant. Passports issued by states that do not require a picture shall be accompanied by another form of positive identification;

d. Address of participant;

e. Age of participant;

f. Date, place, opponent and result of the participant's professional contests since the issuance of the passport, which entries must be signed by the commission representative or other commission official as designated by these rules or the rules of the jurisdiction in which the match occurred; and

g. Signature of the participant and a statement attesting to the validity of the information contained in his passport.

(f) The participant shall be required to complete a participant information form which shall be provided by the commission. The participant shall utilize Form BPR-0009 08-469, entitled Participant Information, incorporated herein by reference and effective August, 1995 ~~May, 1993~~. Any participant who refuses to complete this form shall not be allowed to engage in any match in Florida.

(3) Pre-Match Physical of Participant and Referee.

(a) No change.

(b) No participant shall be allowed to engage in any match if any of the following conditions are found by the physician:

1. through 9. No change.

10. Retinopathy or detached retina; provided however, that ~~at the request of the applicant shall be permitted to participate in a fight if the participant provides, at or before the weigh-in, the written statement of a licensed ophthalmologist stating that the applicant's retina is completely healed and that in the ophthalmologist's medical opinion, no unusual or extraordinary risk to the applicant is anticipated as a result of the retinopathy or a previously detached retina the Commission shall review individual cases of repaired retinal damage for the purpose of permitting the individual to engage in a boxing match in Florida. In order for the Commission to consider such request the individual must provide to the Commission such medical information as the Commission deems appropriate which must include a written statement by the doctor performing the retinal repair that the retina is completely healed; and that in his opinion, within a reasonable medical certainty, no unusual or extraordinary risk to the individual is anticipated as a result of the repaired retina and authorizes the individual to engage in the sport of boxing. In the event the physician who made the repair is unavailable, the individual must authorize the Commission and the Commission's physician total and unlimited access to all medical records pertaining to the damage, repair of the damage and any subsequent treatment regarding the eyes. Nevertheless, the Commission shall then direct its physician to review all information and to examine the individual seeking licensure and report the results and recommendation to the Commission for consideration by the full Commission. Any costs associated with the review and examination of records or the individual shall be borne by the individual seeking licensure.~~

11. through 16. No change.

17. History of any abnormality change in a CAT scan, electroencephalogram (EEG), or electrocardiogram (EKG).

(c) through (d) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.045, 548.046, 548.071, 548.075 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.04, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.004, Amended 9-10-95,_____.

61K1-1.0043 Drugs and Foreign Substances; Penalties.

(1) No change.

(2) Drugs or Foreign Substances Used Externally or Designed for External Use.

(a) No change.

(b) The following drugs or foreign substances may be used by participants under the conditions described herein:

1. No change.

2. The discretionary use of Thrombin or a 1/1000 solution of Adrenalin and Avitine, or their generic equivalents, as approved by the physician, shall be allowed between rounds to stop bleeding of minor cuts and lacerations sustained by a participant.

(3) through (6) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.047, 548.053, 548.054, 548.058, 548.071, 548.075, 548.079 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0043, Amended_____.

61K1-1.005 Promoter and Matchmaker; Licensing and Bond; Duties and Conduct.

(1) Licensing and Bond.

(a) through (e) No change.

(f) Bond or Other Security, Requirements.

1. An applicant for a promoter license shall deposit with the commission a bond or other security in the amount of \$15,000 ~~\$5,000~~ prior to being issued a promoter license. If, at any time and for whatever reason, the bond or other security is not maintained in full force and effect, the license shall be automatically void.

2. If it is determined that the projected liability for a match may exceed \$15,000 ~~\$5,000~~, the executive secretary shall require an additional bond or additional security for the match. The additional bond or additional security shall be required and used only for the designated match and shall be released or returned 90 calendar days after the date of the match unless, as a result of violations or suspected violations, the executive secretary determines that the additional bond or additional security shall be retained by the commission for a longer period.

3. No change.

4. A bond or additional bond shall be acceptable if the following conditions are met:

a. The bond or additional bond shall be on a form provided by the commission and shall have attached a power of attorney, which power of attorney shall not have an expiration date. The promoter shall use Form BPR-~~000908~~-465, entitled Surety Bond For Promoter, incorporated herein by reference and effective May, 1990, and shall use Form BPR-~~000908~~-472, entitled Additional Surety Bond For Promoter, incorporated herein by reference and effective May, 1990;

b. through e. No change.

5. No change.

(2) Duties and Conduct.

(a) through (c) No change.

(d) Contracts between participants and the promoter for each bout shall be filed with the commission no later than at the time of weigh-in.

1. All such contracts shall contain:

a. The name of each licensed promoter and both participants;

b. The date of the contest to which the contract applies;

c. The location of the contest to which the contract applies;

d. The number of rounds to be fought in the contest to which the contract applies;

e. The weight at which each fighter is to qualify for the contest to which the contract applies;

f. The amount, to be set forth in American dollars, that will be paid to the participant for the contest to which the contract applies and a statement that the designated amount shall be paid directly to the participant or the participant's designated agent;

g. The affixed signatures of the promoter and each participant in the contest to which the contract applies, however, the licensed manager of a participant may be authorized by the participant to sign the contract;

h. The contracts for each participant in the same contest must include the same terms regarding the conduct of the contest, but are permitted to provide for different amounts of consideration provided to the participant.

2. Once the contracts are filed and after determination that they are in compliance with these rules, each contract will be affixed with the signature of the Commission Representative.

(e) Contracts for broadcasting of a proposed match shall be filed with the commission within 14 business days after such contract is received by the promoter or when the Post Event Tax Report and 5% tax payment are filed, whichever is later, provided however that if the promoter pays to the commission the maximum amount of \$40,000, the contract is not required to be filed at least 7 calendar days prior to the date of the broadcast. Additionally, the promoter shall be responsible for assuring compliance with section 61K1-1.040 of these rules.

(f) through (h) No change.

(i) The promoter shall be responsible for ensuring that each participant scheduled to be engaged in a match shall have received an ophthalmic examination, which examination shall have been performed within the immediate past 12-month period. The results of the examination shall be filed with the commission prior to the match. The promoter, participant and examining professional shall utilize Form BPR-000908-485, entitled Ophthalmic Examination, incorporated herein by reference and effective May, 1993 or a form submitted by the examining professional which form provides the same information as required by Form BPR-0009-485.

(j) through (n) No change.

(o) Each referee who is required to be present shall be compensated \$125 by the promoter, provided however, that if the promoter has a television contract greater than \$40,000, each referee shall be compensated \$175. Each judge who is required to be present shall be compensated \$85.00 by the promoter, provided however, that if the promoter has a television contract greater than \$40,000, each judge shall be compensated \$135. In the case of championship matches, the minimum fee as described above or the prevailing fee required

by the sanctioning organization, whichever is greater, shall be paid to the referee and judges. Any above referenced official who must travel a distance greater than 30 miles from his home to the premises of the program of matches shall be compensated an additional amount as determined by the Executive Secretary. This additional amount shall be paid by the promoter.

(p) The promoter shall be responsible for providing the proper arena equipment, seating and services as described in section 61K1-1.006 of these rules, facilities, personnel, ushers, ticket sellers, security and other equipment, services or personnel necessary to provide for the correct handling of the program of matches. The promoter is solely responsible for ensuring that adequate security is on site and prepared to immediately respond to any situation. If a permit fee of \$100 or greater is paid to the commission, the promoter shall ensure that, in addition to other regular security, a minimum of 2 certified law enforcement officers are located immediately adjacent to each of the red and blue corners and that additional certified law enforcement officers are located within the premises of the program of matches in positions to have a clear and unobstructed view of the ring and are able to immediately respond to their fellow officers at ringside.

(q) The promoter shall ensure that all tickets shall have clearly printed on them the admission price, and no ticket shall be sold for a price higher than the price shown on its face. In the case of generic tickets that are not printed with the ticket prices, each different priced ticket shall be a different color. Each complimentary ticket shall by some distinguishing mark indicate have clearly printed on its face the face value of the ticket, and in no case shall the dollar value of a complimentary ticket be less than the lowest ticket price available for sale to the general public shown on the face of the ticket be \$0.00. Each complimentary ticket shall be either marked "COMPLIMENTARY" in large letters on its face or shall be marked or punched in such a manner as to make it clear that the ticket is complimentary.

(r) through (t) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.028, 548.032, 548.037, 548.046, 548.049, 548.05, 548.052, 548.053, 548.054, 548.056, 548.058, 548.06, 548.061, 548.064, 548.066, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.05, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.005, Amended 9-10-95,_____.

61K1-1.006 Arena Equipment; Ring Requirements; Floor Plan and Apron Seating; Emergency Medical and Other Equipment and Services.

(1) Ring Requirements.

(a) through (b) No change.

(c) The ring shall be formed of four posts and four ropes. The ropes shall extend in parallel lines 18, 30, 42, and 54 inches in height above the ring floor. The top three ropes shall be not less than 1 inch in diameter, and the lowest rope shall be not less than 1 1/2 inches in diameter. The lowest rope shall

extend outward a distance of 4 inches beyond the other three ropes and in a line parallel to the other three ropes. All ropes shall be wrapped in velvet or other similarly soft material. Ropes shall be properly adjusted and sufficiently taut to inhibit the participant from falling between the ropes. An additional tie rope shall be centered on all four sides of the ring surrounding the ring ropes to prevent excessive separation of the ring ropes. The juncture of the ropes at each corner shall be padded with at least an inch and one half of foam rubber or other similar padding.

(d) Ring posts shall be not less than 3 inches in diameter and shall extend from the floor of the ring to a height of no more than 58 inches ~~and shall be padded with at least 1 1/2 inches of foam rubber or other similar material.~~

(e) through (g) No change.

(2) Floor Plan and Apron Seating.

(a) No change.

(b) The commission representative shall designate seating at the ring apron as provided in these rules. Ring apron seating on all four sides of the ring shall be exclusively controlled by the commission and no person shall be permitted to be seated or have access to the apron without the approval of the commission representative. The commission's control of the apron is for the purpose of providing for appropriate control of the event including participant, staff, and audience safety, ensuring that only those officials assigned by the commission are seated at the apron and ensuring that adequate seating for working officials is available at the apron. Beyond these seating requirements and subject to the matrix, the commission shall release to the promoter all available remaining seats, provided however, that the promoter is not permitted to seat persons representing either boxer at the apron. No person shall be permitted to consume alcoholic beverages or smoke any form of tobacco at the apron. Any person seated or having access to the ring apron shall Apron seating not designated by the commission representative may be utilized as desired by the promoter, provided however that such use does not

interfere with any of the officials or commission representatives seated at the ring apron. ~~The~~ At a minimum, the following seating shall be provided at the ring apron for all matches provided however that additional seating as shown in the seating matrix below shall be provided when required:

1. ~~Three stools~~ The seats for judges shall be located on opposite sides of the ring and in such location and at such height that will allow them a clear and unobstructed view of the ring and ring floor;

2. through 3. No change.

~~4. A seat for the commission representative shall be located in such location and at such height that he shall have a clear and unobstructed view of the ring, ring floor, referee and timekeeper; and~~

~~4.5. A seat for each physician shall be located adjacent to each participant's corner in such location and at such height that each physician shall have a clear and unobstructed view of the ring, ring floor, the participant's corner and the referee; and-~~

5. A seat for each of the five commissioners, executive secretary, assistant executive secretary, commission representative and chief inspector shall be located together on one side of the ring apron which side shall be designated the commission side of the ring.

(c) No change.

(d) No person other than working officials, commission employees, guests invited by the commission representative supervising the event, and the announcer are permitted to sit at the commission's side of the ring apron.

(e) Seating shall be provided by the promoter to the commission for use by officials and commission employees not working the immediate contest. Such complimentary seating shall be provided according to the following matrix. Apron seating is seating immediately adjacent to the ring apron and floor seating is seating close to the ring apron that does not require the official to pass through security in order to move between the ring and such seating.

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>Number of Bouts on Card</u>	<u>*Staff/ Administration Basic Seating</u>	<u>Add to Col 2 for Basic Bouts</u>	<u>Add to sum of Cols 2 & 3 for each Title Bout</u> <u>3 judges</u> <u>1 referee</u> <u>1 s/b supv</u>	<u>Add to sum of Cols 2, 3 & 4 for TV</u>
<u>1 thru 8</u>	<u>18 credentials</u> <u>14 apron seats</u>	<u>7 credentials</u> <u>5 judges</u> <u>2 referees</u> <u>4 apron seats</u> <u>1 floor seat</u>	<u>5 credentials</u> <u>1 apron seat</u> <u>4 floor seats</u>	<u>3 credentials</u> <u>1 TV coord</u> <u>2 Chf Insp</u>
<u>9</u>	<u>18 credentials</u> <u>14 apron seats</u>	<u>7 credentials</u> <u>5 judges</u> <u>2 referees</u> <u>4 apron seats</u> <u>2 floor seats</u>	<u>5 credentials</u> <u>1 apron seat</u> <u>4 floor seats</u>	<u>3 credentials</u> <u>1 TV coord</u> <u>2 Chf Insp</u>
<u>10</u>	<u>18 credentials</u> <u>14 apron seats</u>	<u>8 credentials</u> <u>6 judges</u> <u>2 referees</u> <u>4 apron seats</u> <u>3 floor seats</u>	<u>5 credentials</u> <u>1 apron seat</u> <u>4 floor seats</u>	<u>9 credentials</u> <u>1 TV coord</u> <u>2 Chf Insp</u> <u>4 Insp</u> <u>2 Physicians</u> <u>8 floor seats</u>
<u>11 and 12</u>	<u>18 credentials</u> <u>14 apron seats</u>	<u>9 credentials</u> <u>6 judges</u> <u>3 referees</u> <u>4 apron seats</u> <u>4 floor seats</u>	<u>5 credentials</u> <u>1 apron seat</u> <u>4 floor seats</u>	<u>9 credentials</u> <u>1 TV coord</u> <u>2 Chf Insp</u> <u>4 Insp</u> <u>2 Physicians</u> <u>8 floor seats</u>
<u>13 and 14</u>	<u>18 credentials</u> <u>14 apron seats</u>	<u>11 credentials</u> <u>8 judges</u> <u>3 referees</u> <u>4 apron seats</u> <u>6 floor seats</u>	<u>5 credentials</u> <u>1 apron seat</u> <u>4 floor seats</u>	<u>9 credentials</u> <u>1 TV coord</u> <u>2 Chf Insp</u> <u>4 Insp</u> <u>2 Physicians</u> <u>8 floor seats</u>

*5 Commissioners

2 Executive Director and Assistant Executive Director

4 Inspectors

1 Timekeeper

1 Deputy Judge

1 Deputy Referee

1 District Coordinator

1 Chief Inspector

2 Physicians

18 Total

(3) Emergency Medical Equipment and Services.

(a) It shall be the responsibility of the promoter to provide the following:

1. through 2. No change.

3. A clean stretcher and clean blanket, to be located along with the ambulance attendants, at a location determined by the commission representative placed under or adjacent to the ring which shall be in place at all times throughout the program of matches.

(b) No change.

(4) Other Equipment and Services.

(a) No change.

(b) The promoter shall supply the following items which shall be in good working order and available for use as needed:

1. through 2. No change.

3. A bell, positioned in a neutral location designated by the commission representative, for use by the timekeeper;

~~3.4. Five~~ Three stools or chairs, a clean water bucket and a clean water container for drinking purposes for each participant's corner; and

~~4.5.~~ No change.

(c) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.032, 548.045, 548.046, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.06, Amended 4-6-89, 1-1-90, Formerly 7F-1.006, Amended _____.

(Substantial rewording of Rule 61K1-1.007 follows. See Florida Administrative Code for present text.)

61K1-1.007 Participants' Apparel and Appearance.

(1) Each male participant shall wear the following:

(a) Boxing trunks, the belt of which shall not extend above the waistline;

(b) A protective cup, which shall be firmly adjusted before entering the ring;

(c) An individually fitted mouthpiece, which mouthpiece shall be in the participant's mouth at all times during the fight period of each round as provided by these rules;

(d) Shoes made for the purpose of boxing; and

(e) An abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow.

(2) Each female participant shall wear the following:

(a) Boxing trunks, the belt of which shall not extend above the waistline and a close fitting tank or halter type top;

(b) A protective cup or protective pelvic girdle to cover the pubic area, ovaries, coccyx and sides of the hips;

(c) Breast protectors;

(d) An individually fitted mouth piece, which mouth piece shall be in the participant's mouth at all times during the fight period of each round as provided by these rules;

(e) Shoes made for the purpose of boxing; and

(f) An abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.07, Amended 4-6-89, 1-1-90, Formerly 7F-1.007, Amended 9-10-95, _____.

61K1-1.008 Bandages and Handwraps.

(1) In all weight classes ~~except light heavyweight, cruiserweight and heavyweight~~, all bandages and handwraps applied to each hand of a participant shall be restricted to soft cloth (gauze), not more than 10 yards in length and 2 inches in width, held in place by not more than 5 yards ~~4 feet~~ of 1 inch surgical tape. No tape may be applied across the knuckles of any participant.

~~(2) In the light heavyweight, cruiserweight and heavyweight weight classes, all bandages and handwraps applied to each hand of a participant shall be restricted to soft cloth, not more than 12 yards in length and 2 inches in width, held in place by not more than 8 feet of surgical tape.~~

~~(3) The use of six inches of adhesive tape, not more than 1 inch in width, shall be permitted across the back of each hand before bandaging or wrapping the hands, provided however, that the tape shall not be applied across the knuckles.~~

~~(2)(4)~~ All bandages and handwraps shall be applied and adjusted in the dressing room in the presence of the inspector. The inspector shall initial or in some other manner mark the bandage or handwrap on each hand so as to be able to determine at the conclusion of the match whether or not the bandage or handwrap was tampered with after the inspector initially examined the bandage or handwrap.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046 FS. History—New 2-7-85, Formerly 7F-1.08, Amended 4-6-89, 1-1-90, Formerly 7F-1.008, Amended _____.

61K1-1.009 Gloves and Mouthpieces.

(1) When the lighter of the two participants in a match weighs 154 pounds or less, both participants shall use 8 ounce gloves. When the lighter of the two participants in a match weighs more than 154 pounds, both participants shall use 10 ounce gloves. Where the weights of the two participants are such that, based upon these rules, one would wear 8 ounce gloves and one would wear 10 ounce gloves, the lighter of the two participants shall make the decision as to commission representative in charge of the match shall determine the weight of the gloves to be used, and both participants shall wear the same weight gloves. Both participants shall use the same color and manufacturer of gloves.

(2) Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the inspector and the referee. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition and shall have the thumb attached. Gloves shall be thoroughly disinfected using formaldehyde and properly softened using neatsfoot oil. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove. ~~Gloves, which have been disapproved for use, are beyond repair, are believed to be potentially dangerous to the participant or his opponent and which the commission representative has reason to believe may be presented for use in future matches, shall be confiscated by the commission representative.~~

(3) through (5) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.09, Amended 4-6-89, 1-1-90, 5-13-90, Formerly 7F-1.009, Amended _____.

61K1-1.010 Physician; License and Duties; Authority.

(1) No change.

(2) In addition to the duties, responsibilities and authority outlined in sections 61K1-1.004, 61K1-1.0043, 61K1-1.012, 61K1-1.019, 61K1-1.035 and 61K1-1.037 of these rules, a physician shall also have the following duties, responsibility and authority:

(a) through (e) No change.

(f) Whenever a knockout occurs in any match, the physician shall examine the participant knocked out at the time of the knockout and in his dressing room immediately after the match. In the event of a knockout or other serious injury, the physician shall remain on the premises to provide medical attention as needed. When the physician is satisfied that the injured or knocked out participant has recovered to the extent that the physician releases the participant from his care, he shall, prior to releasing him, instruct him as to the danger signs of which the participant should be aware and which would indicate the need to seek immediate medical attention. The physician shall give to the injured participant Form BPR-000908-458, entitled Danger Signs, incorporated herein by reference and effective May, 1990.

(g) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.021, 548.045, 548.046, 548.047, 548.056 FS. History—New 2-7-85, Formerly 7F-1.10, Amended 5-8-88, 4-6-89, 5-13-90, Formerly 7F-1.010, Amended 9-10-95, _____.

61K1-1.011 Manager; License; Contract Between Manager and Participant.

(1) No change.

(2) Conduct of Manager.

(a) No change.

(b) No manager shall pay or contribute to the pay of any opposing participant, referee or judge.

(c) A manager shall not coach or in any way assist a participant during a match, or by word or action attempt to heckle or annoy his participant's opponent. A manager shall not enter the corner or the ring at any time during the match and shall remain seated and silent during the match. If any manager enters the corner or the ring during any match, the match shall be temporarily stopped and the manager ~~he~~ shall be immediately ejected by the referee, and the referee shall order the match to continue. Whenever a person licensed as a manager in this state desires to work in the corner of a participant under contract to the manager, the manager shall be designated a second and shall be deemed to be a second for that specific bout without the need to apply for a second license. When working in such capacity, the ~~However, a manager may~~

~~be designated as a second for his participant and, if so designated,~~ shall comply with the requirements set forth for seconds in s. 61K1-1.018 of these rules.

(d) No change.

(3) Contracts Between Manager and Participant.

(a) through (e) No change.

(f) No manager of a participant shall sell, assign, transfer any interest, or in any way encumber, or attempt to sell, assign, transfer any interest, or in any way encumber in whole or in part, which he holds in any contract for the services of such participant without notice to and written consent of such participant and without notice to and written consent of the commission. The commission shall not approve an assignment or transfer of interest to any unlicensed, unnamed person.

(g) All contracts entered into in Florida between a manager and a participant, and all such contracts entered into outside of Florida involving participants and managers licensed by or subsequently licensed by the commission, shall expressly contain all provisions specifically as worded in Form BPR-000908-451, entitled Letter of Agreement Between Participant and Manager, incorporated herein by reference and effective May, 1990, and if they do not, shall be deemed to contain such provisions.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.05, 548.053, 548.054, 548.056, 548.057, 548.058 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.11, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.011, Amended 9-10-95, _____.

61K1-1.012 Participant; License; Conduct and Other Requirements.

(1) No change.

(2) Conduct and Other Requirements.

(a) No change.

(b) A participant, losing by knockout or having been rendered a decision of technical draw as a result of being counted out in any jurisdiction, shall be automatically suspended for a period of time as determined by the physician or commission representative, or 45 ~~60~~ calendar days from the date of the knockout or technical draw, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant.

(c) A participant losing by technical knockout or disqualification shall be automatically suspended for a period of time to be determined by the physician or commission representative, or 45 ~~30~~ calendar days from the date of the

technical knockout, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period without the approval of the physician. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant. In the case of a disqualification, the commission representative shall determine whether a medical clearance shall be required following suspension.

(d) Any participant who has been suspended by any state as a result of a recent knockout or series of consecutive losses, an injury, requirement for a medical procedure, or physician denial of certification, failure of a drug test, or the use of false aliases, or the falsifying or attempting to falsify official identification cards or documents shall not be permitted to participate in this state until such time as the state in which the participant is suspended removes his name from the suspension list or until the requirements of such suspension have been fulfilled and proof of such has been provided to this state. If a participant has been suspended in another state for any reason other than those stated above, the participant may be permitted to participate if the state in which the participant is suspended is notified and consulted with by this state prior to the granting of approval to participate or the participant appeals to the Association of Boxing Commissions (ABC) and the ABC determines that the suspension of such participant was without sufficient grounds, for an improper purpose, or not related to the health and safety of the participant ~~lost six consecutive matches shall be automatically suspended and not be reinstated unless he has been examined and pronounced fit by a physician. In the case of repeated knockouts and severe beatings as determined by the commission, the license of the participant shall be revoked and shall not be reissued or renewed.~~

(e) No change.

(f) The license of any participant shall be revoked and shall not be reinstated, if such participant intentionally strikes, strikes at, or touches in any way or threatens to touch in any way, any official.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.041, 548.045, 548.046, 548.056, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.12, Amended 4-6-89, 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.012, Amended 9-10-95,_____.

(Substantial rewording of Rule 61K1-1.013 follows. See Florida Administrative Code for present text.)

61K1-1.013 Judge; License and Duties.

(1) License.

(a) No person shall act as a judge in a match held in Florida without first having obtained a judge license.

(b) A judge shall not also be licensed as a booking agent, manager, matchmaker, participant, representative of a booking agent, second or trainer.

(c) No judge shall have a financial or pecuniary interest in any participant.

(d) No judge licensed in this state shall act as a judge at any boxing or kickboxing match in a state without a state boxing commission unless the match is supervised by a state boxing commission.

(e) No judge shall also serve as a supervisor or serve on the ratings committee or recommend boxers to the ratings committee for a sanctioning body.

(2) Applications for a professional judge's license will be reviewed, evaluated and processed in the following manner.

(a) No later than 60 days prior to a commission meeting, any person desiring to become licensed for the first time as a professional boxing judge in this state shall submit to the commission the appropriate application using Form BPR-0009-450, effective September, 1997. Included in this application shall be a certification from the executive secretary or the assistant executive secretary attesting that the applicant has completed the unofficial scoring of a minimum of 350 rounds of professional boxing held in this state, has been unofficially judging in this state for a minimum of eighteen months and has been assessed on at least one occasion by each member of the Judges' Advisory Committee. Upon receipt of the application, a copy of the statistical evaluation of the applicant's score cards as compared to licensed professional judges shall be generated and provided to each commissioner with the agenda for the commission meeting along with a copy of the evaluations and recommendations made by the Judges' Advisory Committee and the executive secretary. The commission shall render a decision as to whether or not the application for judge license shall be approved, which decision is solely that of the commission. If a license application is not granted by the commission, the commission shall set forth the reasons for not granting the license. Any person whose application for a judge license has been denied shall not be permitted to reapply for a judge license for a period of six months. Any person whose application for a judge license has been denied on three occasions shall not be permitted to reapply.

(b) At its first meeting after November 1 of each year, the commission shall review the performance of each licensed professional judge in Florida and shall approve or disapprove the application for renewal and establish a ranking for the upcoming calendar year. Any referee who applies to become a judge and who is otherwise qualified, will not be required to meet the experience and evaluation requirements of subparagraph (a) above. If such approval is granted, the applicant will be a judge at a C ranking. A quarterly statistical

report shall be provided to the commission for a period of one year until the commission has the opportunity to evaluate the performance of such official at its annual officials evaluation meeting.

(c) At its first meeting after November 1 each year, the commission shall designate the rankings of all judges in accordance with (3) below.

(d) The commission shall limit to three the number of unofficial judges at each event. The commission will make arrangements for unofficial judges to enter the premises of the program of matches free of charge and have an appropriate seat from which to judge the contests, provided however that in the case of television and such other events which by their nature severely limit ringside access, permission to sit and judge at ringside will not be authorized. In the case that the event is sold out, authorization will not be granted to attend the event free of charge. Travel and other expenses of the unofficial judge shall be borne solely by the unofficial judge. Unofficial judges must present their scorecards to the commission representative prior to the announcement of the result by the announcer and all contests within one program of matches must be judged by the unofficial judge in order for any contest within that program of matches to be included in the judge's statistical record.

(3) The ranking system for judges is as follows:

(a) Licensed judges will be ranked at three levels, A, B, and C:

(b) All judges entering the system for the first time from unofficial status and any judge who did not score a minimum of 200 rounds at the time of annual ranking will be ranked at the C level;

(c) As a judge progresses, has been exposed to a variety of situations and has shown, based on statistics garnered from the computerized judges' rating program and personal observation, that the judge can successfully interpret these situations, the judge will be elevated to a B ranking. The decision to change ranking is within the exclusive jurisdiction of the commission. The commission will be provided a copy of the computerized ranking report, written reports from each member of the Judges' Advisory Committee and the recommendation of the executive secretary.

(d) When a judge has shown, based on statistics garnered from the computerized judges' rating program and personal observation, to be outstanding in correctly assessing a large variety of complex situations and has judged a minimum of 1,000 rounds over a period of not less than four years, the judge will be elevated to an A ranking. The decision to change ranking is within the exclusive jurisdiction of the commission. The commission will be provided a copy of the computerized rating report, written reports from each member of the Judges' Advisory Committee and the recommendation of the executive secretary.

(4) Evaluation of a judge's performance will be based on statistics garnered from the computerized judges' rating program, the reports provided by the Judges' Advisory Committee and the recommendation of the executive secretary. Ranking of judges will be based on the following criteria:

(a) A statistical score number which shall provide for equal weight of the percentages of even rounds scored, rounds scored different from the majority and decisions scored different from the majority, and which shall be expressed as (percentage of even rounds scored + percentage of rounds scored different from the majority + percentage of decisions scored different from the majority)/3, shall be assigned to each judge. In order to be considered for an A ranking, the statistical score number as evidenced by the judges' statistical report must be less than 5.0 based on a minimum of 200 rounds scored for a 12 month period. In order to be considered for a B ranking, the statistical score number as evidenced by the judges' statistical report must be less than 7.0 based on a minimum of 200 rounds scored for a 12 month period. In order to be considered for a C ranking, the statistical score number as evidenced by the judges' statistical report must be less than 10.0 based on a minimum of 200 rounds scored for a 12 month period. A statistical score number equal to or greater than 10.0 shall be grounds for removal of a judge from rotation by the commission;

(b) A recommendation will be made by the Judges' Advisory Committee relative to the degree of skill exhibited as determined by the personal observation of each member of the Judges' Advisory Committee and shall include:

1. Ability to score correctly round by round in a variety of complex situation;

2. Ability to score knockdown rounds correctly;

3. Ability to correctly interpret rules as they relate to judges and judging.

(c) A recommendation will be given for each judge by the executive secretary which will include:

1. Willingness to accept assignments regardless of whether championship fights are involved or where the event is to take place;

2. On-time attendance at events; and

3. Such other information as reflects on the judge's ability to work with other officials and commission employees.

(5) Judges will be assigned by the Executive Secretary to matches based on the following protocol:

(a) Judges with an A ranking will be assigned to major championship matches and any other matches and every effort shall be made to assign annually a minimum of 250 rounds to each A ranked judge. Judges with an A or B ranking will be assigned to lesser championship matches, other significant 10 round matches and any other matches and every effort will be made to assign annually a minimum of 200 rounds to each B

ranked judge. Judges with a C rating will be assigned to 4, 6, and 8 round matches although they will also be assigned to judge other matches as needed.

(b) When a sanctioning body desires to sanction a title fight in this state, the Executive Secretary shall select one judge from judges currently holding an A ranking in Florida and the names of the other two judges may be submitted to the Executive Secretary by the sanctioning body for consideration and approval or disapproval. Such approval or disapproval will be determined after the executive secretary has conducted a search for information regarding the proposed judges. In the event that the substitution of a judge is proposed by the sanctioning body with insufficient time to conduct the necessary background research, a Florida judge shall be appointed to judge in his place.

(c) Judges shall not request a particular assignment. Any judge who requests an assignment will not be assigned for a period of two months. However, judges are encouraged to advise the commission office of their availability and personal schedule so that this can be taken into consideration when making assignments. Information received relative to availability and personal schedule after assignments have been made will not be considered to have been made timely and will subject the judge to loss of place in the rotation.

(d) Judges on the advisory committee shall be assigned so that each has the opportunity to participate with and observe judges throughout the state. The commission shall pay for travel expenses incurred by judges traveling in connection with their duties related to the advisory committee.

(e) Assignments will be made on a rotation basis taking into consideration (a) and (b) above. Judges who miss their assigned rotation may not be assigned again until their normal spot in the rotation recurs.

(6) The Judges' Advisory Committee is created to provide for an expert panel to advise the commission, executive secretary and assistant executive secretary regarding matters relating to judges and judging.

(a) The committee shall be comprised of five (5) members who shall be selected by the commission. In order to be appointed to the Judges' Advisory Committee, a judge must have judged a minimum of 1,000 rounds and been a licensed professional judge for a minimum of 4 years and must be ranked as an A judge. Geographic apportionment is to be considered whenever possible.

(b) No member of the committee shall participate in the assignment of judges to matches.

(7) Duties

(a) The number of judges shall be assigned in accordance with the matrix in section 61K1-1.006 of these rules. In the event that sufficient judges are not available, a referee shall be selected to act as a judge for that specific program of matches.

(b) The judges shall be located in seats designated for them by the commission representative.

(c) No match shall begin or continue unless three judges are in their designated seats.

(d) It shall be the duty of each judge to:

1. Be fully informed of and conversant with the rules, regulations, standards, guidelines and policies of chapter 548, FS, the rules set forth herein with particular attention given to section 61K1-1.035 of these rules;

2. Observe carefully at all times during the match the performance of the participants;

3. Appraise such performance fairly, accurately and expertly using chapter 548, F.S., the rules set forth herein;

4. Inscribe the result of such appraisal after each round on the round score card or match score card, whichever is appropriate, according to the scoring system adopted herein; and

5. Complete and sign the round or match score card and deliver it to the referee at the conclusion of the match.

(e) Judges shall utilize for scoring, Form BPR-0009-459, entitled Round Score Card, incorporated herein by reference and effective May, 1990, and Form BPR-0009-457, entitled Match Score Card, incorporated herein by reference and effective May, 1990.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056, 548.057 FS. History--New 2-7-85, Amended 11-24-85, Formerly 7F-1.13, Amended 4-6-89, 5-13-90, 1-9-91, Formerly 7F-1.013, Amended 9-10-95,_____.

61K1-1.017 Timekeeper or Knockdown Timekeeper; License and Duties.

(1) No change.

(2) Duties, Timekeeper.

(a) The timekeeper shall possess ~~have with him~~ during the performance of assigned his duties a whistle, a bell or gong and a 3-minute stopwatch, ~~which shall be examined and checked as to accuracy for each match by the commission representative.~~

(b) through (1) No change.

(3) Duties, Knockdown Timekeeper.

~~(a) The knockdown timekeeper shall have with him during the performance of his duties a knockdown watch which shall be examined and checked as to accuracy for each match by the commission representative.~~

~~(a)(b)~~ The knockdown timekeeper shall be located adjacent to the timekeeper in a seat designated by the commission representative. No match shall begin or continue unless the knockdown timekeeper is in the his designated seat.

~~(b)(e)~~ The knockdown timekeeper shall count each second for knockdowns by striking the floor of the ring or a suitable wooden striking-board with a substantially constructed hammer or wooden mallet and, by stating in a loud voice, the elapse of each second until such time as the referee has taken over the count, at which time the knockdown timekeeper shall no longer call the count aloud.

~~(c)(d)~~ No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.17, Amended 4-6-89, 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.017, Amended 9-10-95,_____.

61K1-1.018 Second; License and Duties.

(1) No change.

(2) Duties.

(a) Each participant shall be allowed no more than three seconds, one of whom shall be designated the chief second, provided however that in the case of a championship match, each participant shall be allowed no more than four seconds. The chief second shall be in charge of the participant's corner and be responsible for the conduct of all seconds, and shall be held responsible for any violation committed by any second.

(b) through (e) No change.

(f) If any second steps up onto the ring apron enters the ring during any fight period of any match, the participant for whom that second is performing as a second shall be immediately disqualified and the opponent shall be declared the winner by disqualification he shall be immediately ejected by the referee, and the referee shall order the match to continue.

(g) through (h) No change.

(i) No second shall approach any other person and either verbally abuse, harass or threaten, or physically abuse, harass, threaten or touch such person. A second who violates this rule shall be immediately ejected from the premises and shall be automatically suspended until a final determination is made by the commission.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.046, 548.056, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.18, Amended 4-6-89, 1-1-90, 1-9-91, Formerly 7F-1.018, Amended 9-10-95,_____.

61K1-1.019 Referee; License and Duties.

(1) License.

(a) through (d) No change.

(e) ~~No licensed referee licensed in this state shall act as a referee at any boxing or kickboxing match in a state without a state boxing commission unless the match is supervised by a state boxing commission sanctioned by a national or international organization recognized by the commission, or at any boxing or kickboxing match held in this state unless the match is sanctioned by the commission.~~

(f) No referee shall also serve as a supervisor or serve on the ratings committee or recommend boxers to the ratings committee for a sanctioning body.

(2) Applicants for a professional referee's license will be reviewed, evaluated and processed in the following manner:

(a) No later than 60 days prior to a commission meeting, any person desiring to become licensed for the first time as a professional boxing referee, shall submit the appropriate application for license. Included with this application shall be a certification from the referee's advisory committee that each

member has reviewed tapes and has personally observed the applicant and believes the applicant to be proficient and has demonstrated ability to perform as a referee. Assessment of an applicant for referee shall be based on the review of tapes provided and personal observation to ensure that the referee demonstrates the following skills and abilities:

1. Ability to continuously maintain the "four glove" position;

2. Knowledge of what constitutes a knockdown and ability to instantly and accurately determine the difference between a knockdown and slip;

3. Familiarity with the rules such that the recognition and reaction time to enforce each rule is immediate and accurate;

4. Ability to maintain focus on both boxers simultaneously and to handle both boxers when a knockdown occurs;

5. Ability to assess each participants' condition and make critical and timely decisions regarding participant safety;

6. Ability to stay close without interfering with the action;

7. Ability to recognize a clinch and properly separate the participants depending on the specific nature of the clinch and consistently assuring that both participants have taken a step back in preparation to re-start the contest;

8. Ability to appropriately interact with doctors and paramedics and assure that both are in the arena before the contest begins;

9. Ability to identify intentional and unintentional fouls and low blows and to assess penalties or time outs appropriate to each;

10. Ability to correctly administer a count while maintaining control of both participants;

11. Ability to properly deduct points;

12. Ability to maintain focus on the action in the ring while being aware of a corner that desires to stop a contest;

13. Ability to command and maintain control of the contest;

14. Knowledge of all scoring rules as set forth by the commission.

(b) At its next meeting following the timely submittal of the application for license, the commission shall render a decision as to whether or not the license will be granted.

(c) In order to provide for the assessment of referee applicants, the commission shall pay travel expenses for members of the referee advisory committee and the executive and assistant executive secretary to observe the referee in amateur matches, provided however, that adequate notice must be given by the applicant and it must not interfere with the existing schedule of the referee, executive secretary or the assistant executive secretary. Applicants for a referee license will be admitted free of charge to professional boxing venues for the purpose of observing and interacting with licensed referees, provided however, that in the case of television events and such other events which by their nature severely limit

ringside access, permission to sit at ringside will not be authorized. In the case that an event is sold out, authorization will not be granted to attend the event. Travel and other expenses will be borne solely by the applicant.

(d) At its first meeting after November 1 of each year, the commission shall review the performance of each licensed professional referee in this state and shall approve or disapprove applications for renewal.

(e) At its first meeting after November 1 of each year, the commission shall designate the Rankings of all referees in accordance with paragraph (3) below.

(3) The ranking system for referees is as follows:

(a) Licensed referees will be ranked at three levels, A, B, or C.

(b) All referees entering the system for the first time will be ranked at the C level.

(c) As a referee progresses, has been exposed to a variety of situations and has shown the ability to successfully interpret and react to these situations as determined by the Referees' Advisory Committee and the executive secretary, the referee will be recommended for elevation to a B ranking.

(d) When a referee has shown consistently an outstanding ability in correctly assessing and reacting to a large variety of complex situations as determined by the Referees' Advisory Committee and the executive secretary, the referee will be recommended for elevation to an A ranking.

(4) The evaluation of a referee's performance shall be based on the recommendations of the Referees' Advisory Committee and the executive secretary. Ranking of referees will be based on the same criteria as shown in (2)(a)1.-14. above. Additional consideration will be given to:

(a) On-time attendance at events;

(b) Proper attire; and

(c) Acceptance of assignments to participate in training of new referees.

(5) Referees will be assigned to matches based on the following protocol:

(a) Referees with an A ranking will be assigned to major championship matches and any other matches. Referees with an A or B ranking will be assigned to lesser championship matches, other significant 10 round matches and any other matches. Referees with a C ranking will be assigned to 4, 6 and 8 round matches although they will be assigned to referee other matches as needed.

(b) Referees on the Advisory Committee will be assigned and will travel throughout the state in order that they may assess other referees and referee applicants in amateur events.

(c) Referees shall not request a specific assignment. Any person who requests an assignment will not be assigned for a period of two months. However, referees are encouraged to advise the commission office of their schedule so that this can be taken into consideration when making assignments.

Scheduling problems not addressed prior to the making of assignments will not be considered timely notice and the referee may lose a previously earned place in the rotation.

(d) Assignments will be made on a rotation basis taking into consideration (a), (b) and (c) above. Referees who miss their assigned rotation may not be assigned again until their normal spot in the rotation recurs.

(e) When a sanctioning body desires to sanction a title fight in this state, the Executive Secretary shall select the referee from the referees currently holding an A ranking in Florida.

(6) The Referees' Advisory Committee is created to provide for an expert panel to advise the commission, executive secretary, and assistant executive secretary about matters relating to referees and refereeing.

(a) The committee shall be comprised of three (3) members who shall be selected by the commission. Geographic apportionment shall be taken into consideration whenever possible. Each member of the Referees' Advisory Committee must be ranked as an A referee, have refereed a minimum of 700 rounds and have been a licensed referee in the state for a minimum of four years.

(b) Referees on the advisory committee shall be assigned so that each has the opportunity to participate with and observe referees throughout the state. The commission shall pay for travel expenses incurred by the referees traveling in connection with their duties related to the Referees' Advisory Committee.

(c) No member of the committee shall participate in the assignment of referees to matches.

(7)(2) Duties.

(a) The number of referees shall be assigned in accordance with the matrix found at 61K1-1.006 above and each A-referee, in addition to being examined by a physician prior to officiating, shall submit to an annual physical examination to establish his physical fitness. The result of this examination shall be filed with the commission.

(b) No change.

(c) When a participant receives an injury which the referee believes may incapacitate the participant, the referee shall call time out and consult with the physician as to the advisability of allowing the match to continue. No person shall attempt to render aid to or move a participant other than what may be required to move the participant inside the ropes or to remove the mouthpiece of a participant who has been counted out during the course of a match before the physician has examined the participant. However, the referee shall may remove the participant's mouthpiece.

(d) The referee shall have the authority to:

1. Terminate a match at any time when the referee determines he considers that one of the participants has such superior skills or ability as to make such match unreasonably dangerous to the other participant;

2. No change.

3. Terminate a match and disqualify either or both participants if the referee determines he considers that either or both participants are not competing in earnest;

4. Terminate a match if either participant has been injured and is in such condition that to continue the match might subject the participant him to a debilitating or life threatening more serious injury;

5. Temporarily or permanently halt a match if the referee he believes that a significant health hazard exists, when such which hazard could reasonably be anticipated to create a significant danger hazard to the participants or the public; and

6. No change.

~~(e) The referee shall not touch the participants, except for the failure of either or both participants to obey the break command.~~

~~(f) The referee's remarks shall be limited to instructions to the participants and to the chief seconds.~~

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056, 548.057, 548.058 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.19, Amended 4-6-89, 1-1-90, 1-9-91, Formerly 7F-1.019, Amended 9-10-95,_____.

61K1-1.023 Trainer; License and Conduct.

(1) No change.

(2) Conduct.

(a) through (c) No change.

~~(d) If any trainer steps up onto the ring apron enters the corner or the ring during any match, the participant for whom the trainer is performing as a trainer shall be immediately disqualified and the opponent shall be declared the winner by disqualification he shall be immediately ejected by the referee, and the referee shall order the match to continue.~~

(e) No trainer shall approach any other person and either verbally abuse, harass or threaten, or physically abuse, harass, threaten or touch such person. A trainer who violates this rule shall be immediately ejected from the premises and shall be automatically suspended until a final determination is made by the commission.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056 FS. History—New 4-6-89, Amended 1-9-91, Formerly 7F-1.023, Amended 9-10-95,_____.

61K1-1.030 Rounds.

(1) The duration of each round of a match shall be 3 minutes with 1-minute rest intervals between rounds. Women's contests may be scheduled for 2-minute or 3-minute rounds, to be determined by agreement of the participants.

(2) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.057 FS. History—New 4-6-89, Formerly 7F-1.030, Amended _____.

61K1-1.035 Scoring System; Scoring, Criteria; Knockdowns, Fouls; Determination of Win or Draw; Decision Final, Exceptions.

(1) Scoring System. Scoring shall be by the “10 point must” system. The winner of any round shall be awarded 10 points. The loser of any round shall be awarded one to nine points. When a round is even, each participant shall be scored 10 points. No score shall be given for any round that is not completed. However, any point deduction occurring during the partial round will be deducted from the final score of the completed rounds.

(2) Scoring, Criteria; Knockdowns, Fouls. The awarding or deducting of points by the judges and referee, the determination as to the occurrence of knockdowns, knockouts and fouls and the procedure to be used following such occurrence shall be accomplished in the following manner and based on the following criteria, which criteria is listed in the order of importance:

(a) The only fair punch is a punch delivered with the padded knuckle part of the glove to the front or side of the head or body above the belt, and the participant who delivers such a punch shall be awarded points in proportion to its damaging effects.

1. A clean knockdown shall be highly scored. A knockdown is scored as soon as it occurs. The participant who takes advantage of the full 9-second count shall be credited with ring generalship that would not be credited to him if he arose immediately and, in a groggy condition, tried to continue. If he arises before the count of nine and handles himself well, either aggressively or defensively after he is on his feet, he shall be credited with ring generalship. If the participant who is down arises during the count, the referee may, if he deems it advisable, step between the participants for such period of time to assure himself that the participant who has just arisen is able to continue. When so assured, he shall, without loss of time, order both participants to proceed with the match. The following shall be used to determine when a knockdown has occurred and the procedure to be followed after a knockdown has occurred:

a. through c. No change.

d. If a participant is knocked down and is down at the time the bell rings to end the round, the ~~knockdown~~ timekeeper shall continue to keep time and the referee shall continue to count. If the downed participant fails to rise before the count of 10, the participant he shall be considered to have been knocked out in the next subsequent round. If the participant rises before the count of 10 and the referee determines that the contest can continue, both participants shall be afforded the full one minute rest period between rounds, beginning when one of

their seconds comes onto the ring apron, regardless of the amount of time used during the knockdown and subsequent counting by the referee. If a participant is knocked down and is down at the time the bell rings in the final round, the ~~knockdown~~ timekeeper shall continue to keep time and the referee shall continue to count. If the downed participant fails to rise before the count of 10, the participant shall be considered to have been knocked out in the final round cease the count and the contest shall be deemed to be concluded.

e. through k. No change.

2. No change.

3. ~~An unintentional foul Except in the case of punching while the opponent is down, a foul, whether intentional or unintentional, may result in a deduction of a point, as determined by the referee. The first offense of punching while down shall result in the deduction of 2 points from the score of the participant who punches his opponent while his opponent is down, unless the first offense, as determined by the referee, is blatant and a clear disregard of the rule. If such determination is made by the referee, the participant committing the foul shall be immediately disqualified and his opponent shall be declared the winner by disqualification. The second offense of punching while down shall result in the disqualification of the participant committing the offense and his opponent shall be declared the winner by disqualification. In the case of all other fouls, the~~ The referee shall determine whether or not a point is to be deducted, using as his criteria the severity of the foul and its effect upon the opponent. When the referee determines that he shall deduct a point from a participant, he shall immediately advise the participants, and judges, and commission representative supervising the event of such action. The referee shall not tolerate continual and repeated commission of fouls by a participant. The referee shall give warning to a participant who continually and repeatedly commits fouls and when, in the opinion of the referee, the participant has displayed persistent disregard for the rule governing the commission of fouls, the referee shall disqualify the participant, terminate the match and provide such findings to the commission for appropriate action. Points for fouls shall only be deducted in the round in which the fouls occurred. A participant shall not be penalized in a subsequent round for fouls that occurred in a previous round. The following actions are considered to be fouls, the committing of which may result in a deduction of points:

a. ~~Major Fouls.~~

(I) through (V) renumbered a. through e. No change.

~~(VI) Striking an opponent who is helpless as a result of punches received and so supported by the ropes that he does not fall;~~

~~f. (VII) No change.~~

~~g. (VIII) No change.~~

~~(IX) Purposely going down without being punched;~~

~~h. (X) No change.~~

~~i. (XI) The deliberate use of the pivot punch or rabbit punch or any punch struck at the back of the neck near the base of the skull and which is not the result of the opponent turning his head to avoid a punch;~~

~~j. (XII) No change.~~

~~k. (XIII) No change.~~

~~l. (XIV) No change.~~

~~m. (XV) No change.~~

~~n. (XVI) No change.~~

~~o. (XVII) No change.~~

~~p. (XVIII) No change.~~

q (XIX) Tripping or stepping on the opponent's foot; or

~~r. (XX) Intentional Spitting out of the mouthpiece or allowing the mouthpiece to fall out of the mouth. Referees shall handle ejection of the mouthpiece in the manner described in s. 61K1-1.009 of these rules.~~

~~b. Minor Fouls.~~

~~Minor fouls include:~~

~~s. (1) No change.~~

~~t. (2) No change.~~

4. Except in the case of biting or punching while the opponent is down, when the referee determines that a participant has intentionally committed a foul, the referee shall deduct one point. Point deductions for intentional fouls shall be accomplished in the same manner as subparagraph 3., above.

a. If an intentional foul causes an injury, and the injury is severe enough to terminate the bout immediately, the participant causing the injury shall lose by disqualification.

b. If an intentional foul causes an injury, and the injury results in the bout being stopped in a subsequent round, the injured participant shall be declared the winner if the injured participant is ahead on a majority of the judges' score cards and if not, the bout will be declared a technical draw.

c. If at any time during the match the referee determines that a participant has bitten an opponent, the match will be halted and that participant shall be disqualified.

d. The first offense of punching while down shall result in the deduction of 2 points from the score of the participant who punches his opponent while his opponent is down, unless the first offense, as determined by the referee, is blatant and a clear disregard of the rule. If such determination is made by the referee, the participant committing the foul shall be immediately disqualified and his opponent shall be declared the winner by disqualification. The second offense of punching while down shall result in the disqualification of the participant committing the offense and his opponent shall be declared the winner by disqualification.

(b) No change.

(c) Consideration shall be given ~~A participant shall be awarded points~~ for sportsmanlike conduct, close adherence to the rules and refraining from taking technical advantage of situations which are unfair to his opponent. Points shall be

deducted from a participant for unsportsmanlike conduct, disregard of the rules and taking technical advantage of situations which are unfair to his opponent;

(d) Consideration Points shall be given for clever defensive work such as avoiding or blocking a punch;

(e) Consideration Points shall be given awarded where ring generalship is conspicuous. Ring generalship includes the ability to:

1. through 4. No change.

(f) No change.

(3) Determination of Win or Draw.

(a) through (c) No change.

~~(d) A participant who is knocked down three times in any one round shall be considered to have lost the match by a technical knockout. If requested by a sanctioning body, this rule shall be waived for a championship fight.~~

~~(d)(e)~~ No change.

~~(e)(f)~~ No change.

~~(f)(g) No participant shall be awarded a match based on an unintentional foul unless the foul was unintentional butting. If a match is temporarily halted because of an unintentional foul, the referee shall determine whether the participant who has been fouled can continue. If the referee determines that the participant can continue, the referee shall order the match to be continued. If the referee determines that the participant is unable to continue the match as a result of an unintentional foul other than for butting, The referee will give the injured participant five (5) minutes in which to recover and continue. If at the end of the five (5) minute recovery period the fouled participant is unable to continue the boxing match, the fouled participant shall be declared the loser by technical knockout. During the five (5) minute recovery period neither participants' seconds may assist the participants in any way. the match shall be terminated, but no decision shall be rendered by the referee, who shall order the purses of both participants withheld. The commission shall then rule as to the disposition of the purses. If a participant is unintentionally butted in a match so that he cannot continue, the referee shall declare the result of the match using the following criteria:~~

1. If the unintentional butt occurs prior to the scoring of the third round and the fouled participant is unable to continue, the result shall be a technical draw;

2. During a four or six round match, if the unintentional butt occurs in any round subsequent to the scoring of the third round or occurs prior to the scoring of third round but the participant is not determined to be unable to continue until after the scoring of the third round, the determination of win, loss or draw shall be based upon the score cards of the judges;

3. During an eight round match, if the unintentional butt occurs in any round subsequent to the scoring of the fourth round or occurs prior to the scoring of fourth round but the

participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges;

4. During a ten round match, if the unintentional butt occurs in any round subsequent to the scoring of the ~~fourth~~ ~~fifth~~ round or occurs prior to the scoring of ~~fourth~~ ~~fifth~~ round but the participant is not determined to be unable to continue until after the scoring of the ~~fourth~~ ~~fifth~~ round, the determination of win, loss or draw shall be based upon the score cards of the judges;

5. During a twelve round match, if the unintentional ~~foul~~ ~~butt~~ occurs in any round subsequent to the scoring of the ~~fourth~~ ~~sixth~~ round or occurs prior to the scoring of ~~fourth~~ ~~sixth~~ round but the participant is not determined to be unable to continue until after the scoring of the ~~fourth~~ ~~sixth~~ round, the determination of win, loss or draw shall be based upon the score cards of the judges.

~~(g)(h)~~ No change.

~~(h)(i)~~ No change.

~~(i)(j)~~ No change.

~~(j)(k)~~ No change.

(4) No change.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.054, 548.057, 548.058, 548.071 FS. History—New 4-6-89, Amended 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.035, Amended 9-10-95, _____.

61K1-1.037 Post-Match Physical Requirements; Suspensions.

(1) through (2) No change.

(3) A participant, losing by knockout or having been rendered a decision of technical draw as a result of being counted out in any jurisdiction, shall be automatically suspended for a period of time to be determined by the executive secretary based upon the recommendation of the physician, or ~~45~~ ~~60~~ calendar days from the date of the knockout or technical draw, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant.

(4) A participant losing by technical knockout or disqualification shall be automatically suspended for a period of time to be determined by the executive secretary based upon the recommendation of the physician or ~~45~~ ~~30~~ calendar days from the date of the technical knockout, whichever is longer. A

participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period without the approval of the physician. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant. In the case of disqualification, the commission representative shall determine whether a medical clearance shall be required following suspension.

~~(5) Any participant who has lost six consecutive matches shall be automatically suspended and not be reinstated unless he has been examined and pronounced fit by a physician. In the case of repeated knockouts and severe beatings, the license of the participant shall be revoked and shall not be reissued or renewed.~~

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.071 FS. History--New 4-6-89, Amended 1-1-90, Formerly 7F-1.037, Amended 9-10-95,_____.

61K1-1.040 Post-Match Reports Required to be Filed; Penalty for Late Filing.

(1) Within 2 24 hours following the conclusion of a program of matches ~~the match~~, unless otherwise directed by the commission, the promoter shall distribute to the participant's manager and the participant, the participant's share of the purse along with a written statement showing the distribution of the purse, which statement shall include each item of receipt and each expenditure or deduction. The promoter shall retain a copy of this statement, certified by the promoter ~~him~~ to be correct, with receipted vouchers for all expenditures and deductions for a period of 6 months and shall provide such copy to the commission if requested to do so.

(2) No change.

(3) Within 72 hours and 5 days for mailing time following a program of matches held in Florida, the promoter shall file with the commission a written report of gross receipts on Form BPR-000908-453, entitled Post Event Tax Report For Live Event, incorporated herein by reference and effective May, 1993, which form shall be provided by the commission. This form shall be accompanied by a tax payment of 5 percent of the total gross receipts excluding any federal tax or state sales tax, except that the tax payment derived from the gross price charged for the sale or lease of broadcasting, television and motion picture rights shall not exceed \$40,000 for any single program of matches. All ticket stubs and unused tickets or an independently prepared ticket manifest ~~One copy of each type~~

~~of ticket with a different face value used by the promoter shall be retained by the promoter for a period of 6 months and shall be provided to the commission upon request.~~

(4)(a) Failure to file either or both the report and tax payment within the time frame described above ~~72 hours following a program of matches~~ shall result in a daily fine of 10 percent of the amount of the tax payment due or \$25, whichever is greater. If the fine is calculated based upon the 10 percent of the tax payment due, such fine shall not exceed \$5,000. The fine shall begin the day following the end of the timeframe described above ~~72 hour period~~ and shall continue for each day that either or both the report is not filed or the tax payment remains unpaid.

(b) No change.

Specific Authority 548.003 FS. Law Implemented 548.053, 548.06, 548.075 FS. History--New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.040, Amended 9-10-95,_____.

61K1-1.042 Closed Circuit Telecasts; Requirements; Penalty for Late Filing.

(1) No change.

(2) A promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall complete and submit to the commission Form BPR-000908-481, entitled Application For Permit For Closed Circuit Event, incorporated herein by reference and effective September, 1993. A promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall complete and submit to the commission Form BPR-000908-480, entitled Application For Permit For Pay Per View Event, incorporated herein by reference and effective September, 1993. This form shall be submitted prior to the promoter selling or negotiating the sale of rights to broadcast such closed circuit telecast to any person.

(3) through (4) No change.

(5) Unless otherwise directed by the commission, a A promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall file such report within 72 hours following the date of the telecast and the report shall be accompanied by a tax payment of 5 percent of the total gross receipts derived from the sale of tickets excluding federal and state sales tax. If the required report and tax are filed by mail, the promoter shall be allowed an additional 5 days for mailing.

~~(6) A promoter telecasting a closed circuit telecast utilizing a cable system's pay per view facilities, shall file a report within 72 hours following the date of the telecast estimating the number of orders sold. Each cable system operator whose pay-per-view facilities were utilized to telecast a closed circuit program of matches shall, within 30 calendar days following the date of the telecast, file with the~~

commission a report stating the number of orders sold. At such time as all cable systems have filed reports of orders, the commission shall provide a summary report to the promoter. This summary report shall list the name and address of each cable system, the number of orders reported to have been sold and the amount of tax due. The amount of tax shall be 5% of the total gross receipts from the sale of orders excluding state and federal sales tax. Within 15 days following the date of receipt of the summary report by the promoter, the promoter shall pay to the commission the amount of tax due as stated on the summary report. If such payment is made by mail, the promoter shall be allowed an additional 5 days for mailing.

(7)(a) Failure of the promoter to file either or both the report and tax payment within the prescribed timeframe shall result in a daily fine of 10 percent of the amount of the tax payment due or \$25, whichever is greater. If the fine is calculated based upon the 10 percent of the amount of tax due, the fine shall not exceed \$5,000. The fine shall begin the day following the end of the time frame described above 72 hour or 45 day period, whichever is appropriate, and shall continue for each day that either or both the report is not filed or the tax payment remains unpaid.

(b) No change.

Specific Authority 548.003 FS. Law Implemented 548.061 FS. History--New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.042, Amended 9-10-95,_____.

61K1-1.070 Administrative Complaints; ~~Informal Hearing Officer.~~

(1) The executive secretary shall issue or cause to be issued all administrative complaints as the commission so directs, either as the result of official commission action or through specific directive or delegation of authority as provided for in these rules.

(2) The commission shall issue all final orders, provided however that the executive secretary shall be delegated the authority to affix his signature to documents which attest to or represent official commission action.

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006 FS. History--New 4-6-89, Formerly 7F-1.070, Amended 9-10-95.

61K1-1.080 Forms.

The following forms are available from the commission. Their use is optional.

(1) Form BPR-~~000908~~-466, entitled Letter Of Agreement Between Promoter And Participant, incorporated herein and effective August, 1996 ~~May, 1990~~.

(2) Form BPR-~~000908~~-486, entitled Post Event Order Report For Pay Per View Portion Of Closed Circuit Telecast By Cable System Operator, incorporated herein and effective May, 1993.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.05 FS. History--New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.080, Amended 9-10-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
State Athletic Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: State Athletic Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 14, 1997

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE CHAPTER TITLE: Temporary Cash Assistance
RULE CHAPTER NO.: 65A-4

RULE TITLE: Relocation Assistance
RULE NO.: 65A-4.100

PURPOSE AND EFFECT: This rule meets the Section 414.155, F.S., requirements that the department adopt rules regarding relocation plans and restrictions from application for temporary cash assistance. Additionally, the department is adopting rule criteria to fully carry out the statutory requirements of s. 414.155, F.S. The additional criteria are being adopted under the authority of s. 414.45, F.S.

SUMMARY: This proposed rule establishes: responsibilities for administering eligibility for this program; criteria for temporary assistance applications in relation to relocation assistance applications; a definition of domestic violence; criteria as to an acceptable emergency; the limitations on receipt of relocation assistance; and, conditions for conducting hearings.

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: 414.45, 414.155 FS.

LAW IMPLEMENTED: 414.155 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: 2:00 p.m., February 1, 1999

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, Public Assistance Policy, Legal Base/SSI Related Unit, 1317 Winewood Boulevard, Building 3, Room 412B, Tallahassee, Florida 32399-0700

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.100 Relocation Assistance.

(1) The WAGES coalition contract provider will determine the individual's level of financial need for relocation assistance and will advise the department of this level of need. The department will then approve the issuance of the relocation assistance check. The determination of the level of need and the agreement not to apply for temporary cash assistance for six months will be documented on CF-ES 2279, Dec 98 (incorporated by reference). A copy of this form will be provided to the individual.

(2) The approval for relocation assistance requires that the application for temporary cash assistance be withdrawn. The processing standard for relocation assistance is thirty days. Following denial of relocation assistance, when a request for temporary cash assistance is made within 30 days of the request for relocation assistance, the original date of the application will be the date of application for temporary cash assistance. Following denial of the request for relocation assistance and in the absence of agency delay, when the individual does not request temporary cash assistance within thirty day of the original Request for Assistance (RFA), the date of reapplication for temporary cash assistance is the date of the reapplication RFA.

(3) Domestic Violence is defined as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense that results in the physical injury or death of one family or household member by another. There must be a current threat of domestic violence for domestic violence to be considered a necessary reason for relocation.

(4) The following are considered acceptable emergencies: domestic violence; hospitalization or illness documented by a physician licensed under Ch. 458 or 459, F.S., resulting in a significant loss of income or loss of employment; loss of housing; natural disaster resulting in destruction of an assistance group's major property; or other similar situations affecting the individual's employment potential.

(5) An individual is eligible for relocation assistance payments one time in a five year period except that individuals receiving relocation assistance because of domestic violence have no limit on the number of times they can receive this assistance. Relocation assistance does not count toward temporary cash assistance time limitations. Should an individual move to a different service area during a period of prohibition from applying for temporary cash assistance

because of the receipt of relocation assistance, the individual should provide, upon relocation, a copy of form CF-ES 2078, Dec 98 (incorporated by reference) to the originating WAGES coalition contract provider.

(6) Hearings as a result of relocation assistance program decisions will be conducted in accordance with the department's hearings procedures in Ch. 65-2, Part VI, Hearings, F.A.C.

Specific Authority 414.45, 414.155 FS. Law Implemented 414.155 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rodney McInnis, Management Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 1998

DATE NOTICE OF RULE DEVELOPMENT PUBLISHED IN FAW: October 23, 1998

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.:
4-137.010

RULE TITLE:
Holocaust Victims Insurance
Report and Standards of Proof

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. 24, No. 43, October 23, 1998, of the Florida Administrative Weekly:

The following changes are made to address comments received by the public and the Joint Administrative Procedures Committee:

Paragraph (e) is added to subsection (3) of the rule to read as follows:

(3)(e) If an insurer's report to another state regarding unpaid World War II era claims substantially complies with the reporting requirements of section 626.9543, Florida Statutes, and this rule, and a copy of such report is filed with the Department, the report will be accepted as satisfaction of the reporting requirements herein. The Department shall determine whether the report is in substantial compliance with the statute and the rule.

The last sentence in subsection (5) is amended to read as follows:

An insurer which has no information to report may submit its report stating that fact in letter form.