

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

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

RULE TITLES: Database Information, Cost of Publications, Penalties Pertaining to Filing Requirements
 RULE NOS.: 4-127.001, 4-127.002, 4-127.003

PURPOSE AND EFFECT: This rule is being amended to delete the parts, which are obsolete or duplicative.

SUBJECT AREA TO BE ADDRESSED: The methods for determining cost of publication as required by section 624.313(3), F.S.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 119.07(1)(b), 624.307, 624.313(3) FS.

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

TIME AND DATE: 10:00 a.m., April 6, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jamie Payne, Document Processing, Department of Insurance

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)922-3110, ext. 4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-127.001 Database Information.

(1) The cost for the Annual Report of the Department of Insurance, pursuant to 624.313(1), Florida Statutes, is \$30.00. This rule establishes procedures for individuals and entities purchasing certain data contained in the Department's computer database. These data are: the Department's annual report; other special reports; lists; labels; and bar codes.

(2) There will be a special service charge of \$25.00 plus the applicable actual cost of duplication or retrieval, as permitted by Section 119.07(1)(b), Florida Statutes, for lists, mailing labels, additional bar-codes, or any records generated. All insurers, firms, individuals, or other entities requesting the

information described in subsection (1) from the Department's computer database system shall submit their requests in writing to the Bureau of Data Control, Division of Insurer Services, Department of Insurance, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0300.

~~(3)(a) Upon receipt of the request, the Data Collection Section of the Bureau of Data Control will prepare an invoice for the items requested.~~

~~(b) The following costs are applicable:~~

~~1. The cost for the Annual Report of the Department of Insurance is \$30.00.~~

~~2. There will be a special service charge of \$25.00 plus the applicable actual cost of duplication or retrieval, as permitted by Section 119.07(1)(b), Florida Statutes, for lists, mailing labels, additional bar codes, or any records generated.~~

~~(c) The purchaser shall return the original copy of the invoice to: Finance and Accounting, Revenue Processing Section, Bureau of Data Control, Post Office Box 6100, Tallahassee, Florida 32314-6100, along with payment in the appropriate amount. All checks shall be made payable to the Florida Department of Insurance.~~

~~(d) Upon receipt of payment, the items requested will be forwarded to the requesting party.~~

Specific Authority 624.308(1) FS. Law Implemented 119.07(1)(b), 624.307, 624.313(3) FS. History—New 9-29-92, Amended _____.

4-127.002 ~~Cost Bulk Orders~~ of Publications.

(1) The Department shall establish the cost of each publication issued pursuant to Section 624.313, Florida Statutes, which shall include the cost of printing, binding, writing, editing, typesetting, artwork, photography, and other similar activities, involved with the particular publication, plus the cost of packaging and shipping. The procedures in this rule apply to bulk orders of publications issued pursuant to the provisions of Section 624.313, Florida Statutes. A bulk order is defined as 25 or more copies of a publication.

~~(2) This rule applies to all persons or entities wishing to purchase publications in bulk, except for those persons and entities specifically exempted by subsection (3) of Section 624.313, Florida Statutes.~~

~~(3) The Department shall establish the cost of each publication, which shall include the cost of printing, binding, writing, editing, typesetting, artwork, photography, and other similar activities, as appropriate to the particular publication.~~

(4) The purchaser shall place the order with the Bureau of Consumer Outreach and Education, Division of Consumer Services, Department of Insurance, Larson Building, Tallahassee, Florida 32399-0300. The Bureau shall notify the purchaser of the total price, which will include a charge for packaging and shipping. The total price will be based on the current price for the publication ordered and the current cost for packaging and shipping. The purchaser shall send a check for the total amount to the Bureau. Upon receipt of the check,

~~the Department will ship the order to the purchaser. All moneys received from the sale of publications shall be deposited in the Insurance Commissioner's Regulatory Trust Fund.~~

Specific Authority 624.308 FS. Law Implemented 624.307, 624.313(3) FS. History—New 9-29-92, Amended 3-8-94, _____.

4-127.003 Penalties Pertaining to Filing Requirements.

Specific Authority 624.308(1) FS. Law Implemented 624.424(1)(b),(6), 624.307(2) FS. History—New 4-3-94, Repealed _____.

DEPARTMENT OF INSURANCE

RULE TITLE: Title Insurance Rates
 RULE NO.: 4-186.003

AMENDED NOTICE

THIS NOTICE FOR WORKSHOP REPLACES THE NOTICE THAT WAS PUBLISHED LAST WEEK.

PURPOSE AND EFFECT: To decrease title insurance by 9%.
 SUBJECT AREA TO BE ADDRESSED: Actuarial analysis resulting from our data collection for 1994, 1995 and 1996 indicated title insurance rates were 9% too high. Savings for the consumer will result in an average of a \$52 savings in title insurance premiums on each \$100,000 transaction.

SPECIFIC AUTHORITY: 624.308(1), 626.9611, 627.782 FS.
 LAW IMPLEMENTED: 626.9541(1)(h)3.a., 627.777, 617,782, 627.783, 627.7831, 627.7841, 627.7845 FS.

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

TIME AND DATE: 10:00 a.m., March 30, 1999
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: W. M. Senter, Insurer Services, Department of Insurance

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)922-3110, ext. 4214

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-186.003 Title Insurance Rates.

The following are risk rate premiums to be charged by title insurers in this state for the respective types of title insurance contracts. To compute any insurance premium on a fractional thousand of insurance (except as to minimum premiums),

multiply such fractional thousand by the rate per thousand applicable, considering any fraction of \$100.00 as a full \$100.00.

(1) Owner's and Leasehold Rates

(a) The risk premium for original owner's or leasehold insurance shall be:

	Per Thousand	
From \$0 to \$100,000 of liability written	<u>\$ 5.23</u>	\$ 5.75
From \$100,000 to \$1 million, add	<u>\$ 4.55</u>	\$ 5.00
Over \$1 million and up to \$10 million, add	<u>\$ 2.73</u>	\$ 3.00
Over \$10 million, add	<u>\$ 2.05</u>	\$ 2.25
Minimum Premium for all conveyances except multiple conveyances		\$100.00
Minimum Premium for multiple conveyances on the same property (e.g., timesharing)		\$60.00

(b) No change.

(2) Owner's, Mortgage, and Leasehold Reissue Rates.

(a) The reissue risk premium charge for Owner's, Mortgage, and Leasehold Title insurance policies shall be:

	Per Thousand	
Up to \$100,000 of liability written	<u>\$ 3.00</u>	\$ 3.30
Over \$100,000 and up to \$1 million, add	<u>\$ 2.73</u>	\$ 3.00
Over \$1 million and up to \$10 million, add	<u>\$ 1.82</u>	\$ 2.00
Over \$10 million, add	<u>\$ 1.37</u>	\$ 1.50
Minimum Premium		\$100.00

(b) No change.

(c) No change.

(3) No change.

(4) Mortgage Title Insurance Rates.

(a) The risk premium for mortgage title insurance shall be:

	Per Thousand	
From \$0 to \$100,000 of liability written	<u>\$5.23</u>	\$ 5.75
From \$100,000 to \$1 million of liability written, add	<u>\$ 4.55</u>	\$ 5.00
Over \$1 million and up to \$10 million, add	<u>\$ 2.73</u>	\$ 3.00
Over \$10 million, add	<u>\$ 2.05</u>	\$ 2.25
Minimum Premium		\$100.00
Minimum Premium for multiple conveyances on the same property (e.g., timesharing)		\$60.00

(b) No change.

(5) through (13) No change.

Specific Authority 624.308(1), 626.9611, 627.782 FS. Law Implemented 626.9541(1)(h)3.a., 627.777, 627.782, 627.783, 627.7831, 627.7841, 627.7845 FS. History—New 9-17-71, Amended 12-28-73, Repromulgated 12-24-74, Amended 4-12-82, 12-23-82, Formerly 4-21.03, Amended 6-25-86, 2-26-90, 7-26-90, 2-27-91, Formerly 4-21.003, Amended 2-13-95, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE TITLE: Noxious Weed List
 RULE NO.: 5B-57.007

PURPOSE AND EFFECT: The purpose of this rule amendment is to add eleven new plant species to the noxious weed list and to reorganize the list for improved readability. The effect of the amendment will be the restriction of the movement of additional plants considered to be noxious weeds thereby reducing the artificial spread of these species into new areas. This will protect agricultural and native areas from encroachment by these invasive plant species.

SUBJECT AREA TO BE ADDRESSED: The noxious weed list is amended to exclude specific species in the Cuscuta, Orobanche and Prosopis genera instead of listing each noxious weed species individually. Eleven other species are added to the list. None are grown commercially except carrotwood, Cupaniopsis anacardioides, and a period until July 1, 2001 is provided to permit adequate time for nurseries to clear these trees from inventory.

SPECIFIC AUTHORITY: 570.07(13),(23) FS.

LAW IMPLEMENTED: 581.031(4),(5),(6), 581.083, 581.091 FS.

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

TIME AND DATE: 10:00 a.m., March 29, 1999

PLACE: Doyle Conner Building, 1911 S. W. 34 Street, Gainesville, FL 32608

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Constance C. Riherd, Assistant Director, Division of Plant Industry, Department of Agriculture and Consumer Services, Doyle Conner Building, 1911 S. W. 34th Street, Gainesville, Florida 32614-7100, Phone (352)372-3505

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5B-57.007 Noxious Weed List.

(1) Parasitic Weeds.

(a) Aeginetia spp. (Aeginetia).

(b) Alectra spp. (Alectra).

(c) Cuscuta spp. (~~dodders~~), ~~other than the following species:~~ Only the native Florida species are excluded from this list. These include:

1. C. americana.

~~2. C. applanata.~~

~~3. C. approximata.~~

~~4. C. attenuata.~~

~~5. C. boldinghii.~~

~~6. C. brachycalyx.~~

~~7. C. californica.~~

~~8. C. campestris.~~

~~9. C. cassytopides.~~

~~10. C. ceanothii.~~

~~11. C. cepholanthii.~~

~~12. C. compacta.~~

~~13. C. eorythii.~~

~~14. C. cuspidata.~~

~~15. C. decipiens.~~

~~16. C. dentatasquamata.~~

~~17. C. denticulata.~~

~~18. C. epilinum.~~

~~19. C. epithymum.~~

~~20. C. erosa.~~

~~21. C. europaea.~~

~~22. C. exaltata exalt.~~

~~23. C. fasciculata.~~

~~24. C. glabrior.~~

~~25. C. globulosa.~~

~~26. C. glomerata.~~

~~27. C. gronovii.~~

~~28. C. harperia.~~

~~29. C. howelliana.~~

~~30. C. indecora.~~

~~31. C. jepsonii.~~

~~32. C. leptantha.~~

~~33. C. mitriformis.~~

~~34. C. nevadensis.~~

~~35. C. obtusiflora.~~

~~36. C. occidentalis.~~

~~37. C. odontolepis.~~

~~38. C. pentagona.~~

~~39. C. plantiflora.~~

~~40. C. polygonorum.~~

~~41. C. rostrata.~~

~~42. C. runyonii.~~

~~43. C. salina.~~

~~44. C. sandwichiana.~~

~~45. C. squamata.~~

~~46. C. suaveolens.~~

~~47. C. suksdorfii.~~

~~48. C. tuberculata.~~

~~49. C. umbellata.~~

~~50. C. umbrosa.~~

~~51. C. vetchii.~~

~~52. C. warneri.~~

(d) Orobanche spp. (broomrapes), with the exception of: other than the following species:

1. ~~O. bulbosa.~~
2. ~~O. californica.~~
3. ~~O. cooperi.~~
4. ~~O. corymbosa.~~
5. ~~O. dugesii.~~
6. ~~O. fasciculata.~~
7. ~~O. ludoviciana.~~
8. ~~O. multicaulis.~~
9. ~~O. parishii.~~
10. ~~O. pinorum.~~

11. O. uniflora (oneflowered broomrape).
12. O. valida.
13. O. valliscola.

(e) ~~Striga spp. (witchweeds).~~

(2) Terrestrial Weeds.

- (a) Ageratina adenophora (crofton weed).
- (b) Alternanthera sessilis (sessile joyweed).
- (c) Asphodelus fistulosus (onionweed).
- (d) Avena sterilis (including Avena budoviciana)

(animated oat, wild oat).

- (e) Borreria alata (broadleaf buttonweed).
- (f) Carthamus oxyacantha (wild safflower).
- (g) Chrysopogon aciculatus (pilipliuila).
- (h) Commelina benghalensis (Benghal dayflower).
- (i) Crupina vulgaris (common crupina).

(j) Cupaniopsis anacardioides (carrotwood) Propagation prohibited effective 7/1/99; sale or distribution prohibited 1/1/2001.

(k)(j) Digitaria scalarum (African couchgrass, fingergrass).

(l)(k) Digitaria velutina (v)Velvet fingergrass, annual conchgrass).

(m) Dioscorea alata (white yam).

(n) Dioscorea bulbifera (air potato).

(o)(t) Drymaria arenarioides (lightning weed).

(p)(m) Emex australis (three-cornered jack).

(q)(n) Emex spinosa (devil's thorn).

(r)(o) Euphorbia prunifolia (painted euphorbia).

(s)(p) Galega officinalis (goat's rue).

(t)(q) Heracleum mantegazzianum (giant hogweed).

(u)(r) Imperata brasiliensis (Brazilian satintail).

(v)(s) Imperata cylindrica (cogongrass).

(w)(t) Ipomoea triloba (little bell, ~~A~~aiea morning glory).

(x)(u) Ischaemum rugosum (muraingrass).

(y)(v) Leptochloa chinensis (Asian sprangletop).

(z)(w) Lycium ferocissimum (African boxthorn).

(aa) Lygodium japonicum (Japanese climbing fern).

(bb) Lygodium microphyllum (small-leaved climbing fern).

(cc)(x) Melaleuca quinquenervia (melaleuca).

(dd)(y) Melastoma malabathricum (Indian rhododendron).

(ee)(z) Mikania cordata (mile-a-minute).

(ff)(aa) Mikania micrantha (climbing hempweed).

(gg)(bb) Mimosa invisa (giant sensitive plant).

(hh)(cc) Mimosa pigra (catclaw mimosa).¹

(ii)(dd) Nassella trichotoma (serrated tussock).

(jj) Neyraudia reynaudiana (Burma reed).

(kk)(ee) Opuntia aurantiaca (jointed prickly pear).

(ll)(ff) Oryza longistaminata (red rice).

(mm)(gg) Oryza punctata (red rice).

(nn)(hh) Oryza rufipogon (wild red rice).

(oo) Paederia cruddasiana (sewer-vine).

(pp) Paederia foetida (skunk-vine).

(qq)(ii) Paspalum scrobiculatum (Kodomillet).

(rr)(jj) Pennisetum clandestinum (Kikuyu grass).

(ss)(kk) Pennisetum macrourum (African feathergrass).

(tt)(ll) Pennisetum pedicellatum (Kyasuma grass).

(uu)(mm) Pennisetum polystachyon (missiongrass, thin napiergrass).

(vv)(nn) Prosopis spp. ~~alpataeo~~ (mesquite).

(oo) Prosopis argentina (mesquite).

(pp) Prosopis articulata (mesquite).

(qq) Prosopis burkartii (mesquite).

(rr) Prosopis caldenia (mesquite).

(ss) Prosopis calingastana (mesquite).

(tt) Prosopis campestris (mesquite).

(uu) Prosopis castellanosi (mesquite).

(vv) Prosopis denudans (mesquite).

(ww) Prosopis elata (mesquite).

(xx) Prosopis faretta (mesquite).

(yy) Prosopis ferox (mesquite).

(zz) Prosopis fiebrigii (mesquite).

(aaa) Prosopis hassleri (mesquite).

(bbb) Prosopis humilis (mesquite).

(ccc) Prosopis kuntzei (mesquite).

(ddd) Prosopis pallida (mesquite).

(eee) Prosopis palmeri (mesquite).

(fff) Prosopis reptans (mesquite).

(ggg) Prosopis rojasiana (mesquite).

(hhh) Prosopis ruizlealii (mesquite).

(iii) Prosopis ruscifolia (mesquite).

(jjj) Prosopis sericantha (mesquite).

(kkk) Prosopis strombulifera (mesquite).

(lll) Prosopis torquata (mesquite).

(ww) Pueraria montana (kudzu).

(xx) Rhodomyrtus tomentosa (downy myrtle).

~~(yy)(mmm)~~ Rottboellia cochinchinensis ~~exaltata~~ (itchgrass; ~~raoulgrass~~).

~~(zz)(nnn)~~ Rubus fruticosus (bramble blackberry).

~~(aaa)(oo)~~ Rubus moluccanus (wild raspberry).

~~(bbb)(ppp)~~ Saccharum spontaneum (wild sugarcane).

~~(ccc)(qqq)~~ Salsola vermiculata (wormleaf salsola).

~~(ddd)(rrr)~~ Sapium sebiferum (Chinese tallow tree)
(Propagation prohibited effective 7/1/96; sale or distribution prohibited 1/1/98).

~~(eee)(sss)~~ Schinus terebinthifolius (Brazilian pepper-tree).¹

~~(fff)(ttt)~~ Setaria pallidifusca (cattail grass).

~~(ggg)~~ Solanum tampicense (wetland nightshade).

~~(hhh)(uuu)~~ Solanum torvum (turkeyberry).

~~(iii)(vvv)~~ Solanum viarum (tropical soda apple).

~~(jjj)(www)~~ Tridax procumbens (coat buttons).

~~(kkk)(xxx)~~ Urochloa panicoides (liverseed grass).

¹Department of Environmental Protection ~~Natural Resources~~ permit required for these species.

Specific Authority 570.07(13),(23) FS. Law Implemented 581.031(4),(5),(6), 581.083, 581.091 FS. History--New 7-27-93, Amended 2-28-94, 6-30-96.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE: State Diagnostic Laboratories
RULE CHAPTER NO.: 5C-13
RULE TITLES: Schedule of Fees
RULE NO.: 5C-13.004

PURPOSE AND EFFECT: The purpose and effect of these rule changes is to provide changes to offset increasing costs in providing services and to remain consistent with other state and federal laboratory fees, a small increase in fees for selected laboratory system services.

SUBJECT AREA TO BE ADDRESSED: This rule proposes revisions to the Schedule of Fees section.

SPECIFIC AUTHORITY: 585.002(3), 570.07(23) FS.

LAW IMPLEMENTED: 585.61(3),(4) FS.

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

TIME AND DATE: 10:00 a.m., March 26, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, Room 316, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe W. Kight, Assistant Division Director, Division of Animal Industry, 407 S. Calhoun Street, Room 321, Tallahassee, Florida 32399-0800, (850)488-0709, FAX (850)487-3641

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 5C-13.004 follows. See Florida Administrative Code for present text.)

5C-13.004 Schedule of Fees.

(1) Necropsy Fees. Necropsy fees will normally include gross necropsy, histopathological, bacteriological, and parasitological examinations. With the exception of poultry examinations, additional charges will be made on all virological and toxicological examinations deemed necessary by the diagnostic veterinarian in charge of the case.

(a) Mammals.

1. Bovine and Equine

Over 100 lbs \$40.00/animal

Under 100 lbs \$25.00/animal

Fetus \$10.00/animal

2. Porcine:

Over 250 lbs \$40.00/animal

20 - 250 lbs \$25.00/animal

Under 20 lbs \$10.00/animal

Fetus \$10.00/animal

3. Ovine and Caprine:

Over 35 lbs \$35.00/animal

Under 35 lbs \$25.00/animal

Fetus \$10.00/animal

4. Canine and Feline:

Over 20 lbs \$35.00/animal

Under 20 lbs \$25.00/animal

Fetus \$10.00/animal

5. Rodents and Rabbits..... \$20.00/animal

6. Other Mammals

(deer, other exotic species)..... \$35.00/animal

7. Miscellaneous Animals

(alligators, snakes, etc.)..... \$35.00/animal

(b) Avian.

1. Poultry (chickens, turkeys, ducks, geese, and other such domesticated birds which primarily serve man as a source of food, either eggs or meat) and Game Birds (quail, chukkers, pheasants, etc. (includes microbiology)).... \$20.00/submission

2. Companion Birds:

Psittacine (canary, finch, etc.)..... \$12.50/bird

3. Wild Birds:

Waterfowl..... \$10.00/bird

Raptors \$20.00/bird

Small Wild birds (Grackles, etc.)..... \$10.00/bird

4. Ratites:

Birds over 16 weeks of age \$40.00/bird

Birds 8 to 16 weeks of age \$30.00/bird

Birds under 8 weeks of age \$25.00/bird

<u>(2) Bacteriology/Mycology.</u>		<u>Ketone</u>	<u>\$3.00/test</u>
<u>Antibiotic Sensitivity Test.....</u>	<u>\$5.00/bacterium</u>	<u>Lactate Dehydrogenase (LDH)</u>	<u>\$3.00/test</u>
<u>Bacterial/Fungal Culture:</u>		<u>Lipase</u>	<u>\$3.00/test</u>
<u>Food Animal.....</u>	<u>\$1.00/swab/tissue</u>	<u>Magnesium</u>	<u>\$5.00/test</u>
<u>Non-Food Animal:</u>		<u>Occult Blood</u>	<u>\$3.00/test</u>
<u>No Isolates Identified</u>	<u>\$4.00/swab/tissue</u>	<u>PH</u>	<u>\$3.00/test</u>
<u>One – Two Isolates Identified</u>	<u>\$10.00/swab/tissue</u>	<u>Phosphorus</u>	<u>\$5.00/test</u>
<u>Three or More Isolates Identified</u>	<u>\$15.00/swab/tissue</u>	<u>Potassium</u>	<u>\$5.00/test</u>
<u>Campylobacter Veneralis Culture</u>	<u>\$4.00swab/tissue</u>	<u>Proteins.....</u>	<u>\$3.00/test</u>
<u>Campylobacter Jejuni Culture</u>	<u>\$10.00/swab/tissue</u>	<u>SDH.....</u>	<u>\$3.00/test</u>
<u>Contagious Equine Metritis Culture.....</u>	<u>\$10.00/animal</u>	<u>ST (SGOT).....</u>	<u>\$3.00/test</u>
<u>Cytology</u>	<u>\$5.00/test</u>	<u>ALT (SGPT).....</u>	<u>\$3.00/test</u>
<u>Hatchery Air Sample</u>	<u>\$1.00/test</u>	<u>Specific Gravity.....</u>	<u>\$3.00/test</u>
<u>Mycoplasma Culture:</u>		<u>Sodium</u>	<u>\$3.00/test</u>
<u>Food Animal.....</u>	<u>\$1.00/swab/tissue</u>	<u>Thyroid – T4</u>	<u>\$5.00/test</u>
<u>Non-Food Animal</u>	<u>\$6.00/swab/tissue</u>	<u>Urine Sediment Evaluation</u>	<u>\$1.00/test</u>
<u>M. paratuberculosis DNA Probe</u>	<u>\$7.50/test</u>	<u>Zinc Sulfate</u>	<u>\$3.00/test</u>
<u>Mycoplasma gallisepticum</u>		<u>(4) Toxicology.</u>	
<u>Plate</u>	<u>\$0.50/test</u>	<u>Acepromazine.....</u>	<u>\$5.00/test</u>
<u>HI.....</u>	<u>\$1.00/test</u>	<u>Acetylsalicylic Acid</u>	<u>\$5.00/test</u>
<u>(3) Clinical Pathology.</u>		<u>Aflatoxin</u>	<u>\$5.00/sample</u>
<u>Complete Blood Count.....</u>	<u>\$5.00/test</u>	<u>Aldicarb (Temik).....</u>	<u>\$5.00/test</u>
<u>Includes: RBC, WBC, Neutrophils, Lymphocytes,</u>		<u>Aldrin</u>	<u>\$5.00./test</u>
<u>Monocytes, Eosinophils, Basophils, Reticulocytes, PCV,</u>		<u>Alkaloid & Organic Bases Screen.....</u>	<u>\$10.00/sample</u>
<u>Hemoglobin, MCV, and Platelets.</u>		<u>Alkaloid Identification</u>	<u>\$5.00/test</u>
<u>Blood Chemistry Profiles</u>		<u>Amphetamine</u>	<u>\$5.00/test</u>
<u>Avian</u>	<u>\$13.00/profile</u>	<u>Anticoagulant Screen</u>	<u>\$10.00/sample</u>
<u>Equine.....</u>	<u>\$13.00/profile</u>	<u>Anticoagulant Identification.....</u>	<u>\$5.00/test</u>
<u>Ruminant</u>	<u>\$13.00/profile</u>	<u>Arsenic</u>	<u>\$10.00/sample</u>
<u>Small Animal.....</u>	<u>\$13.00/profile</u>	<u>Atrazine</u>	<u>\$5.00/test</u>
<u>Porcine.....</u>	<u>\$13.00/profile</u>	<u>Azinphosmethyl</u>	<u>\$5.00/test</u>
<u>Complete Urinalysis</u>	<u>\$3.00/test</u>	<u>Barbiturates</u>	<u>\$5.00/test</u>
<u>Individual Tests Include:</u>		<u>Banamine.....</u>	<u>\$5.00/test</u>
<u>Albumin.....</u>	<u>\$3.00/test</u>	<u>Bendiocarb (Ficam).....</u>	<u>\$5.00/test</u>
<u>Alkaline Phosphatase</u>	<u>\$3.00/test</u>	<u>Benzocaine</u>	<u>\$5.00/test</u>
<u>Amylase.....</u>	<u>\$3.00/test</u>	<u>Biological Insecticide Test</u>	<u>\$5.00/sample</u>
<u>Bicarb</u>	<u>\$3.00/test</u>	<u>Brodifacoum.....</u>	<u>\$5.00/test</u>
<u>Bilirubin</u>	<u>\$3.00/test</u>	<u>Bromadiolone (Supercaid)</u>	<u>\$5.00/test</u>
<u>BUN</u>	<u>\$3.00/test</u>	<u>Caffeine</u>	<u>\$5.00/test</u>
<u>Calcium</u>	<u>\$3.00/test</u>	<u>Calcium</u>	<u>\$5.00/sample</u>
<u>Chloride.....</u>	<u>\$3.00/test</u>	<u>Cannibis (Marijuana).....</u>	<u>\$5.00/test</u>
<u>Cholesterol</u>	<u>\$3.00/test</u>	<u>Carbaryl (Sevin)</u>	<u>\$5.00/test</u>
<u>Cholinesterase</u>	<u>\$3.00/test</u>	<u>Carbofuran.....</u>	<u>\$5.00/test</u>
<u>Creatinine</u>	<u>\$3.00/test</u>	<u>Chlordane</u>	<u>\$5.00/test</u>
<u>Creatinine Phosphokinase (CPK).....</u>	<u>\$3.00/test</u>	<u>Chlodirazepoxide</u>	<u>\$5.00/test</u>
<u>Gamma-Glutamyl Transferase</u>	<u>\$3.00/test</u>	<u>Chlorophacinone (Caid)</u>	<u>\$5.00/test</u>
<u>Globulin.....</u>	<u>\$3.00/test</u>	<u>Chlorinated Hydrocarbon Insecticide.....</u>	<u>\$5.00/test</u>
<u>Glucose.....</u>	<u>\$3.00/test</u>	<u>Chlorpromazine</u>	<u>\$5.00/test</u>
<u>Hemoglobin</u>	<u>\$3.00/test</u>	<u>Chlorpyrifos</u>	<u>\$5.00/test</u>
<u>Iron</u>	<u>\$3.00/test</u>	<u>Cocaine.....</u>	<u>\$5.00/test</u>

Copper	\$5.00/test
Coumafuryl (Fumarin)	\$5.00/test
Copper	\$5.00/sample
Cyanide	\$5.00/sample
DDD	\$5.00/test
DDE	\$5.00/test
DDT	\$5.00/test
Demeton (Systox)	\$5.00/test
Diazinon	\$5.00/test
Dichlorvos	\$5.00/test
Dieldrin	\$5.00/test
Diphenadione	\$5.00/test
Disulfoton (Di-Syston)	\$5.00/test
Endosulfan (Thiodan)	\$5.00/test
Endrin	\$5.00/test
Ephedrine	\$5.00/test
Equine Drug Screen	\$15.00/sample
Ethylene Glycol	\$5.00/test
Ethion	\$5.00/test
Ethyl Parathion	\$5.00/test
Fenamifos (Nemacur)	\$5.00/test
Fenthion (Spoton)	\$5.00/test
Fibrinogen	\$3.00/test
Fumonisin	\$5.00/sample
Gamma BHC (Lindane)	\$5.00/test
Gossypol	\$10.00/test
Heavy Metal Screen	\$10.00/sample
Heavy Metal Identification	\$5.00/sample
Heptachlor	\$5.00/test
Herbicide Screen	\$10.00/sample
Herbicide Identification	\$5.00/test
Insecticide/Pesticide Screen	\$10.00/sample
Insecticide/Pesticide Identification	\$5.00/test
Lannate	\$5.00/test
Lead	\$5.00/sample
Magnesium	\$5.00/sample
Malathion	\$5.00/test
Meprobamate	\$5.00/test
Mercury	\$10.00/sample
Methamidophos (Monitor)	\$5.00/test
Methyl Parathion	\$5.00/test
Monensin	\$5.00/test
Mycotoxin Screen	\$10.00/sample
Napthalene	\$5.00/test
Nicotine	\$5.00/test
Nitrate/Nitrite	\$5.00/sample
Ochratoxin	\$5.00/sample
Organic Acid/Neutral Compound Screen	\$10.00/test
Oxamyl	\$5.00/test
Paraquat/Diaquat	\$5.00/sample

Parathion	\$5.00/test
Phenolbarbital	\$5.00/test
Phenothiazine	\$5.00/test
Phenylbutazone	\$5.00/test
Phosphorus	\$5.00/sample
Pidone (Pival)	\$5.00/test
Polychlorinated Biphenyls (PCB)	\$5.00/test
Potassium	\$5.00/sample
Pramitol	\$5.00/test
Procaine	\$5.00/test
Promazine	\$5.00/test
Propoxur (Batgon)	\$5.00/test
Pyriminil	\$5.00/test
Quaternary Ammonium Compounds	\$5.00/test
Reinsch Test	\$7.50/test
Ronnel	\$5.00/test
Selenium	\$5.00/test
Silver	\$5.00/test
Strychnine	\$ 5.00/test
Selenium	\$5.00/sample
Sodium	\$5.00/sample
Sulfacetamide	\$5.00/test
Sulfadiazine	\$5.00/test
T-2	\$5.00/sample
Theobromine	\$5.00/test
Toxaphene	\$5.00/test
Urea	\$5.00/sample
Vomitoxin	\$5.00/sample
Warfarin	\$5.00/test
Xylazine	\$5.00/test
Zearalenone	\$5.00/sample
Zinc	\$5.00/sample
(5) Histopathology.	
Cytology	\$10.00/sample
Histopathology:	
One-Three Tissues	\$10.00
Four or more Tissues	\$15.00
Histopathological Slide Furnished	\$7.50/each
(6) Parasitology.	
Acridine Orange Stained Blood Smears:	
Anaplasma Bodies	\$3.00/test
Babesia Bodies	\$3.00/test
Eperythrozoon Bodies	\$3.00/test
Hemobartonella	\$3.00/test
Anaplasmosis CardTest	\$1.50/serum
Avian Parasites (Blood Smears):	
Hemoproteus	\$3.00/sample
Leucocytozoon	\$3.00/sample
Cryptosporidium/Giardia Fluorescent	
Antibody Examination	\$5.00/exam

Fecal Examination	\$2.50/sample
<u>Hemoparasite Examinations:</u>	
Hemobartellona	\$3.00/sample
<u>Microfilaria Testing – Identification:</u>	
Knott’s Test	\$2.50/sample
Occult Heartworm – ELISA Test	\$5.00/sample
Parasite Identification	\$2.00/sample
Rabies – Preparation and Shipment of Head to State Health Department	\$7.50/sample
Skin Scraping	\$2.00/sample
Toxoplasmosis – HI Titer	\$5.00/serum
Trichomonas Culture	\$ 3.00/sample
<u>(7) Serology.</u>	
<u>(a) Bacterial.</u>	
Brucella abortus – Plate/Card	\$0.50/serum
Brucella canis – Agglutination	\$5.00/serum
Leptospirosis MA Test (5 serovars)	\$2.50/serum
Mycoplasma gallisepticum – HI	\$1.00/serum
Mycoplasma gallisepticum – Plate Aggl’n.	\$0.50/serum
Mycoplasma synoviae – HI	\$1.00/serum
Mycoplasma synoviae – Plate Aggl’n	\$0.50/serum
Pullorum-Typhoid – Plate Aggl’n Test	\$0.50/serum
<u>(b) Viral.</u>	
<u>1. Agar Gel Immunodiffusion (AGID)</u>	
Avian Influenza	\$ 3.50/serum
Bluetongue (BT)	\$ 3.50/serum
Bovine Leukosis (BLV)	\$ 3.50/serum
Caprine Arthritis-Encephalitis (CAEV)	\$ 3.50/serum
Epizootic Hemorrhagic Disease (EHD)	\$ 3.50/serum
Equine Infectious Anemia – Coggins	\$ 3.50/serum
Infectious Bursal Disease (IBD)	\$ 3.50/serum
Other AGID Tests	\$ 3.50/serum
<u>2. Serum Neutralization (SN)</u>	
Bovine Respiratory Syncytial Virus	\$ 3.50/serum
Bovine Viral Diarrhea (BVD)	\$ 3.50/serum
Equine Rhinopneumonitis (ERV)	\$ 3.50/serum
Equine Viral Arteritis (EVA)	\$ 3.50/serum
Infectious Bovine Rhinotracheitis (IBR)	\$ 3.50/serum
Bovine Parainfluenza 3 (PI3)	\$ 3.50/serum
Pseudorabies (PRV)	\$ 3.50/serum
Vesicular Stomatitis (VS) Indiana	\$ 3.50/serum
Vesicular Stomatitis (VS) New Jersey	\$ 3.50/serum
Other SN Tests	\$ 3.50/serum
<u>3. Enzyme Linked Immuno Absorbant Assay (ELISA)</u>	
Feline Immunodeficient Virus (FIV)	\$5.00/serum
Feline Leukemia (FELV)	\$5.00/serum

<u>4. Indirect Fluorescent Antibody (IFA)</u>	
Canine Distemper	\$5.00/serum
Canine Ehrlichiosis	\$5.00/serum
Canine Parvovirus	\$5.00/serum
Equine Influenza	\$5.00/serum
Equine Rhinopneumonitis	\$5.00/serum
Feline Infectious Peritonitis (FIP)	\$5.00/serum
Feline Panleukopenia	\$5.00/serum
Lyme Disease	\$5.00/serum
Potomac Horse Fever	\$5.00/serum
Rocky Mountain Spotted Fever (RMSF)	\$5.00/serum
Transmissible Gastroenteritis (TGE)	\$5.00/serum
Ehrlichia Equi	\$5.00/serum
Other IFA Tests	\$5.00/serum
<u>5. Direct Fluorescent Antibody</u>	
Bovine Coronavirus	\$3.00/test
Bovine Parainfluenza Virus	\$3.00/test
Bovine Respiratory Syncytial Virus	\$3.00/test
Bovine Rotovirus	\$3.00/test
Bovine Viral Diarrhea	\$3.00/test
Canine Coronavirus	\$5.00/test
Canine Distemper	\$5.00/test
Canine Parvovirus	\$5.00/test
Equine Rhinotracheitis	\$5.00/test
Feline Infectious Peritonitis	\$5.00/test
Feline Panleukopenia	\$5.00/test
Infectious Bovine Rhinotracheitis	\$3.00/test
Ovine Progressive Pneumonia	\$3.00/test
Porcine Parvovirus	\$3.00/test
Pseudorabies	\$3.00/test
Transmissible Gastroenteritis	\$3.00/test
Other Direct AB Examinations	\$3.00/test
<u>6. Miscellaneous</u>	
Equine Encephalomyelitis HI	\$ 5.00/serum
Newcastle HI	\$ 5.00/serum
<u>(8) Virology.</u>	
Chlamydia Isolation	\$7.50/tissue/swab
Electron Microscope Examination	\$7.50/tissue/swab
Isolate Identification	\$5.00/identification
Giminez Stain for Chlamydia	\$3.00/pooled tissue
Virus Isolation	\$ 7.50/tissue/swab
<u>(9) Miscellaneous.</u>	
Shipments to Other Laboratories	\$3.00/accession
Testing Out-Of-State Samples	\$7.50/test

Specific Authority 585.002(3), 570.07(23) FS. Law Implemented 585.61(3),(4) FS. History–New 12-25-84, Formerly 5C-13.04, Amended 11-27-88, 5-6-93.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Schedule of Fees for Services	5C-24
RULE TITLES:	RULE NOS.:
Definitions	5C-24.001
General Requirements	5C-24.002
Official Certificate of Veterinary Inspection	5C-24.003
Special Event Extension	5C-24.004

PURPOSE AND EFFECT: The purpose and effect of proposed rule 5C-24 is for the Department to partially recover the cost of printing and administrating Official Vet. Certificates (Animal health Certificates) Required for the movement of animals both interstate and intrastate. The Department is required to provide these forms to the Industry and to receive copies and review for correctness to allow the free movement of animals.

SUBJECT AREA TO BE ADDRESSED: This rule proposes a free structure as required by section 585.002(5) as it relates to 585.145(2).

SPECIFIC AUTHORITY: 585.002(4),(5), 585.145(2) FS.

LAW IMPLEMENTED: 94-339, Laws of Florida., 585.002(5), 585.145(2), 828.29(3)(b) FS.

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

TIME AND DATE: 9:00 a.m., March 26, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, 407 S. Calhoun Street, Room 316, Tallahassee, Florida 32399-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe W. Kight, Assistant Director, Division of Animal Industry, 407 S. Calhoun Street, Room 321, Tallahassee, Florida 32399-0800, (850)488-7079, Fax (850)487-3641

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5C-24.001 Definitions.

(1) Accredited Veterinarian. A veterinarian licensed in the state of origin and approved by the Deputy Administrator, United States Department of Agriculture, Animal and Plant Health Inspection Service, to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 CFR 160-162 (1998).

(2) Cattle. Cattle shall include any bull, steer, ox, cow, heifer, calf, or any other bovine animal.

(3) Department. The Florida Department of Agriculture and Consumer Services.

(4) Division. The Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

(5) Domestic Animal. Any equine or bovine animal, goat, sheep, swine, domestic cat, dog, poultry, ostrich, rhea or emu, or other domesticated beast or bird. The term "animal" shall include wild or game animals whenever necessary to effectively control or eradicate dangerous transmissible diseases or pests which threaten the agricultural interests of the state.

(6) Domesticated Fowl. Any member of the Class Aves that is propagated or maintained under control of a person for commercial, exhibition or breeding purposes, or as pets.

(7) Horses. Any horse, mule, ass, zebra or other Equidae.

(8) Licensed Veterinarian. Any veterinarian who has a current license with the Florida Board of Veterinary Medicine.

(9) Livestock. Any grazing animals, such as cattle, horses, sheep, swine, goats, cervidae and other hoofed animals and ratites which are raised for private use or commercial purposes.

(10) National Poultry Improvement Plan (NPIP). A cooperative state-federal-industry program for prevention and control of certain hatchery disseminated diseases and for improvement of poultry and poultry products as provided in 9 CFR 145 and 147 (1998).

(11) Official Certificate of Veterinary Inspection (OCVI). An official form provided by the Division to a licensed and accredited veterinarian for the purpose of certifying the identification, test requirements, and health of specific animals for movement, exhibition, and other designated purposes for the species of animal.

(12) Ratites. Ostriches, emus, and rheas.

(13) Materials: Title 9 CFR 161-162, 145, and 147 (1998) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 585.002(4) FS. Law Implemented 585.002(4) FS. History—New.

5C-24.002 General Requirements.

(1) Forms Provided. The Division of Animal Industry, Department of Agriculture and Consumer Services will provide forms when required by statute or rule for certification of identification, required tests, and health as required for movement, exhibition, and other designated purposes for the species of animal.

(2) Request for Forms. The OCVI will be provided to licensed and accredited veterinarians only, unless otherwise provided in this rule. The forms may be obtained by written request to the Florida Department of Agriculture and Consumer Services, Health Form Request, Post Office Box 6710, Tallahassee, Florida 32314-6710. The form number and name, and the quantity of forms must be included in the written request.

(3) Fees for Forms. A fee will be charged for the forms as provided in the specific section of this rule. The fee must be submitted with the request for forms, as a check or money order made payable to the Florida Department of Agriculture and Consumer Services.

(4) Deposit of Fees. The fees collected shall be deposited in the Department's General Inspection Trust Fund.

Specific Authority 585.002(4),(5) FS. Law Implemented 94-339, Laws of Florida., 585.002(5), 828.29(3)(b) FS. History--New _____.

5C-24.003 Official Certificate of Veterinary Inspection (OCVI).

(1) Horses.

(a) OCVI. The OCVI for horses is the Official Equine Certificate of Veterinary Inspection, DACS 09002 (SN 6001) (10/97).

(b) The fee for the OCVI, DACS 09002 (SN 6001) (10/97) is \$18 per book of 25.

(2) Livestock.

(a) The OCVI for cattle, goats, sheep, swine, cervidae, ratites, and other hoofed animals, excluding horses, is the Official Certificate of Veterinary Inspection, DACS 09001 (SN 6000) (1/98).

(b) The fee for the OCVI, DACS 09001 (SN 6000) (1/98) is \$18 per book of 25.

(3) Domesticated Fowl.

(a) OCVI. The OCVI for domesticated fowl originating from other than NPIP participating flocks, hatcheries or dealers is the Official Certificate of Veterinary Inspection, DACS 09001 (SN 6000) (1/98).

1. The OCVI, DACS 09001 (SN 6000) (1/98) will be provided to licensed and accredited veterinarians.

2. The fee for the OCVI, DACS 09001 (SN 6000) (1/98) is \$18 per book of 25.

(b) NPIP Participating Flocks, Hatcheries, and Dealers. The certification of health status for interstate shipment of flocks, hatcheries, and dealers participating in the NPIP is the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95).

1. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95) will be certified by a Division representative and provided to an NPIP participating flock, hatchery, or dealer.

2. The certification and processing fee for the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95) is \$18 for 25 certified forms.

(c) Official Health Certificate Avian, DACS 09023 (8/95). The Official Health Certificate Avian, DACS 09023 (8/95) is the OCVI for NPIP participating flocks, hatcheries, and dealers which are required by the country or state of destination to provide an OCVI in addition to the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95).

1. The Official Health Certificate Avian, DACS 09023 (8/95) is certified by a Division veterinarian and is provided to the NPIP participating flock, hatchery or dealer.

2. The fee for the Official Health Certificate Avian, DACS 09023 (8/95) is \$35 per 100 certificates.

3. Special Certifications. The fee for individual OCVI including, but not limited to, certificates requiring individual identification numbers of domesticated fowl, vaccination status, or the Florida Department of Agriculture seal, is \$15.00 for each certificate.

(4) Dogs, Cats and Other Non-Livestock Species.

(a) OCVI for Interstate Movement. The OCVI for dogs, cats and other non-livestock species, including but not limited to zoo animals and domesticated non-native wildlife, is the Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-livestock Species, DACS 09086 (SN 6002) (1/98).

(b) OCVI for Sale of Dog or Cat. The OCVI for Sale of Dog or Cat, DACS 09085 (SN 6003) (10/97) must accompany any dog or cat sold, or offered for sale, in the state of Florida.

(c) The fee for the OCVI, DACS 09085 (SN 6003) (10/97) or DACS 09086 (SN 6002) (10/97) is \$18 per package of 25.

(5) Forms. The Official Equine Certificate of Veterinary Inspection, DACS 09002 (SN 6001) (10/97); the Official Certificate of Veterinary Inspection, DACS 09001 (SN 6000) (1/98); the Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-Livestock Species, DACS 09085 (SN 6002) (1/98); the Official Certificate of Veterinary Inspection for Sale of Dog or Cat, DACS 09086 (SN 6003) (10/97); and the Official Health Certificate Avian, DACS 09023 (8/95) are hereby incorporated by reference. Copies may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Room 323, Mayo Building, Tallahassee, Florida 32399-0800. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95) is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 585.002(4),(5), 585.003, 585.08(2)(a), 585.11(1), 585.15, 585.145(2),(3) FS. Law Implemented 585.002(3),(4),(5), 585.08(1),(2), 585.145(1),(2),(3), 585.155, 585.23, 585.50, 585.51, 585.02, 585.15, 585.53, 585.59, 585.68, 585.671, 828.29 FS. History--New _____.

5C-24.004 Special Event Extension.

(1) The non-refundable fee for a special event extension of a Florida OCVI Equine is \$15.00. This fee is due with the written request.

(2) Special event extensions are valid for a maximum period of 6 months.

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented 585.145(2) FS. History--New _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLE: Security Claims
 RULE NO.: 5J-13.004

PURPOSE AND EFFECT: The purpose and effect of this rule change is to define procedures to be utilized when processing consumer claims against a pawnbroker's security.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is Section 539.001, The Florida Pawnbroking Act.

SPECIFIC AUTHORITY: 539.001(22), 570.07(23) FS.

LAW IMPLEMENTED: 539.001(4)(a)2. FS.

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

TIME AND DATE: 10:00 a.m., April 5, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, City Centre Building, 227 N. Bronough Street, Suite 7200, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James R. Kelly, Director, Division of Consumer Services, Mayo Building, Room 235, Tallahassee, Florida 32399-0800, Phone (850)922-2966

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5J-13.004 Security Claims.

For purposes of s. 539.001(4), F.S., relating to the processing of consumer claims against a pawnbroker's security, the Department shall utilize the following procedures:

(1) Any person claiming to be injured by the fraud, misrepresentation, breach of contract, financial failure, or violation of any provision of s. 539.001, F.S., by any pawnbroker may enter a complaint against the pawnbroker to the Department.

(2) Upon the filing of such complaint, the Department shall investigate the matters complained of. If, in the opinion of the Department, the facts contained in the complaint warrant such action, the Department shall send to the pawnbroker in question, by certified mail, notice of the filing of the complaint. Such notice shall inform the pawnbroker to respond in writing to the Department that the allegations in the complaint are admitted or denied or that the complaint has been satisfied. Such notice shall also inform the pawnbroker that the Department intends to make a demand for payment of the security proceeds to the Department if the complaint is not satisfied, and that the pawnbroker has a right to a hearing to contest the security demand in accordance with Chapter 120, F.S.

(3)(a) If the pawnbroker admits the allegations of the complaint, but fails to satisfy the complaint or request a hearing to contest the allegations, the Department shall thereupon order payment to the complainant of the amount owed from the proceeds of any security.

(b) If the pawnbroker denies the allegations of the complaint, but fails to request a hearing to contest the allegations, the Department shall thereupon order payment to the complainant of the amount owed from the proceeds of the pawnbroker's security.

(c) If the pawnbroker requests a hearing to contest the allegations of the complaint, the Department shall process said request in accordance with Chapter 120, F.S.

(4) Upon adjudication of any claims by the Department, the Department shall proceed to pay the adjudicated claims from the proceeds of the pawnbroker's security. In the event the amount of all adjudicated claims exceeds the amount of the security proceeds, the Department shall pay the adjudicated claims on a pro rata basis until the amount of the security proceeds is exhausted. Upon the adjudication by the Department of any subsequent claims, the Department shall proceed to pay those adjudicated claims on a pro rata basis to the extent any security proceeds are available.

(5) In calculating the amount to award in each claim, the Department shall consider the amount financed in the original pawn transaction or any extension thereof, and the extent to which any portion of the amount financed has been repaid by the complainant.

Specific Authority 539.001(22), 570.07(23) FS. Law Implemented 539.001(4)(a)2. FS. History—New

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of this rule development is to review the competencies and skills required for professional teacher certification in Florida. The effect will be that the revised competencies and skills measured on the Florida Teacher Certification Examination may be accessed by professional certification candidates, professors, and other interested individuals.

SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examinations.

SPECIFIC AUTHORITY: 231.17(5)(a) FS.

LAW IMPLEMENTED: 231.17(5)(a) FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 p.m., April 5, 1999

PLACE: 325 West Gaines Street, Room 1724, Tallahassee, Florida 32399-0400

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Thomas Fisher, Assessment and Evaluation Services Section, Bureau of Curriculum, Instruction and Assessment, Department of Education, 325 West Gaines Street, Room 401, Tallahassee, Florida 32399-0400, (850)488-8198

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Incorporation by Reference
RULE CHAPTER NO.: 14-15
RULE TITLE: Toll Facilities Description and Toll Rate Schedule
RULE NO.: 14-15.0081

PURPOSE AND EFFECT: The purpose of this notice of rule development is to inform the public of proposed revisions to the Toll Facilities Description and Toll Rate Schedule required by the implementation of the Department of Transportation's SUNPASS™ toll rate discount program on the Navarre Bridge (SR 399) in Santa Rosa County. Section 1, Chapter 97-280, Laws of Florida, directs the Department to offer a toll discount to frequent users who use SUNPASS™ electronic toll collection on Florida's Turnpike facilities.

SUBJECT AREA TO BE ADDRESSED: The proposed action is being taken to apply the Department's SUNPASS™ toll rate discount to the Navarre Bridge, which links the Mainland with Santa Rosa Island. The Navarre Bridge's existing two-axle vehicle toll discount program will be continued (with the use of a SUNPASS™ transponder). In addition, a toll discount will be provided to all vehicles using SUNPASS™ and meeting the requirements of the SUNPASS™ toll discount program.

SPECIFIC AUTHORITY: 334.044(2) FS.
LAW IMPLEMENTED: 338.222, 338.231, 338.155 FS.
RULE DEVELOPMENT WORKSHOPS:

The Secretary of the Department of Transportation, pursuant to Section 120.54(2)(c), Florida Statutes, has determined that a Toll Rate Rule Development Workshop is not needed. A Toll Rate Rulemaking Public Hearing will be scheduled, noticed and held later this year in Santa Rosa County.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, and February 9, 1999, and _____, 1999, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99,_____.

EXECUTIVE OFFICE OF THE GOVERNOR

RULE TITLE: Certified Capital Company Tax
RULE NO.: (Unassigned)
CREDIT ALLOCATION

PURPOSE AND EFFECT: The purpose of the rule development is to clarify current law.

SUBJECT AREA TO BE ADDRESSED: Clarify the allocation process for the Certified Capital Company Act (CAPCO).

SPECIFIC AUTHORITY: 288.99,(14) FS.
LAW IMPLEMENTED: 288.99 FS.

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

TIME AND DATE: 9:30 a.m., Wednesday, April 7, 1999
PLACE: The Governor's Office, Inspector General's Teleconference Room, The Capitol, Suite 2103, Tallahassee, FL 32399-0001

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Monique H. Cheek, Governor's Office of Tourism, Trade, and Economic Development, the Capitol, Suite 2001, Tallahassee, FL 32399-0001, Telephone (850)922-8742, e-mail: Cheekm@eog.State.fl.us

Any person requiring a special accommodation at this meeting because of a disability should contact The Office of Tourism, Trade and Economic Development, (850)487-2568, at least seven (7) days prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (voice) or 1(800)955-8771(TDD).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: General and Procedural
 RULE CHAPTER NO.: 40E-1

RULE TITLE: Permit Application Processing Fees
 RULE NO.: 40E-1.607

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to increase the District’s existing permit application processing fee structure at the direction of the South Florida Water Management District Governing Board. Specifically, these fees are assessed in order to defray the cost of processing, monitoring, and inspecting for compliance required in connection with consideration of such applications. Additionally, the right of way fee provisions found in Rule 40E-1.607(6), F.A.C. are being transferred to Chapter 40E-6, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development concerns the increase of permit application processing fees for Water Use, Water Well Construction, Environmental Resource, Surface Water Management, Wetland Resource (dredge and fill), Proprietary Authorizations under Ch. 253 and 258, F.S., and Formal Determinations of Wetlands and other Surface Waters. The right of way fee provisions currently in Rule 40E-1.607(6), F.A.C. are being transferred to Chapter 40E-6, F.A.C. and are therefore being deleted from this Rule. Chapter 40E-6, F.A.C. will not be addressed at this time, this section will be addressed under a separate Notice of Rule Development.

SPECIFIC AUTHORITY: 373.109, 373.421(6)(b) FS.

LAW IMPLEMENTED: 373.109, 373.421(6)(b) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

- TIME AND DATE: 10:00 a.m., March 25, 1999
- PLACE: Florida Health and Rehabilitative Services, 1728 N. W. 9th Ave., Okeechobee, FL
- TIME AND DATE: 10:00 a.m., March 30, 1999
- PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL
- TIME AND DATE: 10:00 a.m., April 1, 1999
- PLACE: Osceola County Courthouse, Commission Chambers, 17 South Vernon Avenue, Kissimmee, FL

TIME AND DATE: 10:00 a.m., April 6, 1999
 PLACE: Dade County Cooperative Extension Service Auditorium, 18710 Southwest 288th Street, Homestead, FL

TIME AND DATE: 10:00 a.m., April 8, 1999
 PLACE: Lee County Extension Service, 3406 Palm Beach Blvd., Ft. Myers, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Claudia Kugler, Dir., Business Operations, Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6850 or (561)682-6850 (e-mail ckgugler@sfwmd.gov); or for legal/administrative questions, Julie Jennison, Senior Legal Research Asst., 1(800)432-2045, extension 6294 or (561)682-6294 (e-mail: jjenniss@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 40E-1.607 follows. See Florida Administrative Code for present text).

40E-1.607 Permit Application Processing Fees.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. An application shall not be considered complete until the appropriate application fee is submitted. These fees are assessed in order to defray the cost of evaluating, processing, monitoring, and inspecting for compliance required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure of any person to pay the applicable fees established herein is grounds for the denial of an application. Activities that do not require a permit and are exempt pursuant to Rules 40E-2.051, F.A.C. or 40E-3.051, F.A.C. are not subject to the following permit application fees. The District’s permit application processing fees are as follows:

(1) Water Use Permit Application processing fees are in the following table:

TABLE 40E-1.607(1)
 PERMIT APPLICATION PROCESSING FEES FOR
 WATER USE PERMIT APPLICATIONS
 REVIEWED PURSUANT TO CHAPTERS 40E-2
 AND 40E-20, F.A.C.

Fee amounts shall apply to applications for new permits,
 permit modifications, and permit renewals, except as noted.

<u>Category</u>	<u>Amount</u>
<u>Individual Public Water Supply</u>	
<u>Maximum daily allocation</u>	
<u>Greater than 0.1 million gallons per day (mgd)</u>	
<u>through 1 mgd</u>	<u>\$2700</u>
<u>Greater than 1 mgd through 10 mgd</u>	<u>\$5500</u>
<u>Greater than 10 mgd</u>	<u>\$7000</u>
<hr/>	
<u>Individual Agriculture Irrigation renewal with a duration less than 20 years</u>	<u>\$1000</u>
<hr/>	
<u>Individual Irrigation; except Individual Agriculture Irrigation renewal with a duration less than 20 years</u>	
<u>Maximum daily allocation</u>	
<u>Greater than 0.1 mgd through 1 mgd</u>	<u>\$1000</u>
<u>Greater than 1 mgd through 10 mgd</u>	<u>\$2500</u>
<u>Greater than 10 mgd</u>	<u>\$3500</u>
<hr/>	
<u>Individual Mining (Dewatering)</u>	
<u>Maximum daily allocation</u>	
<u>Greater than 0 mgd through 1 mgd</u>	<u>\$1800</u>
<u>Greater than 1 mgd through 10 mgd</u>	<u>\$3250</u>
<u>Greater than 10 mgd</u>	<u>\$4000</u>
<hr/>	
<u>Individual Industrial</u>	
<u>Maximum daily allocation</u>	
<u>Greater than 0.1 mgd through 1 mgd</u>	<u>\$1400</u>
<u>Greater than 1 mgd through 10 mgd</u>	<u>\$2750</u>
<u>Greater than 10 mgd</u>	<u>\$3500</u>
<hr/>	
<u>General</u>	<u>\$350</u>
<hr/>	
<u>Short-term Dewatering</u>	<u>\$500</u>
<hr/>	
<u>Permit Transfer to Another Entity Pursuant to Rules 40E-1.611 and 40E-2.351, F.A.C.</u>	<u>\$450</u>
<hr/>	
<u>Letter Modification to Individual Permit</u>	<u>no fee</u>
<hr/>	
<u>Letter Modification to General Permit</u>	<u>no fee</u>

(2) Water Well Construction Permit Application processing fees are in the following table:

TABLE 40E-1.607(2)

PERMIT APPLICATION PROCESSING FEES FOR WATER WELL CONSTRUCTION PERMIT APPLICATIONS

REVIEWED PURSUANT TO CHAPTER 40E-3, F.A.C.

<u>Category</u>	<u>Amount</u>
<u>Water Well Construction</u>	<u>\$100</u>
<u>Water Well Abandonment</u>	<u>no fee</u>

(3)(a) Environmental Resource Permit Application processing fees are in the following table:

TABLE 40E-1.607(3)(a)

PERMIT APPLICATION PROCESSING FEES FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS

REVIEWED PURSUANT TO CHAPTERS 40E-4, 40E-40, AND 40E-400, F.A.C.

Fee amounts shall apply to applications for conceptual and construction, or conceptual, or construction, except as noted.

<u>Category</u>	<u>Amount</u>
<u>New Individual Permit, including Mitigation Bank</u>	
<u>Project area less than 100 acres</u>	
<u>Agriculture</u>	<u>\$3050</u>
<u>All others</u>	<u>\$5000</u>
<u>Project area 100 acres to less than 640 acres</u>	
<u>Agriculture</u>	<u>\$4000</u>
<u>All others</u>	<u>\$7500</u>
<u>Project area 640 acres or more</u>	
<u>Agriculture</u>	<u>\$5000</u>
<u>All others</u>	<u>\$10,000</u>
<u>Individual Permit Modification, including Mitigation Bank</u>	
<u>Project area less than 100 acres</u>	<u>\$2050</u>
<u>Agriculture</u>	<u>\$3500</u>
<u>All others</u>	
<u>Project area 100 acres to less than 640 acres</u>	
<u>Agriculture</u>	<u>\$2500</u>
<u>All others</u>	<u>\$5000</u>
<u>Project area 640 acres or more</u>	
<u>Agriculture</u>	<u>\$3500</u>
<u>All others</u>	<u>\$7500</u>
<hr/>	
<u>New Standard General Permit (excluding incidental site activities) pursuant to Section 40E-40.042, F.A.C.</u>	
<u>Agriculture</u>	<u>\$650</u>
<u>All others</u>	<u>\$2000</u>
<hr/>	
<u>Standard General Permit Modification including application for phase construction under a Conceptual Approval</u>	
<u>Agriculture</u>	<u>\$500</u>
<u>All others</u>	<u>\$1000</u>
<hr/>	
<u>Noticed General Permit pursuant to Chapter 40E-400, F.A.C., including aquaculture</u>	<u>\$100</u>
<hr/>	
<u>Single family residential homesite consisting of 10 acres or less in total land area</u>	<u>\$100</u>
<hr/>	
<u>Standard General Permit for incidental site activities pursuant to Section 40E-40.042, F.A.C.</u>	<u>\$500</u>
<hr/>	
<u>Transfer of permit (including Mitigation Bank) to another entity pursuant to sections 40E-1.6107 and 40E-4.351, F.A.C.</u>	<u>\$450</u>
<hr/>	
<u>Variance associated with an environmental resource permit application</u>	
<u>From Rule 40E-4.301(1)(e), F.A.C.</u>	<u>\$100</u>
<u>From other permitting standards, permit conditions, or water quality standards</u>	<u>\$500</u>
<hr/>	
<u>New Individual Operation Permit</u>	<u>\$3500</u>
<hr/>	
<u>Letter Modification</u>	<u>\$100</u>

1. When used in Table 40E-1.607(3)(a), "Agriculture" shall be defined as set forth in Section 570.02, F.S.

2. For permit applications which involve a combination of fee categories, the highest fee that applies shall be charged.

3. Any individual permit application submitted concurrently with a conceptual approval application – where the individual permit application represents a phase of the conceptual approval application – is exempt from the above environmental resource permit fees.

4. For projects grandfathered pursuant to Section 373.414, F.S., the letter modification, conceptual approval, individual or general surface water management permit application fee shall be the same as listed in Table 40E-1.607(3)(a).

(b) Permit application processing fees for projects grandfathered pursuant to Section 373.414, F.S. wetland resource (dredge and fill) are in the following table:

TABLE 40E-1.607(3)(b)
PERMIT APPLICATION PROCESSING FEES FOR
PROJECTS GRANDFATHERED PURSUANT TO
SECTION 373.414, F.S.

WETLAND RESOURCE (DREDGE AND FILL)
PERMIT APPLICATIONS
REVIEWED PURSUANT TO CHAPTERS
40E-4, 40E-40 AND 40E-400, F.A.C.

<u>Category</u>	<u>Amount</u>
<u>Construction projects up to and including 5 years</u>	
<u>Standard form projects including dredge and fill activities that affect 10 or more acres of jurisdictional area, pursuant to Rule 62-312.070(2), F.A.C. (1993)</u>	<u>\$4000</u>
<u>Short form construction projects including dredging and filling activities that affect less than 10 acres of jurisdictional area, pursuant to Rule 62-312.070(2), F.A.C. (1993)</u>	<u>\$500</u>
<u>Short form construction projects involving the construction of new docking or boardwalk facilities, pursuant to Section 62-312.070(2), F.A.C. (1993) that provide:</u>	
<u>0-2 new boat slips</u>	<u>\$300</u>
<u>3-9 new boat slips</u>	<u>\$500</u>
<hr/>	
<u>Dredge and fill construction permits in excess of 5 years</u>	
<u>Short form permits from 6 years up to and including 10 years</u>	<u>\$3000</u>
<u>Standard form permit application processing fee for a construction period of 6 years shall be \$6000 and shall increase by \$1000 for each year beyond 6 years, up through and including 25 years and a corresponding fee of \$25,000</u>	
<u>Variance associated with a wetland resource permit application</u>	
<u>From the prohibition Rule 62-312.080(7), F.A.C.</u>	<u>\$100</u>
<u>From other permitting standards, permit conditions, or water quality standards</u>	<u>\$500</u>
<hr/>	
<u>General Permits</u>	<u>\$100</u>
<hr/>	
<u>Minor modifications of permits that do not require substantial technical evaluation by the District, in conformance with Rules 62-4.050(6) and (7), F.A.C. (1993), do not require a new site inspection by the District, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit:</u>	
<u>Transfer of permits or time extensions</u>	<u>\$50</u>
<u>Minor technical changes</u>	
<u>Existing permit fee is less than \$300, except for modification to permits issued pursuant to Section 403.816, F.S.</u>	<u>\$50</u>
<u>Existing permit fee is equal to or more than \$300</u>	<u>\$250</u>

1. For the purposes of determining the fee for wetland resource management permits, the term of duration for the permit shall be reduced by the period of time (in yearly increments) during which no dredging or filling activity occurs or no reclamation, restoration, or mitigation occurs and only minor monitoring and maintenance activities are required. The fee for the full term shall be submitted with the application. After the District determines the period of time that the term of the permit can be reduced, the excess fee shall be returned.

2. For permit applications which involve a combination of the project fee categories listed above, the highest fee that applies to the appropriate standard form or short form project, pursuant to Section 62-312.070, F.A.C., shall be charged.

3. A single additional fee of \$500 shall be required for projects in which monitoring and evaluation to determine the success of the mitigation will be required beyond the period of time to which the permit fee will ordinarily apply. If it is determined at the time of the permit application that monitoring and evaluation to determine the success of the mitigation will be required beyond the time period to which the permit fee will ordinarily apply, then this single additional fee shall be due when it is determined that this monitoring and evaluation is required.

(4) Application for proprietary authorization under Chapters 253 and 258, F.S., except consent of use authorizations, processing fees are in the following table:

TABLE 40E-1.607(4)
PERMIT APPLICATION PROCESSING FEES FOR PROPRIETARY AUTHORIZATIONS UNDER CHAPTERS 253 AND 258, F.S. EXCEPT CONSENT OF USE AUTHORIZATIONS

<u>Category</u>	<u>Amount</u>
<u>Application</u>	<u>\$200</u>

(5) Petition for Formal Determination of Wetlands and Other Surface Waters processing fees are in the following table:

TABLE 40E-1.607(5)
DETERMINATION PETITION PROCESSING FEES FOR FORMAL DETERMINATION OF WETLANDS AND OTHER SURFACE WATERS

<u>Category</u>	<u>Amount</u>
<u>Property less than or equal to 1 acre</u>	<u>\$250</u>
<u>Property greater than 1 acre but less than or equal to 10 acres</u>	<u>\$550</u>
<u>Property greater than 10 acres but less than or equal to 40 acres</u>	<u>\$750</u>
<u>Property greater than 40 acres but less than or equal to 120 acres</u>	<u>\$1500</u>
<u>Property greater than 120 acres</u>	<u>\$1500</u>
<u>Each additional 100 acres or portion thereof</u>	<u>\$200</u>
<u>Renewal</u>	<u>\$250</u>

(a) For the validation of informal, non-binding wetland determinations pursuant to Section 373.421(6), F.S. the fees shall be the same as formal determinations listed above.

(6) Permit Processing Fee Waiver for Certain Local Governments. Notwithstanding the provisions set forth above in this rule, the District shall waive permit processing fees for permit applications submitted by the governing body of a county with a population of less than 50,000, a municipality with a population of less than 25,000, a county or municipality not included within a metropolitan statistical area, or a third party under contract with such a county or municipality, provided:

(a) The project for which the fee waiver is sought serves a public purpose; and

(b) The governing body submits Form No. 889 certifying that the fee reduction is necessary due to an environmental need for a particular project or activity; or

(c) The governing body submits Certification of Waiver of Permit Application Processing Fee, Form No. 889, certifying that the permit processing fee is a fiscal hardship due to one of the following factors:

1. Per capita taxable value is less than the statewide average for the current fiscal year;

2. Percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year;

3. Any condition specified in Section 218.503, F.S., that determines a state of financial emergency;

4. Ad valorem operating millage rate for the current year is greater than 8 mills; or current fiscal year, which indicates an inability to pay the permit processing fee during that fiscal year.

5. A financial condition is documented in annual statements at the end of the current fiscal year which indicates an inability to pay the permit processing fee during that fiscal year.

Specific Authority 373.109, 373.421(6)(b) FS. Law Implemented 373.109, 373.421(6)(b) FS. History—New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Water Wells
 RULE CHAPTER NO.: 40E-3

RULE TITLE: Content of Application
 RULE NO.: 40E-3.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to make a cross-reference to Rule 40E-1.607, where the subject fees are currently located.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development makes a cross-reference to Rule 40E-1.607, where the subject fees are currently located.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.308, 373.309, 373.313 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m., March 29, 1999

DATE: Florida Health and Rehabilitative Services, 1728 N. W. 9th Ave., Okeechobee, FL

TIME AND DATE: 10:00 a.m., March 30, 1999

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

TIME AND DATE: 10:00 a.m., April 1, 1999

PLACE: Osceola County Courthouse, Commission Chambers, 17 South Vernon Avenue, Kissimmee, FL

TIME AND DATE: 10:00 a.m., April 6, 1999

PLACE: Dade County Cooperative Extension Service Auditorium, 18710 Southwest 288th Street, Homestead, FL

TIME AND DATE: 10:00 a.m., April 8, 1999

PLACE: Lee County Extension Service, 3406 Palm Beach Blvd., Ft. Myers, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Claudia Kugler, Dir., Business Operations, Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6850 or

(561)682-6850; or for legal/administrative questions, Julie Jennison, Senior Legal Research Asst., 1(800)432-2045, extension 6294 or (561)682-6294 (jjenniss@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-3.101 Content of Application.

(1) Permits will only be issued to the owner or his agent on whose property the well is located.

(2) Applications for permits required by this chapter shall be filed with the District. The application shall contain:

(a) Form "0123" Application to the South Florida Water Management District for the construction, repair or abandonment of water wells,

(b) The name, address, telephone number & license number of the licensed contractor who will be constructing the wells,

(c) The name, address and telephone number of the property owner and his agent, if applicable, on whose property the well is to be drilled,

(d) The location of the well (to the nearest one-quarter section, or latitude and longitude to the nearest second, or Florida coordinate system (state planar coordinates) to the nearest one hundred feet, and site map of the well location, depicting land marks and providing a scale,

(e) The expected depth of the well,

(f) The proposed use of the well,

(g) The estimated daily volume of the proposed use,

(h) The specification for well construction including the size(s) of the casing to be used, the proposed construction, repair, or abandonment specifications including casing types, diameters and depths; open hole or screened intervals, sizes and screen openings; and proposed grouting materials;

(i) The proposed method of construction and completion of the well, or the method of plugging and abandoning of the well,

(j) The proposed pump capacity,

(k) The anticipated starting date,

(l) The District water use permit number, if applicable,

(m) A well completion report and log for any hole which becomes a water well.

(3) The application must be signed by the owner and his authorized agent, if applicable. The application must also be signed by a licensed contractor, if applicable under Rule 40E-3.051(3).

(4) The required fee pursuant to ~~Rule 40E-1.607(2) section 40E-3.201~~ shall be submitted with the permit application.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.308, 373.309, 373.313, 373.326, 373.342 FS. History—New 1-1-85, Amended 12-18-89, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Water Wells
 RULE CHAPTER NO.: 40E-3

RULE TITLE: Permit Application Fees
 RULE NO.: 40E-3.201

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to eliminate the listing of specific application fees for water well construction and repair in Rule 40E-3.201, F.A.C. This section is being repealed as these fees are already listed in Rule 40E-1.607, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development repeals Rule 40E-3.201, F.A.C. as this rule has been superseded by Rule 40E-1.607, F.A.C.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.308, 373.309, 373.313 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m., March 29, 1999

PLACE: Florida Health and Rehabilitative Services, 1728 N. W. 9th Ave., Okeechobee, FL

TIME AND DATE: 10:00 a.m., March 30, 1999

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

TIME AND DATE: 10:00 a.m., April 1, 1999

PLACE: Osceola County Courthouse, Commission Chambers, 17 South Vernon Avenue, Kissimmee, FL

TIME AND DATE: 10:00 a.m., April 6, 1999

PLACE: Dade County Cooperative Extension Service Auditorium, 18710 Southwest 288th Street, Homestead, FL

TIME AND DATE: 10:00 a.m., April 8, 1999

PLACE: Lee County Extension Service, 3406 Palm Beach Blvd., Ft. Myers, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Claudia Kugler, Dir., Business Operations, Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6850 or (561)682-6850; or for legal/administrative questions Julie

Jennison, Senior Legal Research Asst., 1(800)432-2045, extension 6294 or (561)682-6294 (e-mail: jjennis@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-3.201 Permit Application Fees.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.109, 373.308, 373.309, 373.313 FS. History—New 1-1-85, Repealed _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE TITLES:	RULE NOS.:
Definitions	59A-23.002
Authorization Procedures	59A-23.003
Quality Assurance	59A-23.004
Medical Records	59A-23.005
Grievance Procedures	59A-23.006
Reporting Requirements	59A-23.008
Employee and Provider Education	59A-23.009

PURPOSE AND EFFECT: The Agency for Health Care Administration (AHCA) is proposing to amend rules 59A-23.002, 59A-23.003, 59A-23.004, 59A-23.005, and 59A-23.006, F.A.C.; and propose rules 59A-23.008 and 59A-23.009, to implement subsection (25) of section 440.134, Florida Statutes. These proposed changes will specify: (a) Procedures for authorization and examination of workers' compensation managed care arrangements by the agency; (b) Requirements and procedures for authorization of workers' compensation arrangement provider networks and procedures for the agency to grant exceptions from accessibility of services; (c) Requirements and procedures for case management, utilization management, and peer review; (d) Requirements and procedures for quality assurance and medical records; (e) Requirements and procedures for dispute resolution; (f) Requirements and procedures for employee and provider education; (g) Requirements and procedures for reporting data regarding grievances, return-to-work outcomes, and provider networks; and (h) clarify workers' compensation managed care arrangement definitions.

SUBJECT AREA TO BE ADDRESSED: Workers' Compensation Managed Care Arrangements.

SPECIFIC AUTHORITY: 440.134(25) FS.

LAW IMPLEMENTED: 440.134 FS.

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

TIME AND DATE: 9:30 a.m. – 12:00 p.m., March 31, 1999
PLACE: Hurston South Tower, 400 West Robinson Street, Suite S-309, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Hilda Bryant, Administrative Assistant I, Bureau of Managed Health Care, Agency for Health Care Administration, (850)922-6481
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Hospice Services
RULE NO.: 59G-4.140

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Hospice Services Coverage and Limitations Handbook, May 1999, and to repeal portions of the rule that are duplicated in the Medicaid handbooks, other Medicaid rules of general applicability, Florida Statutes, or federal regulations. The effect will be to incorporate by reference in the rule the current Florida Medicaid Hospice Services Coverage and Limitations Handbook and to eliminate duplication.

SUBJECT AREA TO BE ADDRESSED: Hospice Services.
SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.9081 FS.

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

TIME AND DATE: 10:00 a.m., Wednesday, March 31, 1999
PLACE: 2728 Ft. Knox Blvd., Building 3, Conference Room H, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Elsa Kellberg, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7353

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of 59G-4.140 follows. See Florida Administrative Code for present text.)

59G-4.140 Hospice Services.

(1) This rule applies to all hospice providers enrolled in the Medicaid program.

(2) All hospice providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospice Services Coverage and Limitations Handbook, May 1999, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, which is incorporated by reference in 59G-4.150. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority ~~409.919 FS. Law Implemented 409.906(42), 409.907(3), 409.908, 409.910, 409.913, 409.9081 FS. History—New 1-1-87, Amended 10-9-90, 5-13-92, 10-8-92, Formerly 10C-7.0533, Amended 2-14-95, 12-27-95, _____.~~

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE CHAPTER TITLE: Reimbursement to Providers
RULE CHAPTER NO.: 59G-6

RULE TITLE: Payment Methodology for Nursing
RULE NO.: 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to provide for the phase-in of a case-mix reimbursement methodology for nursing home services as required by Specific Appropriation 255 of the 1998-99 General Appropriations Act, Chapter 98-46, Laws of Florida. Based on a case-mix index for each facility an additional payment will be calculated and added to the nursing facility’s patient care component of the per diem rate. The effect of the proposed amendment is to provide a detailed methodology for the calculation of the case-mix rate that will be added to the nursing facility’s patient care component of the per diem rate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the development of a case-mix reimbursement methodology.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 9:00 a.m., March 26, 1999
PLACE: 2727 Mahan Drive, Conference Room 2118, Building 3, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Owens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106C, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: RULE NO.:

Application and Examination Fees 61G10-12.001

PURPOSE AND EFFECT: Rule 61G10-12.001 is being amended to improve syntax and adjust the fee schedule for examinations.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 481.207, 481.307 FS.

LAW IMPLEMENTED: 481.207, 481.307 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: James C. Rimes, Executive Director, Board of Landscape Architecture, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G10-12.001 Application and Examination Fees.

(1) No change.

(2) The following is the examination fee schedule for the Landscape Architectural Registration Examination and the Florida Section 8 examination:

(a) If you are a first-time ~~First-time~~ candidates and who elect to take all sections of the examination, your examination fee will be required to pay \$900.00.

(b) If you are a ~~For~~ retake candidates or a first time candidates and who elect to only take only certain sections of ~~the examination~~, your ~~the~~ fee schedule is as follows:

<u>Section A</u>	<u>\$65.00</u>
<u>Section B</u>	<u>\$115.00</u>
<u>Section C</u>	<u>\$230.00</u>
<u>Section D</u>	<u>\$180.00</u>
<u>Section E</u>	<u>\$225.00</u>
<u>Florida Section</u>	<u>\$300.00</u>
Section 1 Legal and Administrative Aspects of Practice	\$70.00
Section 2 Analytical and Technical Aspects of Practice	\$152.00
Section 3 Conceptualization and Communication	\$137.00
Section 4 Design Synthesis	\$133.00
Section 5 Integration of Technical and Design Requirements	\$148.00

~~Section 6 Grading and Drainage~~ \$165.00

~~Section 7 Plant materials and specialized aspects of practice in Florida, including laws and regulations~~ \$300.00

Specific Authority 481.207, 481.307 FS. Law Implemented 481.207, 481.307 FS. History--New 2-4-80, Amended 3-9-84, 7-26-84, Formerly 21K-12.01, Amended 10-7-87, 11-12-89, 3-11-91, Formerly 21K-12.001, Amended 8-7-95, 1-13-99,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: RULE NO.:

Fees 61J1-2.001

PURPOSE AND EFFECT: The purpose and effect is for the Appraisal Board to review the fee rule for possible updating.

SUBJECT AREA TO BE ADDRESSED: The Appraisal Board will review the fee rule to determine if any updates are necessary. Specifically, the Board will review paragraph (14) regarding the fee paid within 180 days of the renewal cycle to determine if changes are needed to accurately reflect the intent of s. 475.615(4).

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 215.34, 215.405, 455.2281, 475.217, 475.6147, 475.615, 475.618, 475.619, 475.630 FS.

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

TIME AND DATE: 9:00 a.m., April 6, 1999

PLACE: Board Conference Room, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-04R

RULE TITLE: RULE NO.:

State Revolving Loan Program for Stormwater Facilities 62-504

PURPOSE AND EFFECT: The purpose of this rule is to identify how loan service fees under the stormwater state revolving fund are established.

SUBJECT AREA TO BE ADDRESSED: Loan service fees established for the stormwater state revolving loan program.

A RULE DEVELOPMENT WORKSHOP AS PREVIOUSLY NOTICED IN THE FLORIDA ADMINISTRATIVE WEEKLY WILL BE HELD AT THE FOLLOWING TIME, DATE AND PLACE:

TIME AND DATE: 1:00 p.m. – 2:30 p.m., March 18, 1999
PLACE: Department of Environmental Protection, 3319 Maguire Boulevard, Conference Room A, Orlando, Florida
SPECIFIC AUTHORITY: 403.1835 FS.

LAW IMPLEMENTED: 403.1835, 403.1836 FS.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Don Berryhill, Bureau of Water Facilities Funding, MS #3505, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Criteria for the Selection of Examiner Consultants
PURPOSE AND EFFECT: Rule 64B2-11.007 is being amended within subsection (1)(a) to modify language and improve syntax.

RULE NO.: 64B2-11.007

SUBJECT AREA TO BE ADDRESSED: Criteria for the Selection of Examiner Consultants.
SPECIFIC AUTHORITY: 460.405, 455.574 FS.
LAW IMPLEMENTED: 455.574(1)(b) FS.

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

TIME AND DATE: 9:00 a.m., March 29, 1999
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-11.007 Criteria for the Selection of Examiner Consultants.

(1) In order to be eligible to act as an examiner consultant for the licensure examination, the prospective examiner must meet the following criteria:

(a) the prospective examiner must have been actively licensed in the State of Florida as a chiropractor for at least five (5) years. five years of continuous practice in the State of Florida as a licensed chiropractor;

(b) through (e) No change.

(2) through (3) No change.

Specific Authority 460.405, 455.574 FS. Law Implemented 455.574(1)(b) FS. History—New 5-10-87, Amended 10-12-87, 2-1-88, Formerly 21D-11.007, Amended 3-7-94, Formerly 61F2-11.007, Amended 2-20-95, Formerly 59N-11.007, Amended 4-22-98,_____.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Criminal Background Check Fee
RULE NO.: 64B2-12.020

PURPOSE AND EFFECT: New Rule 64B2-12.020 is being promulgated to establish a fee of forty-three dollars (\$43.00) for criminal background checks.

SUBJECT AREA TO BE ADDRESSED: Criminal Background Check Fee.

SPECIFIC AUTHORITY: 455.587 FS.

LAW IMPLEMENTED: 460.405 FS.

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

TIME AND DATE: 9:00 a.m., March 29, 1999
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-12.020 Criminal Background Check Fee.

The fee for the criminal background check shall be forty-three dollars (\$43.00).

Specific Authority 455.587 FS. Law Implemented 460.405 FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Continuing Education
RULE NO.: 64B2-13.004

PURPOSE AND EFFECT: The Board proposes to amend the continuing education rule by adding three options for continuing education credit in the area of risk management.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 460.408(3) FS.

LAW IMPLEMENTED: 460.408, 455.564(5), 455.711(10) FS.

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

TIME AND DATE: 9:00 a.m., March 29, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-13.004 Continuing Education.

(1) For the purpose of renewing or reactivating a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education, during all bienniums during which the license was inactive, or for purposes of renewal during the past two years, of which at least one (1) five (5) hours concerned risk management and at least two (2) hours concerned the laws and rules of the board and the regulatory agency under which the Board operates. For the purpose of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing or eliminating identifiable risks. The laws and rules of the Board and the regulatory agency under which the Board operates include Chapters 455, Part II, and 460, Florida Statutes, and Rule Chapter 64B2, Florida Administrative Code.

(2) Only those classroom hours earned at Board approved continuing education programs or under the provisions of this rule will be acceptable.

(3) through (7) No change.

(8) Five hours of continuing chiropractic education in the subject area of risk management may be obtained by attending one full day or eight (8) hours of a board meeting at which disciplinary hearings are conducted by the Board of Chiropractic Medicine in compliance with the following:

1. The licensee must sign in with the Executive Director of the Board before the meeting day begins.
2. The licensee must remain in continuous attendance.
3. The licensee must sign out with the Executive Director of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CE credit in risk management for

attending the board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose.

(9) A member of the Board of Chiropractic Medicine, or a previous member serving in a probable cause panel, may obtain five (5) hours of continuing chiropractic education in the subject area of risk management or attendance at one Board meeting or probable cause panel. The maximum CE hours allowable per biennium under this paragraph shall be ten (10).

(10) In addition to the continuing chiropractic education credits authorized above, any volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 460 shall receive five (5) hours of credit in the area of risk management for each case reviewed up to a maximum of ten (10) hours per biennium. In this regard, volunteer expert witnesses are encouraged to perform a literature survey in conjunction with a review of cases for the Board.

Specific Authority 460.408(3) FS. Law Implemented 460.408, 455.564(5), 455.711(10) FS. History--New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98,

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Solicitation
 RULE NO.: 64B2-15.002

PURPOSE AND EFFECT: The Board proposes to amend the existing rule to define "solicit" and amend the way advertisements are disseminated.

SUBJECT AREA TO BE ADDRESSED: Solicitation.

SPECIFIC AUTHORITY: 460.413(1)(m), 460.405 FS.

LAW IMPLEMENTED: 460.413(1)(m) FS.

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

TIME AND DATE: 9:00 a.m., March 29, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-15.002 Solicitation.

(1) No change.

(2) A chiropractor shall not solicit, in person or otherwise, a prospective patient with whom a chiropractor has no family or prior professional relationship, when a significant motive for such solicitation is the chiropractor's pecuniary gain. A chiropractor shall not permit employees or agents of the chiropractor to solicit in the chiropractor's behalf. A chiropractor shall not enter into an agreement for, charge, or collect a fee for professional services obtained in violation of this rule. The term "solicit" includes contact in person; or by telephone, telegraph, or facsimile, ~~or by other communication directed to a specific recipient and includes any written form of communication directed to a specific recipient.~~

(a) No change.

(b) Written communications to prospective patients for the purpose of obtaining chiropractic services are subject to the following requirements:

1. Each page of such written communication shall be plainly marked "advertisement" ~~in red ink~~, and the lower, left corner of the face of the envelope containing a written communication likewise shall carry a prominent, ~~red~~ "advertisement" mark. If the written communication is in the form of a self-mailing brochure or pamphlet, the "advertisement" mark ~~in red ink~~ shall appear on the address panel of the brochure or pamphlet. Brochures solicited by patients or prospective patients need not contain the "advertisement" mark.

2. through 3. No change.

(3) No change.

Specific Authority 460.413(1)(m), 460.405 FS. Law Implemented 460.413(1)(m) FS. History--New 1-10-80, Formerly 21D-15.02, Amended 6-24-93, Formerly 21D-15.002, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.002, Amended _____.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Chiropractic Physician Candidate Training Program
RULE NO.: 64B2-17.0045

PURPOSE AND EFFECT: The Board proposes to amend the existing rule to modify the definition of a supervisor in the candidate training program.

SUBJECT AREA TO BE ADDRESSED: Chiropractic Physician Candidate Training Program.

SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 460.406 FS.

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

TIME AND DATE: 9:00 a.m., March 29, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-17.0045 Chiropractic Physician Candidate Training Program.

(1) through (2) No change.

(3) ~~A qualified supervisor is a licensed chiropractic physician approved and certified by the Board who has five (5) years' experience in an established practice in this state and no record of an administrative fine or probation within the past five (5) years, has no record of suspension or revocation of his/her license, nor is currently the subject of any professional disciplinary action in Florida or in any other state.~~ Direct supervision means responsible supervision and control by the supervising physician. For the purpose of this rule the supervising physician must be on the clinic premises for consultation and advice when needed and present at all times when chiropractic adjustment or manipulation is rendered by trainee. The supervising chiropractic physician assumes all legal liability for the services rendered by the trainee.

(4) No change.

~~(5) A licensed Florida Chiropractic physician may not serve as the supervising physician for more than one chiropractic physician candidate at a time.~~

~~(5)(6)~~ No change.

~~(6)(7)~~ No change.

~~(7)(8)~~ No change.

~~(8)(9)~~ No change.

~~(9)(10)~~ No change.

Specific Authority 460.405 FS. Law Implemented 460.406 FS. History--New 1-29-90, Amended 7-15-91, 5-19-93, Formerly 21D-17.0045, Amended 1-24-94, Formerly 61F2-17.0045, Amended 7-18-95, 6-11-96, Formerly 59N-17.0045, Amended 6-7-98, 11-4-98, _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Minor Violations; Notices
RULE NO.: 64B18-14.009

PURPOSE AND EFFECT: The Board proposes an amendment to its minor violations rule to address additional violations which are appropriate for notices of noncompliance.

SUBJECT AREA TO BE ADDRESSED: Minor violations.

SPECIFIC AUTHORITY: 455.621, 461.005 FS.

LAW IMPLEMENTED: 455.621 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.009 Minor Violations; Notices of Noncompliance.

(1) Section 455.621(3), F.S., authorizes the Board, when enforcing rules and statutes, to permit the Department to issue a notice of noncompliance for any initial offense which is a minor violation as defined by Board rule. A minor violation under this statute is defined as one which does not endanger public health, safety, or welfare and does not demonstrate a serious inability to practice.

(2) Section 120.695, F.S., authorizes the Board, when enforcing rules, to permit the Department to issue a notice of noncompliance when there is a first time offense that is a minor violation as defined by Board rule. A minor violation is defined as one in which there is no economic or physical harm; no adverse effect to the public health, safety, or welfare; and no significant threat of such harm.

(3) A notice of noncompliance in lieu of other actions is authorized only if the violation is not a repeat violation and only if there is only one violation. If there are multiple violations, then the Department may not issue a notice of noncompliance, but must prosecute the violation under the other provisions of Section 455.621, F.S. There is only one exception to the prohibition against use of a notice of noncompliance when there is more than one violation. A notice of noncompliance may be issued to a registered dispensing practitioner for a first time violation of one or more of the violations listed in subsection (4), paragraphs (f), (g), (l), (m), (n), (o) and (p), if there is not evidence of diversion.

(4) The Board hereby establishes the following as minor violations which the Department may act upon by issuing notices of noncompliance for an initial offense:

(a)~~(1)~~ No change.

(b)~~(2)~~ No change.

(c)~~(3)~~ No change.

(d) Section 893.02, Florida Statutes, which provides that a prescription order for a controlled substance shall not be issued on the same prescription blank with another prescription order for a controlled substance which is named or described in a different schedule, nor shall any prescription order for a

controlled substance be issued on the same prescription blank as a prescription order for a medicinal drug, as defined in Section 465.003(7), Florida Statutes, which does not fall within the definition of a controlled substance as defined in Chapter 893, Florida Statutes.

(e) Failing to maintain records relating to the receipt and disposition of controlled substances, and the required biennial inventory, as provided for in Section 893.07, Florida Statutes. This violation may be resolved by a notice of noncompliance only if the whereabouts of the drugs can be accounted for by other means and there is no evidence of diversion.

(f) Failing to, before dispensing any drug, give the patient a written prescription and orally or in writing advise the patient that the prescription may be filled in the practitioner's office or at any pharmacy, in violation of Section 465.0276(2)(c), Florida Statutes. This applies to dispensing practitioners only.

(g) Dispensing medication without proper labeling, contrary to the provisions of Section 893.05(2), Florida Statutes, and Rule 64B16-28.108, Florida Administrative Code. This applies to dispensing practitioners only.

(h) For a practitioner who is not required to register as a dispensing practitioner, failing to dispense drugs in the manufacturer's labeled package with the practitioner's name, patient's name, and the date dispensed or, if such drugs are not dispensed in the manufacturer's labeled package, failing to dispense the medication in a container which bears the following information: practitioner's name; patient's name; date dispensed; name and strength of the drug; and directions for use, contrary to Section 465.0276, Florida Statutes.

(i) Failing to properly store medications which require refrigeration, contrary to Rule 64B16-28.104, Florida Administrative Code.

(j) Failing to remove outdated medications from stock, contrary to Rule 64B16-28.110, Florida Administrative Code.

(k) Failing to have proper labeling on all stock medications, contrary to Section 499.007(2), Florida Statutes.

(l) Failing to post the generic drug sign, contrary to Section 465.025(7), Florida Statutes. This applies to dispensing practitioners only.

(m) Failing to initial and date all controlled substances dispensed and all refills thereof, contrary to Section 893.04(1)(c)6., Florida Statutes. This applies to dispensing practitioners only.

(n) Filling controlled substance prescriptions which do not have the patient's address on them, contrary to Section 893.04(1)(c)1., Florida Statutes. This applies to dispensing practitioners only.

(o) Filling controlled substance prescriptions which do not have the practitioner's DEA number on them, contrary to Section 893.04(1)(c)2., Florida Statutes. This applies to dispensing practitioners only.

(p) Using a computer system, but failing to maintain a daily hard copy printout of controlled substances initialed and dated by the practitioner and failing to assure that the computer information is readily retrievable, contrary to Rule 64B16-28.119(5), Florida Administrative Code. This applies to dispensing practitioners only.

(q) Failing to maintain records relating to controlled substances in a readily retrievable form, contrary to Section 893.07(4), Florida Statutes, and 21 CFR 1304.04.

(r) Failing to dispense medication in a childproof container, contrary to 16 CFR 1700.14a(10).

(s) Failure to obtain an education course on human immune deficiency syndrome within six (6) months of licensure as required by 455.604, F.S.

(5) Failure of the licensee to take action in correcting the violation within 15 days after notice shall result in the institution of regular disciplinary proceedings. Failure of the licensee to comply with the notice of noncompliance within the time allowed or subsequent violations of a same or similar offense shall result in the issuance of a citation pursuant to 64B18-14.010 or, if the citation is declined or if there is no citation available for the specific violation, shall result in the institution of the regular disciplinary process set forth in s. 455.621, F.S.

~~(4) failure to provide the Board office with a change of address.~~

Specific Authority 455.621 ~~455.627~~, 461.005 FS. Law Implemented 455.621 ~~455.627~~ FS. History--New 4-1-91, Formerly 21T-14.009, 61F12-14.009, Amended 2-25-96, 6-17-97, Formerly 59Z-14.009, Amended _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: RULE NO.:

Continuing Education Programs Not

Requiring Pre-Approval from the Board 64B18-17.003

PURPOSE AND EFFECT: The Board proposes an amendment to the rule to bring the rule into compliance with section 455.604(1), F.S., with regard to course content.

SUBJECT AREA TO BE ADDRESSED: The content of HIV/AIDS courses.

SPECIFIC AUTHORITY: 461.005, 461.007, 455.604(7) FS.

LAW IMPLEMENTED: 467.007, 455.604(1) 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-17.003 Continuing Education Programs Not Requiring Pre-Approval from the Board.

(1) through (3) No change.

(4) HIV/AIDS Educational Course. A podiatrist who attends an HIV/AIDS course that consists of education on the modes of transmission, infection control procedures, treatment, clinical management and prevention of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, with emphasis on appropriate behavior and attitude change, shall be credited with one (1) hour of continuing education credit for each hour of the program up to a maximum of three (3) hours during the biennium. Such course shall also include information on current Florida law and its impact on testing, confidentiality of test results, treatment of patients, and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to ss. 381.004 and 384.25, F.S. A podiatrist who takes advantage of this provision and whose continuing education is audited must provide certification from the provider of the program which specifies the areas covered by the program and which demonstrates that the podiatrist has attended the requisite number of hours thereof.

Specific Authority 461.005, 461.007, 455.654(7) FS. Law Implemented 461.007, 455.654(1) FS. History--New 11-24-80, Formerly 21T-17.03, Amended 10-14-86, 2-22-87, 5-16-89, 6-19-90, Formerly 21T-17.003, Amended 7-6-94, Formerly 61F12-17.003, Amended 12-19-94, 1-1-96, 6-12-96, Formerly 59Z-17.003, Amended _____.

FLORIDA INLAND NAVIGATION DISTRICT

RULE TITLE: RULE NO.:
Funds Allocation 66B-2.005

PURPOSE AND EFFECT: The purpose of the proposed rule development is to revise Form No. 91-25B, Waterways Assistance Program Application Evaluation and Rating Form. The effect of the rule development is to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule section, Funds Allocation.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1) FS.

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

TIME AND DATE: 1:00 p.m., April 13, 1999

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: David K. Roach, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: David K. Roach, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Financial Records and Reports

RULE NO.: 6A-14.072

PURPOSE AND EFFECT: The purpose is to prescribe the data and procedures to be used to maintain financial records in a consistent manner at the 28 community colleges. The effect is to ensure the financial records at the 28 community colleges and data shown on financial reports will be comparable throughout the Community College System.

SUMMARY: The proposed rule amendment requires that records be kept in accordance with the 1998 Accounting Manual for Florida's Public Community Colleges and subsequent amendments thereto.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1), 240.325 FS.

LAW IMPLEMENTED: 240.311, 240.325, 240.347, 240.349, 240.363 FS.

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

TIME AND DATE: 9:00 a.m., April 13, 1999

PLACE: LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sydney H. McKenzie III, General Counsel, State Board of Community Colleges, Division of Community Colleges, 325 West Gaines St., Tallahassee, FL 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.072 Financial Records and Reports.

(1) Each community college shall keep financial records according to the Department of Education publication, "Accounting Manual for Florida's Public Community Colleges, ~~1998~~ 1997," incorporated herein by reference. Copies may be obtained from the Division of Community Colleges, Department of Education, Tallahassee, Florida 32399-0400.

Specific Authority 229.053(1), 240.325 FS. Law Implemented 240.311, 240.325, 240.347, 240.349, 240.363 FS. History—Formerly 6A-8.11, Repromulgated 12-19-74, Amended 12-26-77, 7-2-79, 5-14-85, Formerly 6A-14.72, Amended 11-12-91, 7-7-92, 2-16-94, 12-18-94, 11-27-95, 11-13-96, 12-9-97, _____. c.f. Accounting Manual for Florida's Public Community Colleges.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sydney H. McKenzie III, General Counsel, State Board of Community Colleges

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: J. David Armstrong Jr., Executive Director, Community College System

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 20, 1998

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Water Levels and Rates of Flow

RULE CHAPTER NO.: 40D-8

RULE TITLE: Minimum Flows

RULE NO.: 40D-8.041

PURPOSE AND EFFECT: To adopt a minimum flow for the Lower Hillsborough River pursuant to section 373.042, F.S. (1996 Supp.)

SUMMARY: The proposed rule sets forth that the Minimum Flow for the Lower Hillsborough River shall be 10 cubic feet per second at the base of the City of Tampa's dam, as measured at the Rowlett Park Drive bridge. The proposed rule addresses how and when the Minimum Flow is to be met through December 31, 2007. The Minimum Flow may be re-established based on a study to be conducted by the City and the District. A Minimum Flow shall be established for Sulphur Springs by December 31, 2001.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

1.0 Introduction