

boaters to more easily navigate on the creek, particularly during low water conditions. What effect the changes would have depends on what option is pursued. One option being considered is amending the rule to allow speeds of up to 25 mph on portions of the creek during extreme low water conditions. Comments or suggestions on potential options may be submitted through February 4, 2000, to the address given at the end of this notice.

SUBJECT AREA TO BE ADDRESSED: Manatee protection boat speed zones in the Mullock Creek area.

SPECIFIC AUTHORITY: 370.12(2)(f),(m),(n) FS.

LAW IMPLEMENTED: 370.12(2)(d),(f),(i),(j),(m),(n) 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 IS: Mr. Scott Calleson, Environmental Specialist III, Bureau of Protected Species Management, Fish and Wildlife Conservation Commission (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399, telephone (850)922-4330

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE CHAPTER TITLE: Manatees **RULE CHAPTER NO.:** 68C-22

RULE TITLE: Duval County Zones **RULE NO.:** 68C-22.027

PURPOSE AND EFFECT: The commission is considering whether changes should be made to the rule in light of the local boat speed zones that were adopted by the city of Jacksonville in June 1999. What effect the changes would have depends on what, if any, options are pursued. Comments or suggestions on potential options may be submitted through February 3, 2000, to the address given at the end of this notice.

SUBJECT AREA TO BE ADDRESSED: Manatee protection boat speed zones in Duval County.

SPECIFIC AUTHORITY: 370.12(2)(m) FS.

LAW IMPLEMENTED: 370.12(2)(m) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AS INDICATED BELOW:

TIME AND DATE: 7:00 p.m. – 9:00 p.m., Thursday, February 3, 2000

PLACE: Florida Department of Transportation Training Facility, 2250 Irene Street, Jacksonville, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Scott Calleson, Environmental Specialist III, Bureau of Protected Species Management, Fish and Wildlife Conservation Commission (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399, telephone (850)922-4330

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Phytophagous Snails	5B-43
RULE TITLES:	RULE NOS.:
Interstate Regulations	5B-43.005
Infested and Regulated Areas	5B-43.009
Certificates, Limited Permits, Master Permits, Compliance Agreements: Issuance, Cancellations, Attachment	5B-43.011

PURPOSE AND EFFECT: The purpose of this rule revision is to meet the requirements of Section 120.52(15), F.S., which provides in part that a rule includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule, and to remove unnecessary restrictions on the State of South Carolina in shipping plant material to Florida.

SUMMARY: South Carolina is removed as an infested area, and Forms DACS-08031, DACS-08047, and DACS-08105 are filed by reference in Rules 5B-43.005 and 5B-43.011.

SPECIFIC AUTHORITY: 570.07(23), 581.031(1),(5) FS.

LAW IMPLEMENTED: 581.031(7),(8),(21), 581.101, 581.111 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., February 8, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES 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 32608, Phone (352)372-3505

THE FULL TEXT OF THE PROPOSED RULES IS:

5B-43.005 Interstate Regulations.

The movement of plant-feeding snails, as described in 5B-43.003, or regulated articles into the State of Florida from infested areas is prohibited unless such shipments are made in accordance with the provisions of this rule chapter. Plant-feeding snails may enter the State of Florida for research purposes by prior special permission from the director.

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

(h) Non-commercial shipments of house plants which are part of a passenger's baggage or household effects may enter the state provided each shipment is accompanied by a certificate issued by and bearing the signature of an authorized inspector of the state of origin, certifying that regulated articles contained in the shipment were inspected by an authorized inspector of the state of origin, and found to be free of plant-feeding snails as listed in Rule 5B-43.003. Should the plants originate from a state that does not offer an inspection and certification service for house plants, the owner must be able to furnish the department a Florida address where the plants will be located. This information will enable the department to conduct a follow-up inspection if deemed necessary. If sufficient information is given, the plants will be allowed to proceed. A Report of Non-Certified Plants in Transit From the States of Arizona, California, Oregon, Texas, or Washington, DACS-08105, revised 3/99, shall be completed on each shipment that is allowed entry. Report of Non-Certified Plants in Transit From the States of Arizona, California, Oregon, Texas, or Washington form, DACS-08105, revised 3/99, is supplied by the division for this purpose and is incorporated herein by reference. Copies of DACS-08105, Report of Non-Certified Plants in Transit From the States of Arizona, California, Oregon, Texas, or Washington, may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, Florida 32614-7100.

Specific Authority 570.07(23), 581.031(1),(4),(5) FS. Law Implemented 581.031(20), 581.083 FS. History--New 6-15-81, Amended 8-18-85, 2-10-87, Formerly 5B-43.05, Amended _____.

5B-43.009 Infested and Regulated Areas.

(1) Infested areas. The following states in which plant-feeding snails, as described in 5B-43.003, are known to be established shall be known as infested areas.

- (a) Arizona
- (b) California
- (c) Hawaii
- (d) New Mexico
- (e) Oregon
- ~~(f) South Carolina~~
- ~~(f)(g) Texas~~
- ~~(g)(h) Washington~~

~~(h)(+)~~ Any other state where plant-feeding snails, as described in 5B-43.003, may be determined to be established.

(2) through (4) No change.

Specific Authority 570.07(23), 581.031(1),(5) FS. Law Implemented 581.031(7),(8),(21), 581.101, 581.111 FS. History--New 6-15-81, Amended 8-18-85, 2-10-87, _____.

5B-43.011 Certificates, Limited Permits, Master Permits, Compliance Agreements: Issuance, Cancellations, Attachment.

(1) Issuance of certificates, limited permits, master permits, compliance agreements.

(a) through (b) No change.

(c) Master permits. Master permits, DACS-08047, revised 11/99, incorporated herein by reference, may be issued by the director for the movement of regulated articles from a regulated area. Copies of DACS-08047, Master Permit, may be obtained from the Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100.

(d) Compliance agreement. As a prerequisite to receiving a certificate or limited permit for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, processing, utilizing, treating, or moving regulated articles from a regulated area may be required to sign a compliance agreement, DACS-08031, Revised 5/99, incorporated herein by reference, stipulating that he agrees to carry out all conditions, treatments, precautions, and sanitary measures prescribed by the division. Copies of DACS-08031, Compliance Agreement, may be obtained from the Division of Plant Industry, Post Office Box 147100, Gainesville, Florida 32624-7100.

(2) through (3) No change.

Specific Authority 570.07(23), 581.031(1) FS. Law Implemented 581.031(8),(11),(21), 581.121, 581.131, 581.141 FS. History--New 6-15-81, Amended 8-18-85, 2-10-87, Formerly 5B-43.11, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Constance C. Riherd, Assistant Director, Division of Plant Industry, Department of Agriculture and Consumer Services, P. O. Box 147100, Gainesville, Florida 32614-7100

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Gaskalla, Director, Division of Plant Industry, Department of Agriculture and Consumer Services, P. O. Box 147100, Gainesville, Florida 32614-7100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE TITLE: Commercial Values for Penalty Assessments
 RULE NO.: 5E-1.016

PURPOSE AND EFFECT: The purpose of the rule is to provide the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizer.

SUMMARY: Rule 5E-1.016 updates the most recent market prices of fertilizer components to be used for penalty assessments of deficient fertilizers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was Prepared.

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

SPECIFIC AUTHORITY: 576.181(2), 570.07(23) FS.

LAW IMPLEMENTED: 576.051(2)(7), 576.061, 576.071, 576.181 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., Monday, February 7, 2000

PLACE: Agricultural Environmental Services Conference Room, 3125 Conner Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Steven J. Rutz, Director, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Room 130, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650; telephone (850)488-3731

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-1.016 Commercial Values for Penalty Assessments.

The commercial values used in assessing penalties for plant nutrient deficiencies are determined by the annualized average market prices published by the Chemical Market Reporter Publication (effective 6/8/98), which is hereby incorporated by reference. Commercial Values not provided in Industry Publications will be established thru survey approved by the Fertilizer Technical Council. Copies may be obtained from the Chemical Market Reporter, 307 Southgate Court, Brentwood, TN 37027. This rule shall be reviewed annually.

(1) PRIMARY PLANT NUTRIENTS.

	Guaranteed as	Commercial Values (per unit*)	
		PRESENT	PROPOSED
Total Nitrogen	N	\$4.30	<u>\$4.00</u>
Nitrate Nitrogen	N	4.70	<u>4.54</u>
Ammoniacal Nitrogen	N	4.10	<u>4.15</u>
Water Soluble or Urea Nitrogen	N	4.60	<u>4.45</u>
Slow Release Nitrogen (from other SRN sources)	N	19.00	<u>19.25</u>

Water Insoluble Nitrogen	N	16.85	<u>14.65</u>
Available Phosphorus	P ₂ O ₅	3.45	<u>3.95</u>
Slow Release Phosphate	P ₂ O ₅	25.00	<u>24.00</u>
Potassium (from Muriate)	K ₂ O	2.30	<u>2.27</u>
Slow Release Potassium	K ₂ O	16.00	<u>15.25</u>

Potassium (from any source other than Muriate or a combination of sources)	K ₂ O	4.10	<u>4.40</u>
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(2) SECONDARY PLANT NUTRIENTS.

	Guaranteed as	Commercial Values (per unit*)	
		PRESENT	PROPOSED
Total and water Soluble			
Magnesium (from any source)	Mg	\$6.35	<u>\$6.80</u>
Manganese (from sulfate)	Mn	16.90	<u>16.70</u>
<u>Manganese (from Sucrate)</u>	<u>Mn</u>		<u>11.00</u>
Manganese (from chloride)	Mn	6.10	6.10
Manganese (from oxide)	Mn	7.40	<u>7.55</u>
Manganese (from chelate in group 1**)	Mn	226.00	<u>231.00</u>
Manganese (from chelate in group 2**)	Mn	70.90	70.90
Copper (from sulfate)	Cu	43.00	<u>39.30</u>
Copper (from chloride)	Cu	22.30	<u>22.15</u>
PRESENT PROPOSED			
Copper (from oxide)	Cu	24.15	<u>22.45</u>
Copper (from chelate in group 1**)	Cu	156.00	156.00
Copper (from chelate in group 2**)	Cu	\$113.20	113.20
Zinc (from sulfate)	Zn	16.20	<u>16.34</u>
Zinc (from chloride)	Zn	16.85	<u>18.45</u>
Zinc (from oxide)	Zn	10.70	<u>10.45</u>
Zinc (from chelate in group 1**)	Zn	184.00	184.00
Zinc (from chelate in group 2**)	Zn	65.00	65.00
Iron (from sulfate)	Fe	13.60	<u>12.85</u>
<u>Iron (from sucrate)</u>	<u>Fe</u>		<u>5.80</u>
<u>Iron (from humate)</u>	<u>Fe</u>		<u>18.40</u>
Iron (from oxide)	Fe	4.30	<u>3.95</u>
Iron (from chelate in group 1**)	Fe	290.00	<u>290.35</u>
Iron (from chelate in group 2**)	Fe	88.70	<u>83.00</u>
Aluminum	Al	13.50	<u>13.70</u>
Sulfur (free)	S	2.40	<u>2.45</u>
Sulfur (combined)	S	2.25	<u>2.20</u>
Boron	B	33.80	<u>34.55</u>
Molybdenum	Mo	183.20	<u>189.00</u>
Cobalt	Co	89.90	89.90
Calcium (from any source)	Ca	.55	<u>.59</u>

(3) DOLOMITE and LIMESTONE (when sold as material).

Magnesium	MgCO ₃	.11	<u>.15</u>
Calcium	CaCO ₃	.06	<u>.07</u>

(4) CALCIUM SULFATE (land plaster, gypsum) (when sold as material).

Calcium	CaSO ₄	.40	<u>.30</u>
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*A "Unit" of plant nutrient is one percent (by weight) of a ton or 20 pounds.

**Chelates in "group 1" have aminopolycarboxylic acids, such as EDTA, HEDTA, DTPA and NTA, or related compounds as chelating agents. Chelates in "group 2" have chelating agents other than those in group 1.

Specific Authority 576.181(2), 570.07(23) FS. Law Implemented 576.051(2),(3),(7), 576.061, 576.071, 576.181 FS. History--New 1-23-67, Amended 10-22-68, 11-20-69, 10-22-70, 3-9-74, 6-28-74, 10-25-74, 7-6-76, 7-26-77, 7-22-79, 4-23-80, 10-27-80, 10-18-81, 2-16-84, 12-2-85, Formerly 5E-1.16, Amended 11-16-86, 10-8-87, 9-26-88, 11-19-89, 3-28-91, 2-25-92, 8-3-93, 7-12-94, 10-25-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dale Dubberly, Chief, Bureau of Compliance Monitoring,
3125 Conner Boulevard, Tallahassee, Florida 32399-1650,
telephone (850)488-8731

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Steven J. Rutz, Director of Division
of Agricultural Environmental Services

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

NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 26, 1999

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Reporting Information to the State Board
of Education

RULE NO.: 6A-16.026

PURPOSE AND EFFECT: This is a proposed new rule to establish what issues the Commissioner of Education, as head of the Department of Education, should report on to the State Board of Education. The effect is a rule which will clarify the issues to be reported to the State Board by the Commissioner of Education.

SUMMARY: This rule establishes the issues to be reported to the State Board of Education by the Commissioner of Education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1) FS.

LAW IMPLEMENTED: 229.053(1), 229.75, 229.76 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., February 7, 2000

PLACE: Polk County Administration Building, 300 West Church Street, Bartow, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wayne V. Pierson, Deputy Commissioner for Planning, Budgeting and Management, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399, (850)488-6539

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-16.026 Reporting Information to the State Board of Education.

The Commissioner of Education, as head of the Department of Education, shall report to the State Board, as chief policy making body, actions involving the following:

(1) Claims settlement, actions, causes of action and legal proceedings brought against the Department or its employees acting within the scope of his/her employment.

(2) Donations accepted and gifts of property or grants of money on behalf of the Department in compliance with the law, provided such gifts are unencumbered and have no impact on any other agency of the state.

(3) Leases of real property for departmental operations.

(4) Proposed legal action to be taken by, or on behalf of the Board for Board ratification, except in defense of litigation instituted against the Board or where the emergent nature of a matter requires immediate action.

(5) Controversial or major policy issues as determined by members of the State Board arising in the Department of Educaiton.

Specific Authority 229.053(1) FS. Law Implemented 229.053(1) 229.75, 229.76 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Wayne V. Pierson, Deputy Commissioner for Planning,
Budgeting and Mangement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Tom Gallagher, Commissioner of
Education

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 13, 1999 and September 17,
1999

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Residential Construction Mitigation Program 9B-68

RULE TITLES: RULE NOS.:

Residential Construction Mitigation Program 9B-68.001

Residential Construction Mitigation Program: Quality of Evaluation 9B-68.002

Residential Construction Mitigation Program: Retrofit Techniques 9B-68.003

Residential Construction Mitigation Program: Qualified Applicants 9B-68.004

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to Rule Ch. 9B-68, Fla. Admin. Code is to reflect the change in eligibility and examination requirements for the Residential Construction Mitigation Program Inspector; update the Wind Resistance Checklist version and incorporate it by reference; and revise the home eligibility requirements to include all residents of Florida.

SUMMARY: This proposed amendment to Rule Chapter 9B-68 will change the eligibility and examination requirements for the Residential Construction Mitigation Program Inspector; update the Wind Resistance Checklist version and incorporate it by reference; and revise home eligibility requirements to include all residents of Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There are no regulatory costs associated with this proposed rule.

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

SPECIFIC AUTHORITY: 627.0629(9)(d) FS.

LAW IMPLEMENTED: 627.0629(9) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 8:00 a.m. – 10:00 a.m., February 7, 2000

PLACE: 250L Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Traci Buzbee, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)922-5434

Any person requiring special accommodations at the hearing because of a disability or physical impairment should contact Traci Buzbee, Planning Manager, Division of Housing and Community Development, Long Term Redevelopment Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)922-5434, Suncom 292-5434, at least seven days before the date of the hearing. If you are hearing or speech

impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) or 1(800)955-9771 (TDD).

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-68.001 Residential Construction Mitigation Program. In order to be eligible to be certified as a Residential Construction Mitigation Program (RCMP) Inspector ~~Wind Mitigation Inspector~~, for the Residential Construction Mitigation Program, an individual must be one of the following with an active license in good standing; a State Standard Certified Building Inspector, a State Certified or Registered Building, Residential or General Contractor, a Florida Registered Architect, or a Florida Professional Engineer. Eligible individuals must also complete the Department of Community Affairs' Residential Inspection Using the Wind Resistance Checklist Course ~~Wind Retrofitting Inspector Course~~ and pass the exam before being certified as an Inspector.

Specific Authority 627.0629(9)(d) FS. 97-55 L.O.F. Law Implemented 627.0629(9) FS. History--New 1-11-98, Amended

9B-68.002 Residential Construction Mitigation Program: Quality of Evaluation.

Evaluations shall be conducted by a Certified Wind Inspector utilizing the Wind Resistance Checklist, version 2.1, 6/1/99, which is hereby incorporated by reference as Form No. 2.1, effective 6/1/99 ~~version 1.1, 1/7/98~~. A copy of the Checklist which may be obtained from Office of Long Term Redevelopment the Department of Community Affairs, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. The checklist ensures the quality of evaluations because it collects the appropriate data and allows an analysis of the whole house. ~~The checklist develops information about construction of the house including applicable code (governed by date of construction), building type, and structural features~~ such as: windows, roof, fasteners, doors, coverings, and foundations. Certified Wind Inspectors shall complete the Wind Resistance Checklist, supplying all information in accordance with the accompanying instructions.

Specific Authority 627.0629(9)(d) FS. Law Implemented 627.0629(9) FS. History--New 12-24-98, Amended

9B-68.003 Residential Construction Mitigation Program: Retrofit Techniques.

(1) Information contained in the Wind Resistance Checklist along with the reasonably expected conditions resulting from extreme wind events shall be evaluated through the performance of a vulnerability-loss analysis. This analysis shall include simulated failures for reasonably expected hurricanes and extreme wind events. The analysis shall include a component-by-component load and resistance analysis, time specific and progressive failures, internal pressure and

envelope failures. The vulnerability-loss analysis shall generate a component damage by storm result, including losses to structures, appurtenances and loss of use.

(2) The cumulative vulnerability-loss analysis shall form the basis for an analysis of options to reduce the predicted damages. Retrofit recommendations shall address wind resistance of residential structures and prevention of damage from hurricane force winds. Options to be considered shall include all reasonable, feasible, practicable and available methods of envelope protection, internal and external non-destructive upgrades and structural bracing. Each option shall include estimated cost information. Default values shall be substituted for missing or unknown information on structural construction or components. For each option and combination of options, the evaluation shall generate a benefit-cost analysis which shall indicate the ratio of reduced losses in future events to the estimated cost of implementing each option. This ratio shall assume a life of 15 years, an interest rate of 5% and an inflation rate of 2%. Future benefits shall be converted to net present value for comparison to retrofit cost. ~~Options with a ratio of 1.0 or greater shall be reported.~~ The evaluation shall generate one or more recommended retrofits for each evaluated structure, and information about each option's predicted loss reduction.

(3) Mitigation retrofit recommendations shall consider one or more of the following: (a) replacement of roof sheathing; (b) replacement of roof covering; (c) installation of window and door opening protection; (d) brace bottom chord gable end; (e) anchoring of wall or floor units; and (f) roof to wall to foundation connections.

Specific Authority 627.0629(9)(d) FS. Law Implemented 627.0629(9) FS. History—New 12-24-98, Amended.

9B-68.004 Residential Construction Mitigation Program: Qualified Applicants.

~~All residents in the State of Florida living in a site built single family dwelling are qualified to participate in the Residential Construction Mitigation Program (RCMP). In order to receive an inspection, the homeowner must hire a Certified RCMP Inspector. The Florida Windstorm Underwriting Association (FWUA) shall recommend areas of the state with the greatest wind risk to residential properties, which make up the pool of those initially eligible. Actual eligible residential structures shall be randomly selected to achieve a uniform distribution by age of the residential structure. Homes built after 1995 shall not be considered since these residences have been constructed under the provisions of the new South Florida Building Code or other recent code with wind protection provisions, and thus, the wind mitigation has been built into the construction. In order to ensure funds achieve positive results, those residential properties in areas identified by FWUA and the program which are insured through the FWUA wind pool created by section 627.531(2), Florida Statutes, and which can be cost effectively~~

~~retrofitted, as determined by the cost benefit analysis, represent those eligible for the Residential Construction Mitigation Program.~~

Specific Authority 627.0629 FS. Law Implemented 627.0629 FS. History—New 12-24-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Traci Buzbee, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Leonard Case, Program Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Ownership and Use of "Florida's Seal of Approval" Certification Mark
 RULE CHAPTER NO.: 20-97

RULE TITLE: Withdrawal of License or Permission
 RULE NO.: 20-97.010

PURPOSE AND EFFECT: Would postpone date for rescinding authorizations to use the "Florida's Seal of Approval" certification mark.

SUMMARY: Use of Florida's Seal of Approval" certification mark.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.10(1), 601.11, 601.15(2)(b),(10)(a) FS.

LAW IMPLEMENTED: 601.101 FS.

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

TIME AND DATE: 10:30 a.m., February 16, 2000

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-97.010 Withdrawal of License or Permission.

The Department of Citrus reserves the right to revoke or cancel any given license or permission to use the mark upon the following grounds:

(1) The failure of the authorized user to comply with the provisions set forth herein.

(2) The commission of acts which adversely affect the licensor's name, reputation or goodwill.

(3) Effective September 1, 2003 ~~2000~~ all authorizations granted by the Department of Citrus to use the Florida's Seal of Approval mark shall be rescinded, provided however, all participating users of the mark as of that date may continue to use existing label stock until such stocks are exhausted.

Specific Authority 601.10(1), 601.11, 601.15(2)(b),(10)(a) FS. Law Implemented 601.101 FS. History--New 3-24-85, Formerly 20-97.10, Amended 9-14-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Clark R. Jennings, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Clark R. Jennings, General Counsel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 1999

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

DEPARTMENT OF MANAGEMENT SERVICES

Florida Commission on Human Relations

RULE TITLE: General Description of Organization and Functions of Commission Staff

RULE NO.: 60Y-2.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to have the rule requirements comport with the statutory requirements.

SUMMARY: The proposed rule amendments will result in rule requirements that comport with the statutory requirements. Specifically, all references to redeterminations, which are not provided for in Chapter 760, Florida Statutes, will be deleted from the rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 760.06(12), 760.11(14), 760.31(5) FS.

LAW IMPLEMENTED: 760.03, 760.05, 760.06, 760.11, 760.30 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., February 8, 2000

PLACE: Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stan Gorsica, Attorney, Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida 32303-4149, (850)668-7283

THE FULL TEXT OF THE PROPOSED RULE IS:

60Y-2.004 General Description of Organization and Functions of Commission Staff.

- (1) No change.
- (a) through (g) No change.
- (2) No change.
- (a) through (c) No change.
- (d) issue subpoenas necessary for investigations pursuant to Subsection 760.06(6) ~~760.06(5)~~, Florida Statutes;
- (e) No change.
- (f) reconsider determinations as provided by Rule 60Y-5.007;
- ~~(f)(g)~~ dismiss complaints, as provided by Section 60Y-5.006;
- ~~(g)(h)~~ promote favorable public and community relations;
- ~~(h)(i)~~ administer the day-to-day business of the Commission;
- ~~(i)(j)~~ perform such other functions as the Commission may assign by rule or order.
- (3) No change.
- (a) through (b) No change.
- (c) make recommendations concerning determinations ~~and redeterminations~~, as provided by Rules 60Y-5.004 ~~and 60Y-5.007~~;
- (d) through (e) No change.
- (4) No change.
- (a) through (c) No change.
- (5) No change.
- (6) No change.
- (a) through (g) No change.
- (7) No change.
- (8) No change.

Specific Authority 760.06(12) ~~760.06(13)~~, 760.11(14), 760.31(5) FS. Law Implemented 760.03, 760.05, 760.06, 760.11, 760.30 FS. History--New 11-2-78, Amended 6-16-83, 8-12-85, 4-20-87, Formerly 22T-6.04, 22T-6.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dana Baird, General Counsel, Florida Commission on Human Relations

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ronald McElrath, Executive Director, Florida Commission on Human Relations

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLES:	RULE NOS.:
Fees	61-20.504
Continuing Education	61-20.508
Continuing Education Courses	61-20.5081
Continuing Education Course Approval	61-20.5082
Renewal Requirements for Continuing Education	61-20.5083
Reactivation Continuing Education	61-20.509

PURPOSE AND EFFECT: The purpose is to amend Rule 61-20.504 to expand the fees that are adopted by the Council. Rule 61-20.508 requires a substantial rewording to properly describe the renewal requirements for continuing education. Rule 61-20.5081 is also being reworded to provide language for continuing education for provider approval. Rule 61-20.5082 is a new rule which will address continuing education course approval. The Council has determined that Rule 61-20.5083 should be repealed as it is no longer necessary. Rule 61-20.509 requires amendments to delete the words “or delinquent” from the rule text.

SUMMARY: The Council has determined that amendments are necessary to Rule 61-20.504 in order to expand the fees. The Council proposes to reword Rule 61-20.508 by changing the rule title and properly describing the renewal requirements for continuing education. The Council intends to substantially reword Rule 61-20.5081 by renaming the rule title and properly describing continuing education provider approval. Rule 61-20.5082 is a new rule which the Council has determined is necessary to address continuing education course approval. Rule 61-20.5083 is being repealed because the substance of the rule text is contained in Rule 61-20.508. The Council proposes to delete the words “or delinquent” in the rule text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 468.4315, 468.433, 468.4337 FS.
LAW IMPLEMENTED: 455.217, 455.2171, 455.219(6), 468.433, 468.4337, 468.4338 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ed Broyles, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61-20.504 Fees.

The following fees are adopted by the Council:

(1) through (12) No change.

(13) Application fee for continuing education providers 100.00.

(14) The renewal fee for continuing education providers 100.00.

Specific Authority 468.4315 FS. Law Implemented 455.217, 455.2171, 455.219(6), 455.271, 455.2281, 468.433, 468.435 FS. History—New 5-4-97, Amended 5-10-98, 9-9-98, 2-11-99, _____.

(Substantial rewording of Rule 61-20.508 follows. See Florida Administrative Code for present text.)

61-20.508 Continuing Education Renewal Requirements.

(1) All community association manager licensees must satisfactorily complete a minimum of 20 classroom hours of instruction of 50 minutes each during each license renewal period, which shall include the required hours at an approved update seminar. No license shall be renewed unless the licensee has completed continuing education contact hours during the preceding licensing period. Each contact hour shall consist of at least 50 minutes of classroom instruction.

(2) Only continuing education courses approved by the Council shall be valid only for purposes of licensee renewal.

(3) The 20 hours of continuing education shall be comprised of courses approved pursuant to Rule 61-20.5082, F.A.C., in the following areas:

(a) 4 hours of legal update seminars. Licensees shall satisfactorily complete a 2-hour legal update seminar during each year of the biennial renewal period. The legal update seminars shall consist of instruction regarding changes to Chapters 455, 468, Part VIII, 617, 718, 719, and 721, Florida Statutes, and other legislation, case law, and regulations impacting community association management. Licensees shall not be awarded continuing education credit for completing the same legal update seminar more than once even if the seminars were taken during different years.

(b) 4 hours of instruction on insurance and financial management topics relating to community association management.

(c) 4 hours of instruction on the operation of the community association's physical property.

(d) 4 hours of instruction on human resources topics relating to community association management. Human resources topics include, but are not limited to, disaster preparedness, employee relations, and communications skills for effectively dealing with residents and vendors.

(e) 4 hours of additional instruction in any area described in subsections (1)(b), (1)(c) or (1)(d) of this rule or in any course or courses directly related to the management or administration of community associations.

(4) No licensee will receive credit, for purposes of meeting the continuing education requirement, for completing the same continuing education course more than once during a biennial renewal period.

(5) A licensee who was initially licensed in the last 90 days of the biennium prior to renewal shall not be required to meet the continuing education requirement as a condition of renewing the initial license. A licensee who is initially licensed in the last 90 days of the first year of a biennium shall not be required to complete a 2-hour legal update seminar for the first year of licensure.

(6) A licensee who was initially licensed during the last year of the biennium prior to renewal, except as described in subsection (5) of this rule, shall be required to satisfactorily complete 10 hours of the continuing education requirement described in subsection (1) of this rule. The licensee shall satisfactorily complete a 2-hour legal update seminar during the last year of the biennium and shall also satisfactorily complete 2 hours of instruction in each subject area described in subsections (1)(b), (1)(c), (1)(d) and (1)(e) of this rule.

(7) A licensee shall retain, and make available to the Department and its representatives upon request, proof of satisfactory completion of approved continuing education courses for three years following course completion.

Specific Authority 468.433 FS. Law Implemented 468.433 FS. History—New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55.008, 61B-55.008, Amended 10-18-99, _____.

(Substantial rewording of Rule 61-20.5081 follows. See Florida Administrative Code for present text.)

61-20.5081 Continuing Education Provider Approval Courses.

(1) A continuing education provider is a person or entity approved pursuant to this rule to conduct continuing education courses for community association managers.

(2) Entities or individuals who wish to become approved providers of continuing professional education shall make application to the Council, on BPR form 33-011, entitled, "COMMUNITY ASSOCIATION MANAGER'S

CONTINUING EDUCATION PROVIDER APPROVAL APPLICATION", incorporated herein by reference and effective _____, which copies may be obtained from the Council.

(3) Each provider application shall contain the following information, and shall be accompanied by the following documentation and other information as required by BPR form 33-011:

(a) The name, address, telephone number, fax number, and e-mail address of a contact person who will fulfill the reporting and documentation requirements for provider approval. The provider shall notify the Council of any change of contact person within ten (10) days of the actual change.

(b) The identity and qualifications of all instructors who will be presenting courses during the period of providership. These qualifications at a minimum shall include instructional experience and:

1. A bachelor's degree and 2 years experience in the subject matter being taught; or

2. An associate's degree and 4 years experience in the subject matter being taught; or

3. Six years experience in the subject matter being taught. Should additional instructors be added during the period of providership, the provider shall notify the Council in writing of the new instructor's qualifications at least 30 days prior to actually conducting the course.

(c) The appropriate continuing education provider application fee pursuant to Rule 61-20.504(13).

(4) Continuing education provider status shall be valid from the date of approval until June 30 of every even numbered year. Those seeking renewal of provider status must reapply on BPR form 33-011, referenced in Subsection (2) above, to the Council and submit the appropriate renewal fee pursuant to Rule 61-20.504(14), F.A.C. Providers who fail to renew their provider status on a timely basis in accordance with this rule shall not offer or advertise a course as an approved course for continuing education.

(5) Once approved, providers shall comply with the following requirements:

(a) When advertising approved courses, providers shall disclose the course approval number and the number of contact hours assigned by the Council and the course subject area. Providers shall not advertise courses as approved courses until they are actually approved by the Council.

(b) Providers shall maintain a system of recordkeeping which provides for storage of approved course offerings information.

(c) Records of individual courses shall be maintained by the provider for 3 years and shall be available for inspection by the Council.

(d) Providers shall furnish each participant with an individual certificate of attendance that complies with Rule 61-20.5082(2), F.A.C. A roster of participants shall be

maintained by the provider for 3 years and shall be available for inspection by the Council. Providers shall maintain security of attendance records and certificates.

(e) All information or documentation submitted to the Council or the Department shall be submitted in a format acceptable to the Council and the Department.

(f) Providers shall assure that sales presentations shall not be during, immediately before or after the administration of any courses approved pursuant to this rule.

(6) A continuing education provider initially approved during the last 90 days prior to June 30 of an even numbered year, shall not be required to reapply as a condition for renewing provider status.

(7) The Council shall deny continuing education provider status to any applicant who submits false, misleading or deceptive information or documentation to the Council.

(8) The Council retains the right and authority to audit all courses offered by any provider approved pursuant to this rule.

(9) The Council shall rescind the provider status or reject individual courses offered by a provider if the provider disseminates any false or misleading information in connection with the continuing education course, or if the provider or its instructor(s) failed to conform to and abide by the rules of the Council or are in violation of any of the provisions of Chapters 468, Part VIII or 455, Florida Statutes.

(10) The Council shall utilize expert groups or individuals as appropriate in implementing these rules.

Specific Authority 468.4315(2) FS. Law Implemented 468.4337 FS. History—New 5-14-98, Amended _____.

61-20.5082 Continuing Education Course Approval.

(1) Continuing education courses shall be valid for purposes of the continuing education requirement only if such courses have been approved by the Council. The Council shall approve a course as a continuing education course for the purpose of this rule when the following requirements are met:

(a) Written application for course approval shall be received by the Council prior to the date the course is offered, on BPR form 33-013, entitled "COMMUNITY ASSOCIATION MANAGER'S CONTINUING EDUCATION COURSE APPROVAL APPLICATION," incorporated herein by reference and effective _____, which copies may be obtained from the Council.

(b) A course outline is submitted to the Council, along with the application, which describes the course's content and subject matter. A course outline shall address the following:

1. Learner Objectives. Objectives shall describe expected learner outcomes, how learner outcomes will be evaluated, and describe how the objectives will be obtained. The objectives shall describe the content, teaching methodology and plan for evaluation.

2. Subject Matter. The content shall be specifically designed to meet the objectives and the stated level and learning needs of community association managers. Specifically, it shall address one or more of the subject areas outlined in Rule 61-20.508(3), F.A.C.

3. Materials and Methods. It shall be demonstrated to the Council that:

a. Learning experiences and teaching methods are appropriate to achieve the objectives;

b. Time allotted for each activity shall be sufficient for the learner to meet the objectives;

c. Principles of adult education are utilized in determining teaching strategies and learning activities; and

d. Currency and accuracy of subject matter will be documented by references or bibliography.

4. Evaluation. Participants are given an opportunity to evaluate learning experiences, instructional methods, facilities and resources used for the course.

(c) A list of all instructors for the course, which shall include names, addresses, and telephone numbers, shall accompany the course approval application.

(d) The course approval application must be accompanied by an approved provider number or the applicant must simultaneously apply for continuing education provider status pursuant to Rule 61-20.5081, F.A.C.

(2) The course provider shall submit to the Council a sample certificate of course completion that the course instructor shall provide each course participant if the participant completes the course. Such certificate shall include the course participant's name, the title of the course, the course approval number, date completed, number of hours and type of continuing education credit granted as described in Rule 61-20.508(3), F.A.C. The certificate shall be provided to the course participant at the completion of the course. The certificate of course completion shall contain, on its face, the following statement in capital letters in at least 12 point type:

IF YOU HAVE ANY CONCERNS THAT THE COURSE YOU HAVE JUST COMPLETED DID NOT MEET THE LEARNING OBJECTIVES SET OUT IN THE COURSE MATERIALS, DID NOT COVER THE SUBJECT MATTER OF THE COURSE, OR WAS A SALES PRESENTATION; PLEASE CONTACT THE COUNCIL'S OFFICE IN WRITING AT:

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

REGULATORY COUNCIL OF COMMUNITY ASSOCIATION MANAGERS

1940 NORTH MONROE STREET, TALLAHASSEE, FLORIDA 32399-1040

(3) Course approvals are valid for 24 months from the date of issuance. The Council shall be notified of any substantive changes made to approved courses during this period. Course

approval shall be rescinded by the Council if such notification is not made or the changes fail to otherwise conform to this rule.

(4) Continuing education courses approved prior to the effective date of this rule remain valid for the purposes of fulfilling the continuing education requirement until the course approval expires.

Specific Authority 468.4315(2), 468.433 FS. Law Implemented 468.433, 468.4337 FS. History--New

61-20.5083 Renewal Requirements for Continuing Education.

Specific Authority 468.4337 FS. Law Implemented 468.4337 FS. History--New 10-1-98, Amended 6-16-99, Repealed

61-20.509 Reactivation Continuing Education.

(1) As a condition for reactivating an inactive ~~or delinquent~~ status licensee shall be required to satisfactorily complete ten (10) classroom hours of continuing education instruction of 50 minutes each for each year or any portion of a year the license was inactive ~~or delinquent~~. Two (2) hours shall consist of the legal update seminar for the year in which the licensee is reactivating. The remaining hours of reactivation continuing education may be in any of the areas described in 61-20.508, Florida Administrative Code, as appropriate.

(2) Notwithstanding subsection (1) of this rule, no inactive ~~or delinquent~~ status licensee shall be required to satisfactorily complete more than twenty (20) classroom hours of continuing education, at least 50% of which must have been completed within the year prior to application for reactivation, in order to reactivate a license.

Specific Authority 468.4315 FS. Law Implemented 468.4338 FS. History--New 1-8-98, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLES:	RULE NOS.:
Cosmetologist and Compensation Defined	61G5-18.00015
Initial Licensure or Registration Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency syndrome; Course Content and Approval Requirements	61G5-18.011

PURPOSE AND EFFECT: The Board proposes to update the existing rule texts.

SUMMARY: The Board proposes to amend the existing rule texts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 477.016, 477.025(2) 455.2228(5) FS.

LAW IMPLEMENTED : 477.013, 477.025(2) 455.2228 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Broyles, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-18.00015 Cosmetologist and Compensation Defined.

A cosmetologist is a person who is licensed to perform the mechanical or chemical treatment of the head, face, and scalp for aesthetic rather than medical purposes, including, but not limited to, hair shampooing, hair cutting, hair arranging, hair braiding, hair coloring, permanent waving, and hair relaxing, ~~or non-invasive hair removal~~, for compensation ~~in a licensed cosmetology salon~~. A cosmetologist may also perform non-invasive hair removals, including wax treatments but not including electrolysis as that term is defined in Chapter 478, Florida Statutes, manicures, pedicures, and skin care services. For the purposes of this act "compensation" is defined as the payment of money or its equivalent, the receipt or delivery of property, or the performance of a service, or the receipt or delivery of anything of value in exchange for cosmetology services. For the purposes of this act "medical purposes" is defined as any form of bodily intrusion into the orifices, skin, muscles, or any other tissues of the body.

Specific Authority 477.016, 477.025(2) FS. Law Implemented 477.013, 477.025(2) FS. History--New 10-10-82, Amended 6-28-84, Formerly 21F-18.001, Amended 7-4-90, Formerly 21F-18.00015, Amended 11-11-96,

61G5-18.011 Initial Licensure or Registration Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome; Course Content and Approval Requirements.

(1) through (5) No change.

(6) Home study or video courses ~~shall~~ may be approved by the Board, provided they meet the requirements set forth in subsection (3). Home study courses must require a 75% passing score on a post course test to be graded by the course provider.

(7) No change.

Specific Authority 455.2228(5), 477.016 FS. Law Implemented 455.2228 FS. History—New 9-2-90, Amended 4-9-91, 10-27-91, 6-14-93, Formerly 21F-18.011, Amended 2-1-95, 12-21-97, 1-31-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Definitions
RULE NO.: 61G5-29.001

PURPOSE AND EFFECT: The Board amend the rule to conform with statutory changes.

SUMMARY: The proposed changes amend the rule to conform with statutory changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 477.016 FS.

LAW IMPLEMENTED: 477.013, 477.0135, 477.0201 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Broyles, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-29.001 Definitions.

(1) through (2) No change.

(3) "Facials" means the massaging or treating of the face, skin or scalp with or without the use of mechanical devices using oils, creams, lotions or other cosmetic products which are used to cleanse and condition the skin, to prevent or correct problems or conditions of the face and neck, and to color and

beautify the face and neck or enhance their features; and, skin care services for the body. Facials shall be performed only by individuals licensed pursuant to sections 477.019 and 477.0201, F.S., and performed in schools licensed pursuant to Chapter 246, F.S., or salons licensed pursuant to Section 477.025, F.S.

(4) through (6) No change.

Specific Authority 477.016 FS. Law Implemented 477.013, 477.0135, 477.0201 FS. History—New 11-7-85, Amended 1-5-86, 6-18-86, 10-26-87, 1-10-90, 8-20-90, 5-11-92, Formerly 21F-29.001, Amended 9-15-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 1999

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Criteria for Continuing Education Programs
RULE NO.: 64B24-6.005

PURPOSE AND EFFECT: The proposed rule amendments are to allow the licensed midwives to obtain their continuing education through self-study programs and to give them credit for attending a Council meeting to meet the required continuing education credit for the law and rules.

SUMMARY: The proposed rule amendments would allow the licensed midwife to obtain their continuing education through self-study programs and to obtain credit for the law and rules requirement by attending a Council of Licensed Midwifery meeting.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.564(7),(8), 467.005, 467.012(3) FS.

LAW IMPLEMENTED: 455.564(7),(8), 467.012(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW, (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 8:30 a.m., February 7, 2000

PLACE: Executive Director's Office, Council of Licensed Midwifery, 1940 North Monroe Street, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-6.005 Criteria for Continuing Education Programs.

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

(2)(a) through (k) No change.

(l) Self-study courses ~~up to a maximum of five (5) hours per biennium~~ which meet the criteria pursuant to this section and approved videocassette courses not to exceed five hours per subject.

(m) The Department will credit any licensed midwife who attends an entire meeting of the Council of Licensed Midwifery as having met the one hour continuing education requirement for the laws and rules for the current biennium.

(n) Programs not specifically approved above shall be considered by the Department on an individual basis upon written request and sufficient documentation to verify that the program meets the requirements pursuant to 64B24-6.005, F.A.C.

Specific Authority ~~455.564(7),(8), 467.005, 467.012(3) FS.~~ Law Implemented ~~455.564(7),(8), 467.012(3) 455.219(3) FS.~~ History—New 1-26-94, Formerly 61E8-6.005, 59DD-6.005, Amended 3-20-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council of Licensed Midwifery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria Crawford Henderson

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 1998 and October 27, 1999

Section III Notices of Changes, Corrections and Withdrawals

PUBLIC SERVICE COMMISSION

DOCKET NO: 981104-EU

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

NOTICE OF CHANGE

The Public Service Commission notifies all interested persons that the above rule will be considered at the agenda conference scheduled to be held at the following time and place:

TIME AND DATE: 9:30 a.m., February 15, 2000

PLACE: Florida Public Service Commission, Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE AND EFFECT: To consider the record of the rulemaking proceeding for the amendments to the rule and to adopt, reject, or modify the proposed amendments to the rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Anne Helton, (850)413-6096

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

DEPARTMENT OF THE LOTTERY

RULE NO.: 53-1.005 RULE TITLE: Confidential Information

NOTICE OF CORRECTION

The Department of the Lottery notices the following corrections. The Purpose and Effect was inadvertently left off of the Notice of Proposed Rulemaking for rule 53-1.005, *Confidential Information*, which was published in the December 30, 1999 issue of the Florida Administrative Weekly. The following information is added to correct the Notice of Proposed Rulemaking for rule 53-1.005:

PURPOSE AND EFFECT: The purpose of the rule amendment is to delete the information in subparagraph 53-1.005(2)(b)10., which classifies information identifying the selling location of top tier winning tickets as confidential. The effect of this deletion will make said information public record. The effect of the new language added in subparagraph 53-1.005(2)(b)10., shall make the information concerning pre-drawing and post-drawing test data for all on-line games confidential.

Also, the reference to the date the Notice of Proposed Rule Development was published in the FAW should be corrected from December 7, 1999 to December 10, 1999.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: 61G16-1.0071 RULE TITLE: Notice to the Department of Mailing Address and Place of Practice of licensee

NOTICE OF PUBLIC HEARING

The Board of Professional Geologists hereby gives notice of a public hearing on the above-referenced rule to be held on January 27, 2000 at the Doubletree Hotel, 3011 Maingate Lane, Kissimmee, Florida, 9:00 a.m. The rule was originally published in Vol. 25, No. 38, of the October 22, 1999, Florida Administrative Weekly.