

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

### DEPARTMENT OF BANKING AND FINANCE

#### Board of Funeral and Cemetery Services

RULE TITLE: RULE NO.:

Certificate of Authority; Financial Requirements 3F-5.0016

PURPOSE AND EFFECT: The purpose of this amendment is to set forth standards which will require Certificate of Authority holders to be more financially sound by requiring that they attest to and maintain \$50,000 networth.

SUBJECT AREA TO BE ADDRESSED: Certificate of Authority and Financial Requirements.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.405, 497.407 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., May 24, 2000

PLACE: Board of Funeral and Cemetery Services Meeting, Room 214, The Capitol, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-5.0016 Certificate of Authority; Financial Requirements.

(1) A Certificate of Authority holder or applicant must meet and maintain the following requirements on an annual basis, demonstrating its ability to discharge its liabilities as they become due in the normal course of business and must have sufficient funds available to perform its obligation under its existing preneed contracts.

(2) A Certificate of Authority holder or applicant must submit its most recent year-end financial statements (including a balance sheet and income statement), with the Certificate of Authority application and annually thereafter as provided in Section 497.407(1), F.S. The financial statements must be prepared in accordance with generally accepted accounting principles (GAAP) as those principles have been defined by the Florida Board of Accountancy in Chapter 61H1-20, F.A.C. The financial statements may omit notes to financial statements and the statement of cash flows.

(3) The Certificate of Authority holder must attest to a \$50,000.00 level of net worth:

~~(a) Certificate of Authority holder that has total preneed contracts of \$100,000 or less — \$5,000 net worth;~~

~~(b) Certificate of Authority holder that has total preneed contracts of \$100,001 to \$200,000 — \$10,000 net worth;~~

~~(c) Certificate of Authority holder that has total preneed contracts of \$200,001 to \$300,000 — \$15,000 net worth;~~

~~(d) Certificate of Authority holder that has total preneed contracts of \$300,001 to \$400,000 — \$20,000 net worth;~~

~~(e) Certificate of Authority holder that has total preneed contracts of greater than \$400,001 — \$25,000 net worth.~~

(4) In the case of a Certificate of Authority holder or applicant offering preneed sales through a subsidiary agent, as provided in Rule 3F-5.0015, the Certificate of Authority holder or applicant shall execute a guarantee agreement with respect to any contract obligations resulting from preneed sales of such a selling agent.

(5) If the Certificate of Authority holder or applicant does not meet the financial requirements in (3) above, the entity may, within thirty (30) days of notification by the Board, voluntarily submit to the Board additional evidence or agree to additional oversight as to its meeting the requirements of (1) above and as a condition of receiving and retaining a Certificate of Authority. Such additional evidence or oversight agreement shall include as appropriate:

(a) agreement to submit monthly financial statements of the entity

(b) agreement to submit quarterly financial statements of the entity

(c) appraisal of the entity's property or broker's opinion of value of entity's assets

~~(d) credit report of the entity or its principal owners~~

~~(e) subordination of debt agreement from the entity's principal owners~~

~~(f) indemnification/subrogation agreement binding the entity and principal owners~~

~~(g) guarantee agreement for the entity from its principal owners~~

~~(d)(h)~~ written explanation of past financial activity

~~(e)(i)~~ submission of a twelve month projected plan for financial recovery

~~(f)(j)~~ submission of previous Department examination reports

~~(g)(k)~~ 100% voluntary trusting agreement by the entity.

Upon the Board's review of such additional information or agreements, submitted within the thirty (30) day time period, as stated above, the Board shall issue a Certificate of Authority if such information or agreement results in the Board determining that the applicant or certificate holder meets the requirements of Sections 497.405 and 497.407, F.S.

As to all new applicants, this rule will become effective 20 days after filing with the Department of State. As to renewals of existing Certificates of Authority, this rule will become effective on April 1, 2001.

Specific Authority 497.103 FS. Law Implemented 497.405, 497.407 FS. History—New 5-21-95, Amended 12-7-98, 10-18-99,\_\_\_\_\_.

**DEPARTMENT OF INSURANCE**

RULE TITLE: Insurance Representatives; Scope  
RULE NO.: 4-211.029

PURPOSE AND EFFECT: The amendment makes it clear that this rule chapter does not apply to crimes described in section 18 U.S.C. 1033.

SUBJECT AREA TO BE ADDRESSED: The intended effect of licenses under 4-211 on agents subject to prohibitions imposed by section 18 U.S.C. 1033.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.211, 626.291, 626.601, 626.611(7), (14), 626.621(8), 626.631, 626.641, 648.34, 648.37 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: 2:00 p.m., May 3, 2000

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Tharpe, Division of Legal Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4110

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-211.029 Purpose and Scope.

(1) This rule part sets forth Department policy, statutory interpretation, and procedure, regarding the effect of an applicant's law enforcement record on the applicant's application for any license as agent, adjuster, sales representative, or other licensure as an individual, under the Florida Insurance Code.

(2) This rule part does not apply to the licensure of bail bondsmen, runners, or limited surety agents, under Chapter 648, Florida Statutes.

(3) This rule chapter does not apply to crimes described in section 18 U.S.C. 1033.

Specific Authority 624.308 FS. Law Implemented 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.211, 626.291, 626.601, 626.611(7), (14), 626.621(8), 626.631, 626.641, 648.34, 648.37 FS. History—New 2-2-95, Amended\_\_\_\_\_.

**DEPARTMENT OF INSURANCE**

RULE TITLE: Penalty Guidelines for Insurance  
RULE NO.: 4-231.020  
Representatives; Scope

PURPOSE AND EFFECT: The amendment makes it clear that this rule chapter does not apply to crimes described in section 18 U.S.C. 1033.

SUBJECT AREA TO BE ADDRESSED: The intended effect of penalties under 4-231 on agents subject to prohibitions imposed by section 18 U.S.C. 1033.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.611, 626.621, 626.681, 626.691 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: 2:00 p.m., May 3, 2000

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Tharpe, Division of Legal Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4110

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-231.020 Scope.

(1) This rule chapter shall apply to all resident and nonresident insurance agents, customer representatives, solicitors, adjusters and claims investigators licensed under Chapter 626, Florida Statutes, who are subject to discipline under sections 626.611 and 626.621, Florida Statutes.

(2) This rule chapter does not apply to title insurance agents, insurance administrators, surplus lines agents, managing general agents or health care risk managers.

(3) This rule chapter does not apply to crimes described in section 18 U.S.C. 1033.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.611, 626.621, 626.681, 626.691 FS. History--New 7-13-93, Amended

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

RULE TITLE: Citrus Canker Eradication

RULE NO.: 5B-58.001

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish decontamination requirements of personnel and equipment moving between citrus groves and is necessary to prevent additional spread of citrus canker.

SUBJECT AREA TO BE ADDRESSED: Removes the five mile limitation around an infestation of citrus canker in the quarantine area and establishes decontamination requirements for harvesters, intermediate handlers, grove caretakers, packers, and processors both within and outside the quarantine area.

SPECIFIC AUTHORITY: 570.07(21),(23), 581.091(1), 581.101(1), 581.031(1),(4),(5), 581.184 FS.

LAW IMPLEMENTED: 580.07(2),(13),(21), 581.031(6),(7), (9),(15),(17),(19),(30), 581.083, 581.101, 581.131, 581.141, 581.184, 581.211 FS.

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

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

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-58.001 Citrus Canker Eradication.

(1) through (3) No change.

(4) Quarantine area. An area ~~not to exceed a distance of 5 miles~~ around a site where an infestation of citrus canker is known to occur will be quarantined. The geographical boundaries of the quarantine area shall be established by risk assessment procedures and will be published in a major newspaper of general distribution in each area affected and through other appropriate media. Risk assessment procedures will consider the aggressiveness of the pathogen in the field, the level of disease inoculum, the location and spatial distribution of infected and exposed plants, the variety and type of plants, the risk of spread to areas growing citrus commercially, maintenance practices, and other relevant

information. An area shall be released from quarantine provided no detections of citrus canker have occurred during a minimum two-year period of intensive survey and a declaration that citrus canker has been eradicated from the area.

(5) through (10) No change.

(11) Decontamination requirements. All harvesters, intermediate handlers, grove caretakers, packers, and processors both within and outside of the quarantine area must decontaminate equipment and personnel and sign the applicable compliance agreement, DACS-08031, effective 5/99, and incorporated into this rule by reference. A copy of DACS-08031 may be obtained from the Citrus Canker Program, 3027 Lake Alfred Road, Winter Haven, Florida 33881.

~~(12)(11)~~ Treatment of citrus fruit. Citrus fruit for which treatment is required by this rule must be treated in accordance with label directions in one of the following ways in the presence of an authorized representative of the department, or at a facility operating under a compliance agreement, DACS-08031, effective 5/99, with the department:

(a) Thoroughly wetted for at least 2 minutes with a solution containing 200 parts per million sodium hypochlorite, with a solution maintained at a pH of 6.0 to 7.5, or

(b) Thoroughly wetted with a solution containing sodium o-phenyl phenate (SOPP) at a concentration of 1.86 to 2.0 percent total solution for 45 seconds if the solution has sufficient soap or detergent to cause a visible foaming action, or for 1 minute if the solution does not contain sufficient soap to cause a visible foaming action.

~~(13)(12)~~ Treatment of Regulated Articles. Regulated Articles for which treatment is required by this rule must be treated in one of the following ways in the presence of an authorized representative of the department, or at a facility operating under a compliance agreement with the department:

(a) All surfaces must be treated to the point of runoff with 200 parts per million sodium hypochlorite solution. A pH of 6.0 to 7.5 must be maintained in the solution.

(b) All surfaces must be treated to the point of runoff with 2000 parts per million solution of quaternary ammonium chloride (0.2% OAC).

(c) All surfaces must be washed thoroughly to the point of runoff with a hot water and detergent solution under high pressure maintained at a minimum temperature of 160 degrees F (71 degrees C).

(d) All surfaces must be thoroughly cleaned with steam with a minimum temperature of 160 degrees F (71 degrees C) maintained at the point of contact.

~~(14)(13)~~ Treatment of Personnel. Personnel departing from property in the quarantine area shall wash or treat all exposed areas of the body and clothing with an antibacterial soap, wash, spray or other approved solution.

(15)(14) Citrus plants in containers. Maintaining citrus plants in containers within the quarantine areas is prohibited unless they are located in a nursery or nursery stock dealer establishment which is registered with the department. It shall be unlawful for nurseries or nursery stockdealers in the quarantine areas to add citrus plants to their inventory.

(16)(15) Entry of authorized representatives. All owners and occupants of properties on which citrus canker is known or suspected to exist shall permit entry of authorized representatives of the Department of Agriculture and Consumer Services for purposes of inspecting, taking of specimens, or collecting suspect infected fruit, photographing or documenting tree information, applying or supervising treatments, or conducting control activities.

Specific Authority 570.07(21),(23), 581.091(1), 581.101(1), 581.031(1),(4),(5), 581.184 FS. Law Implemented 570.07(2),(13),(21), 581.031(6),(7),(9),(15),(17), 581.083, 581.101, 581.131, 581.141, 581.184, 581.211 FS. History--New 1-17-96, Amended 4-9-96, 5-14-97, 8-19-97, 11-19-97, 11-16-99.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

**RULE TITLES:**

**RULE NOS.:**

Standards

5F-2.001

Adoption of the General Code and the Codes of

Liquid-Measuring Devices, Liquefied

Petroleum Gas and Anhydrous Ammonia

Liquid-Measuring Devices, Hydrocarbon Gas

Vapor-Measuring Devices, Vehicle-Tank Meters,

and Vehicle Tanks Used as Measures of National

Institute of Standards and Technology (NIST)

Handbook 44

5F-2.014

PURPOSE AND EFFECT: The purpose of 5F-2.001 is to adopt the 2000 edition of the chemical and physical standards set forth in the American Society for Testing and Materials. These standards will be used for quality testing of regulated petroleum products. The effect will be that the Department will use the most recent nationally recognized standards for petroleum products developed by a consensus organization. The purpose of 5F-2.014 is to adopt the 2000 edition of NIST Handbook 44 which contains specifications and testing criteria for liquid and vapor measuring devices. The effect will be the incorporation of the most recent specifications and testing criteria of measuring devices developed by a consensus organization.

SUBJECT AREA TO BE ADDRESSED: Proposed rule 5F-2.001 will specify that the most recent Annual Book of ASTM Standards is the accepted standard for implementation of Chapter 525, F.S. Proposed rule 5F-2.014 will specify that the 2000 version of NIST Handbook 44 is the accepted standard for implementation of Chapter 525, F.S.

SPECIFIC AUTHORITY: 525.037, 525.14, 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 525.16, 531.40 FS.

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

TIME AND DATE: 10:00 a.m., Thursday, May 18, 2000

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, Phone (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation ~~D 4814-99~~ ~~D 4814-98a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation ~~D 4814-99~~ ~~D 4814-98a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(c) No change.

(2) No change.

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in the American Society for Testing and Materials designation ~~D 975-98b~~ ~~D 975-98a~~, "Standard Specification for Diesel Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation ~~D 975-98b~~ ~~D 975-98a~~, "Standard Specification for Diesel Fuel Oils."

(4) through (5) No change.

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

(a) American Society for Testing and Materials D 4814-99 ~~D 4814-98a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel," (approved June 10, 1999 ~~July 1998~~);

(b) American Society for Testing and Materials D 3699-98, "Standard Specification for Kerosine," (approved April 1998 );

(c) American Society for Testing and Materials D 975-98b ~~D 975-98a~~, "Standard Specification for Diesel Fuel Oils" (approved December 10, 1999 ~~July 1998~~);

(d) American Society for Testing and Materials D 396-98, "Standard Specification for Fuel Oils" (approved April 1998).

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44.

The general code and the codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 2000 ~~1999~~ Edition issued November 1999 ~~1998~~, published by U.S. Department of Commerce are hereby adopted by reference as rules of the Department of Agriculture and Consumer Services. Copies may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99.

**PUBLIC SERVICE COMMISSION**

UNDOCKETED

RULE TITLE: Initiation of Formal Proceedings  
PURPOSE AND EFFECT: To repeal subsection (3) of Rule 25-22.036.  
SUBJECT AREA TO BE ADDRESSED: The initiation of Commission proceedings on the Commission’s own motion.

RULE NO.: 25-22.036

SPECIFIC AUTHORITY: 350.01(7), 350.127(2) FS.

LAW IMPLEMENTED: 120.569, 120.57, 350.123, 364.035, 364.05, 364.057, 364.058, 364.335, 364.337, 366.04, 366.06, 366.071, 366.076, 366.8255, 367.031, 367.045, 367.071, 367.081 367.0814, 367.0817, 367.082, 367.0822, 367.091, 367.101, 367.171 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., Tuesday, May 2, 2000

PLACE: Gunter Building, 2540 Shumard Oak Boulevard, Room 309, Tallahassee, Florida 32399-0850

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO MARY ANNE HELTON, DIVISION OF APPEALS, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

Any person requiring some accommodation at this workshop 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Anne Helton, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-22.036 Initiation of Formal Proceedings.

(1) Application. An application is appropriate when a person seeks authority from the Commission to engage in an activity subject to Commission jurisdiction.

(2) Complaints. A complaint is appropriate when a person complains of an act or omission by a person subject to Commission jurisdiction which affects the complainant's substantial interests and which is in violation of a statute enforced by the Commission, or of any Commission rule or order.

~~(3) Orders and Notices. Upon its own motion, the Commission may issue an order or notice initiating a proceeding. Such order or notice shall be served upon all persons named therein. The Commission may also transmit notice of its action to other persons requesting such notice, and may publish such notice in appropriate newspapers of general circulation and the Florida Administrative Weekly.~~

~~(3)(4) Form and Content.~~

(a) Application. An application shall be governed by the statute or rules applicable to applications for authority. In the absence of a specific form and content, the application shall conform to this rule.

(b) Complaint. Each complaint, in addition to the requirements of paragraph (a) above shall also contain:

1. The rule, order, or statute that has been violated;
2. The actions that constitute the violation;
3. The name and address of the person against whom the complaint is lodged;
4. The specific relief requested, including any penalty sought.

Specific Authority 350.01(7), 350.127(2) FS. Law Implemented 120.569, 120.57, 350.123, 364.035, 364.05, 364.057, 364.058, 364.335, 364.337, 366.04, 366.06, 366.071, 366.076, 366.8255, 367.031, 367.045, 367.071, 367.081, 367.0814, 367.0817, 367.082, 367.0822, 367.091, 367.101, 367.171 FS. History—New 12-21-81, Formerly 25-22.36, Amended 5-3-99.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

RULE TITLE: Certificate of Need Application Procedures  
 PURPOSE AND EFFECT: Current paragraph 59C-1.008(1)(g), FAC., titled "Applications Subject to Competitive Review-Batching Cycles," was adopted to help ensure that certificate of need (CON) review of competing proposals, described in s. 408.039, F.S., proceeds in an orderly manner. The paragraph establishes deadlines for specified actions by applicants and the agency, including deadlines for submission of a letter of intent and for submission of the CON application. The proposed amendment establishes the deadlines for 2001 and 2002. There are no proposed changes in the deadlines currently adopted for the year 2000.

SUBJECT AREA TO BE ADDRESSED: CON "batching cycle" deadlines for 2001 and 2002.

SPECIFIC AUTHORITY: 408.15(8), 408.034(5) FS.

LAW IMPLEMENTED: 408.037, 408.038, 408.039 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: 2:00 p.m., May 2, 2000

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Davis, Certificate of Need Office, 2727 Mahan Drive, Tallahassee, Florida

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59C-1.008 Certificate of Need Application Procedures.

(1) Letters of Intent and applications subject to competitive review shall be accepted in two batching cycles annually each for hospital projects, and for nursing facility projects, as specified in paragraph (g) of this subsection. All other projects subject to competitive review shall be reviewed in the hospital batching cycle. "All other projects" include projects by or for home health agencies, hospices, and intermediate care facilities for the developmentally disabled.

(a) through (f) No change.

(g) Applications Subject to Competitive Review-Batching Cycles. In order that applications pertaining to similar types of services or facilities affecting the same service district or subdistrict may be considered in relation to each other for purposes of competitive review, letters of intent and applications shall be received by the agency no later than dates prescribed in the following schedule:

<del>Hospitals and Other Projects</del>	
<del>1st Batching Cycle—1997</del>	
<del>Summary Need Projections Published in F.A.W.</del>	<del>2-07-97</del>
<del>Letter of Intent Deadline</del>	<del>2-24-97</del>
<del>Application Deadline</del>	<del>3-26-97</del>
<del>Completeness Review Deadline</del>	<del>4-10-97</del>
<del>Application Omissions Deadline</del>	<del>5-12-97</del>
<del>Agency Initial Decision Deadline</del>	<del>7-11-97</del>
<del>Hospitals and Other Projects</del>	
<del>2nd Batching Cycle—1997</del>	
<del>Summary Need Projections Published in F.A.W.</del>	<del>8-08-97</del>
<del>Letter of Intent Deadline</del>	<del>8-25-97</del>
<del>Application Deadline</del>	<del>9-24-97</del>
<del>Completeness Review Deadline</del>	<del>10-09-97</del>
<del>Application Omissions Deadline</del>	<del>11-10-97</del>
<del>Agency Initial Decision Deadline</del>	<del>1-09-98</del>
<del>Hospitals and Other Projects</del>	
<del>1st Batching Cycle—1998</del>	
<del>Summary Need Projections Published in F.A.W.</del>	<del>2-06-98</del>
<del>Letter of Intent Deadline</del>	<del>2-23-98</del>
<del>Application Deadline</del>	<del>3-25-98</del>
<del>Completeness Review Deadline</del>	<del>4-09-98</del>
<del>Application Omissions Deadline</del>	<del>5-11-98</del>
<del>Agency Initial Decision Deadline</del>	<del>7-10-98</del>

<u>Hospitals and Other Projects</u>		<u>Hospitals and Other Projects</u>	
<u>2nd Batching Cycle—1998</u>		<u>2nd Batching Cycle – 2001</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>7-31-98</u>	<u>Summary Need Projections Published in F.A.W.</u>	<u>7-27-01</u>
<u>Letter of Intent Deadline</u>	<u>8-17-98</u>	<u>Letter of Intent Deadline</u>	<u>8-13-01</u>
<u>Application Deadline</u>	<u>9-16-98</u>	<u>Application Deadline</u>	<u>9-12-01</u>
<u>Completeness Review Deadline</u>	<u>9-23-98</u>	<u>Completeness Review Deadline</u>	<u>9-19-01</u>
<u>Application Omissions Deadline</u>	<u>10-21-98</u>	<u>Application Omissions Deadline</u>	<u>10-17-01</u>
<u>Agency Initial Deadline</u>	<u>12-18-98</u>	<u>Agency Initial Deadline</u>	<u>12-14-01</u>
<u>Hospitals and Other Projects</u>		<u>Hospitals and Other Projects</u>	
<u>1st Batching Cycle—1999</u>		<u>1st Batching Cycle – 2002</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>1-29-99</u>	<u>Summary Need Projections Published in F.A.W.</u>	<u>1-25-02</u>
<u>Letter of Intent Deadline</u>	<u>2-15-99</u>	<u>Letter of Intent Deadline</u>	<u>2-11-02</u>
<u>Application Deadline</u>	<u>3-17-99</u>	<u>Application Deadline</u>	<u>3-13-02</u>
<u>Completeness Review Deadline</u>	<u>3-24-99</u>	<u>Completeness Review Deadline</u>	<u>3-20-02</u>
<u>Application Omissions Deadline</u>	<u>4-21-99</u>	<u>Application Omissions Deadline</u>	<u>4-17-02</u>
<u>Agency Initial Decision Deadline</u>	<u>6-18-99</u>	<u>Agency Initial Decision Deadline</u>	<u>6-14-02</u>
<u>Hospitals and Other Projects</u>		<u>Hospitals and Other Projects</u>	
<u>2nd Batching Cycle—1999</u>		<u>2nd Batching Cycle – 2002</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>7-30-99</u>	<u>Summary Need Projections Published in F.A.W.</u>	<u>7-26-02</u>
<u>Letter of Intent Deadline</u>	<u>8-16-99</u>	<u>Letter of Intent Deadline</u>	<u>8-12-02</u>
<u>Application Deadline</u>	<u>9-15-99</u>	<u>Application Deadline</u>	<u>9-11-02</u>
<u>Completeness Review Deadline</u>	<u>9-22-99</u>	<u>Completeness Review Deadline</u>	<u>9-18-02</u>
<u>Application Omissions Deadline</u>	<u>10-20-99</u>	<u>Application Omissions Deadline</u>	<u>10-16-02</u>
<u>Agency Initial Deadline</u>	<u>12-17-99</u>	<u>Agency Initial Deadline</u>	<u>12-13-02</u>
<u>Hospitals and Other Projects</u>		<u>Nursing Homes</u>	
<u>1st Batching Cycle – 2000</u>		<u>1st Batching Cycle—1997</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>1-28-00</u>	<u>Summary Need Projections Published in F.A.W.</u>	<u>4-18-97</u>
<u>Letter of Intent Deadline</u>	<u>2-14-00</u>	<u>Letter of Intent Deadline</u>	<u>5-05-97</u>
<u>Application Deadline</u>	<u>3-15-00</u>	<u>Application Deadline</u>	<u>6-04-97</u>
<u>Completeness Review Deadline</u>	<u>3-22-00</u>	<u>Completeness Review Deadline</u>	<u>6-19-97</u>
<u>Application Omissions Deadline</u>	<u>4-19-00</u>	<u>Applicant Omissions Deadline</u>	<u>7-21-97</u>
<u>Agency Initial Decision Deadline</u>	<u>6-16-00</u>	<u>Agency Initial Decision Deadline</u>	<u>9-19-97</u>
<u>Hospitals and Other Projects</u>		<u>Nursing Homes</u>	
<u>2nd Batching Cycle – 2000</u>		<u>2nd Batching Cycle—1997</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>7-28-00</u>	<u>Summary Need Projections Published in F.A.W.</u>	<u>10-17-97</u>
<u>Letter of Intent Deadline</u>	<u>8-14-00</u>	<u>Letter of Intent Deadline</u>	<u>11-03-97</u>
<u>Application Deadline</u>	<u>9-13-00</u>	<u>Application Deadline</u>	<u>12-03-97</u>
<u>Completeness Review Deadline</u>	<u>9-20-00</u>	<u>Completeness Review Deadline</u>	<u>12-18-97</u>
<u>Application Omissions Deadline</u>	<u>10-18-00</u>	<u>Applicant Omissions Deadline</u>	<u>1-20-98</u>
<u>Agency Initial Deadline</u>	<u>12-15-00</u>	<u>Agency Initial Decision Deadline</u>	<u>3-20-98</u>
<u>Hospitals and Other Projects</u>		<u>Nursing Facilities</u>	
<u>1st Batching Cycle – 2001</u>		<u>1st Batching Cycle—1998</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>1-26-01</u>	<u>Summary Need Projections Published in F.A.W.</u>	<u>4-17-98</u>
<u>Letter of Intent Deadline</u>	<u>2-12-01</u>	<u>Letter of Intent Deadline</u>	<u>5-04-98</u>
<u>Application Deadline</u>	<u>3-14-01</u>	<u>Application Deadline</u>	<u>6-03-98</u>
<u>Completeness Review Deadline</u>	<u>3-21-01</u>	<u>Completeness Review Deadline</u>	<u>6-18-98</u>
<u>Application Omissions Deadline</u>	<u>4-18-01</u>	<u>Applicant Omissions Deadline</u>	<u>7-20-98</u>
<u>Agency Initial Decision Deadline</u>	<u>6-15-01</u>	<u>Agency Initial Decision Deadline</u>	<u>9-18-98</u>

Nursing Facilities  
2nd Batching Cycle—1998

Summary Need Projections Published in F.A.W.	10-16-98
Letter of Intent Deadline	11-02-98
Application Deadline	12-02-98
Completeness Review Deadline	12-09-98
Applicant Omissions Deadline	1-06-99
Agency Initial Decision Deadline	3-05-99

Nursing Facilities  
1st Batching Cycle—1999

Summary Need Projections Published in F.A.W.	4-16-99
Letter of Intent Deadline	5-03-99
Application Deadline	6-02-99
Completeness Review Deadline	6-09-99
Applicant Omissions Deadline	7-07-99
Agency Initial Decision Deadline	9-03-99

Nursing Facilities  
2nd Batching Cycle—1999

Summary Need Projections Published in F.A.W.	10-15-99
Letter of Intent Deadline	11-01-99
Application Deadline	12-01-99
Completeness Review Deadline	12-08-99
Applicant Omissions Deadline	1-05-00
Agency Initial Decision Deadline	3-03-00

Nursing Facilities  
1st Batching Cycle – 2000

Summary Need Projections Published in F.A.W.	4-14-00
Letter of Intent Deadline	5-01-00
Application Deadline	5-31-00
Completeness Review Deadline	6-07-00
Applicant Omissions Deadline	7-05-00
Agency Initial Decision Deadline	9-01-00

Nursing Facilities  
2nd Batching Cycle – 2000

Summary Need Projections Published in F.A.W.	10-13-00
Letter of Intent Deadline	10-30-00
Application Deadline	11-29-00
Completeness Review Deadline	12-06-00
Applicant Omissions Deadline	1-03-01
Agency Initial Decision Deadlin	3-02-01

Nursing Facilities  
1st Batching Cycle – 2001

Summary Need Projections Published in F.A.W.	4-13-01
Letter of Intent Deadline	4-30-01
Application Deadline	5-30-01
Completeness Review Deadline	6-06-01
Applicant Omissions Deadline	7-05-01
Agency Initial Decision Deadline	8-31-01

Nursing Facilities  
2nd Batching Cycle – 2001

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-12-01</u>
<u>Letter of Intent Deadline</u>	<u>10-29-01</u>
<u>Application Deadline</u>	<u>11-28-01</u>
<u>Completeness Review Deadline</u>	<u>12-05-01</u>
<u>Applicant Omissions Deadline</u>	<u>1-02-02</u>
<u>Agency Initial Decision Deadline</u>	<u>3-01-02</u>

Nursing Facilities  
1st Batching Cycle – 2002

Summary Need Projections Published in F.A.W.	4-12-02
Letter of Intent Deadline	4-29-02
Application Deadline	5-29-02
Completeness Review Deadline	6-05-02
Applicant Omissions Deadline	7-03-02
Agency Initial Decision Deadline	8-30-02

Nursing Facilities  
2nd Batching Cycle – 2002

Summary Need Projections Published in F.A.W.	10-11-02
Letter of Intent Deadline	10-28-02
Application Deadline	11-27-02
Completeness Review Deadline	12-04-02
Applicant Omissions Deadline	1-02-03
Agency Initial Decision Deadline	2-28-03

(h) through (j) No change.  
(2) through (6) No change.

Specific Authority 408.15(8), 408.034(5) FS. Law Implemented 408.037, 408.038, 408.039 FS. History—New 1-1-77, Amended 11-1-77, 9-1-78, 6-5-79, 2-1-81, 4-1-82, 7-29-82, 9-6-84, Formerly 10-5.08, Amended 11-24-86, 3-2-87, 6-11-87, 11-17-87, 3-23-88, 5-30-90, 12-20-90, 1-31-91, 9-9-91, 5-12-92, 7-1-92, 8-10-92, Formerly 10-5.008, Amended 4-19-93, 6-23-94, 10-12-94, 10-18-95, 2-12-96, 9-16-96, 11-4-97, 7-21-98,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE TITLE: Training Programs for Standard Certification      RULE NO.: 61G19-6.017

PURPOSE AND EFFECT: The proposed rule will set forth the criteria for the development and implementation of training programs for standard certification as a building code inspector or plans examiner.

SUBJECT AREA TO BE ADDRESSED: Training Programs for Standard Certification.

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.609 FS.

A RULE DEVELOPMENT WORKSHOP IF HELD WILL BE AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:00 a.m., May 19, 2000

PLACE: Tradewinds Resort, 5500 Gulf Boulevard, St. Petersburg, Florida 33706

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony



Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 00-09R

RULE TITLE: Classification of Surface Waters, Usage, Reclassification Classified Waters

RULE NO.: 62-302.400

PURPOSE AND EFFECT: To discuss and receive public comment on the proposed reclassification of Prospect Lake in Broward County from Class I waters to Class III waters. Prospect Lake is currently described in Rule 62-302.400(12)(b)6., F.A.C., as "Abandoned Rock Pit - Northeast corner of SR 7 and Prospect Field Road in the S.W. Quarter of Section 7, T49S, R42E."

SUBJECT AREA TO BE ADDRESSED: The Department has received and is reviewing a petition to reclassify Prospect Lake in Broward County from Class I waters to Class III waters. The public workshop listed below is being conducted as part of the Department's analysis of the proposed reclassification of Prospect Lake from Class I waters to Class III waters.

SPECIFIC AUTHORITY: 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.504, 403.702, 403.708 FS.

THE DEPARTMENT ALSO ANNOUNCES A PUBLIC WORKSHOP FOR RULE DEVELOPMENT TO BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 7:00 p.m., Wednesday, May 3, 2000

PLACE: City of Ft. Lauderdale City Hall, City Commission Chambers, 100 N. Andrews Avenue, Ft. Lauderdale, Florida 33301

If an Americans With Disabilities Act accommodation is needed to participate in this activity, please contact Linda Harvey at (850)488-2996 or (800)955-8771 (TDD), at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE RULE UNDER DEVELOPMENT AND FROM WHOM A COPY OF THE WORKSHOP AGENDA MAY BE OBTAINED IS: Eric Shaw, Division of Water Resource Management, Mail Station 3570, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-9929

THE PRELIMINARY TEXT OF THE PROPOSED RULE UNDER DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE TITLE: Other Business Involving the Board

RULE NO.: 64B1-1.003

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

SUBJECT AREA TO BE ADDRESSED: Other Business Involving the Board.

SPECIFIC AUTHORITY: 455.534(4) FS.

LAW IMPLEMENTED: 455.534(4) 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: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3259 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE TITLE: Continuing Education as a Condition

RULE NO.:

for Renewal 64B6-5.001

PURPOSE AND EFFECT: The Board determined to strike text from the rule because it will give the Department greater flexibility.

SUBJECT AREA TO BE ADDRESSED: Continuing Education as a Condition for Renewal.

SPECIFIC AUTHORITY: 455.564(8), 455.2124, 484.044, 484.047(1), (4) FS.

LAW IMPLEMENTED: 484.047(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B6-5.001 Continuing Education as a Condition for Renewal.

(1) As a condition of the biennial renewal of an active license, each hearing aid specialist shall attend and certify attending 20 credit hours (per biennium) of Board approved continuing education which are relevant to, and which enhance, the licensee's ability to dispense hearing aids. ~~The biennium period begins March 1 and ends February 28 of each odd numbered year.~~ Board-approved means approved by a chairman-appointed committee of one, or as specified by Rule 64B6-5.002(1), F.A.C. Continuing education courses, or portions thereof, which are devoted to content areas other than those identified in Rule 64B6-2.003, or risk management, shall not be approved for continuing education credit. These certified hours shall include two hours per biennium relating to hearing aid laws and rules.

(2) No change.

Specific Authority 455.564(8), 455.2124, 484.044, 484.047(1),(4) FS. Law Implemented 484.047(4) FS. History--New 4-1-85, Formerly 21JJ-15.001, Amended 8-5-87, 4-8-90, 8-21-90, 8-19-91, Formerly 21JJ-5.005, Amended 11-20-95, Formerly 61G9-5.005, Amended 9-23-99.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Miscellaneous

RULE TITLE:

RULE NO.:

Landing of Finfish with Heads and Tails

68B-5.005

Intact; Exception; Definition  
PURPOSE AND EFFECT: The purpose of this proposed new rule is to require that all finfish, with two exceptions for species that have special rules, be landed in a whole condition. The effect of the new rule should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of all finfish in whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-5.005 Landing of Finfish with Heads and Tails Intact; Exception; Definition.

(1) All finfish shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of a finfish that has been deheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned is prohibited. Mere evisceration or "gutting" of a finfish, or mere removal of gills before landing is not prohibited.

(2) This rule is not intended to apply to the harvest or landing of mullet or sharks, the handling of which are governed by Rule Chapters 68B-39 and 68B-44, F.A.C., respectively.

(3) For purposes of this rule, "finfish" means any member of the classes Agnatha, Chondrichthyes, or Osteichthyes.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: King Mackerel Resource Renewal

RULE TITLE:

RULE NO.:

Size Limit

68B-12.0035

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring king mackerel to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of king mackerel in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-12.0035 Size Limit.

(1) No person shall harvest from the waters of the Gulf-Atlantic Fishery or land any king mackerel with a fork length less than 24 inches, measured from the tip of the snout to the rear center edge of the tail.

~~(2) All king mackerel shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, or on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of any such fish that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of such fish, or mere removal of gills before landing is not prohibited.~~

~~(2)(3)~~ It is the intent of this rule and Rule 68B-30.0025 to expressly repeal and replace Section 370.11(2)(a)3., Florida Statutes, and the remainder of Section 370.11(2)(a), Florida Statutes, as these provisions pertain to king mackerel.

Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. History—New 11-29-93, Amended 6-3-96, 10-22-99, Formerly 46-12.0035, Amended

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Reef Fish

RULE TITLE:

Other Prohibitions

RULE NO.:

68B-14.006

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring reef fish to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of reef fish in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-14.006 Other Prohibitions.

(1) Possession of any fish in excess of any applicable bag limit or smaller than any minimum size limit established by this chapter by any person aboard a vessel fishing in state waters constitutes a violation of this chapter.

(2) No person shall possess, transport, buy, sell, exchange or offer to buy, sell or exchange any fish harvested in violation of this chapter.

(3) The prohibitions of this chapter apply as well to any and all persons operating a vessel in state waters, who shall be deemed to have violated any prohibition which has been violated by another person aboard such vessel.

~~(4) All fish harvested from Florida or adjacent federal Exclusive Economic Zone (EEZ) waters pursuant to the requirements of this chapter, shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of such fish that have been deheaded, sliced, divided, filleted, ground, skinned, sealed or deboned is prohibited. Mere evisceration or "gutting" of fish, or mere removal of gills from fish, before landing is not prohibited. Preparation of fish for immediate consumption on board the vessel from which the fish were caught is not prohibited.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-11-86, Amended 2-1-90, 7-15-96, 12-31-98, Formerly 46-14.006, Amended

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Snook

RULE TITLES:

Size Limits

Restrictions on Gear and Methods Used

to Take Snook

RULE NOS.:

68B-21.005

68B-21.007

PURPOSE AND EFFECT: The purpose of these rule amendments is twofold: to delete provisions requiring snook to be landed in a whole condition in favor of a generic rule being adopted as Rule 68B-5.005, and to apply the gear and method of take restrictions of this chapter to snook harvested in adjacent federal waters. The effect of these rule amendments should be to increase the understanding of rules for all finfish harvested in Florida and adjacent federal waters and assist in the enforcement of gear and methods rules for snook, Florida's most popular recreational game fish.

SUBJECT AREA TO BE ADDRESSED: Harvest restrictions for snook.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-21.005 Size Limits.

(+) It is unlawful for any person, firm or corporation to kill, harvest or possess any snook that measures less than 26 inches or greater than 34 inches in total length (measured from the most forward point of the lower jaw to the tip of the tail).

(2) ~~All snook harvested from Florida waters shall be landed in a whole condition. The possession, while on state waters, of snook that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of snook, or mere removal of~~

~~gills from snook, before landing is not prohibited. Preparation of snook for immediate consumption on board the vessel from which the fish were caught is not prohibited.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-23-85, Amended 7-9-87, 12-31-98, Formerly 46-21.005, Amended.

68B-21.007 Restrictions on Gear and Methods Used to Take Snook.

(1) The taking or attempted taking of snook within or without ~~in or from~~ state waters is prohibited except by use of hook and line gear. For purposes of this chapter, the phrase "hook and line gear" includes any rod and reel or any pole to which such hook and line are attached, as well as any bob, float, weight, lure, plug, spoon and/or standard bait attached thereto. However, the harvest of snook within or without ~~in or from~~ state waters by or with the use of any treble hook in conjunction with live or dead natural bait is prohibited.

(2) It is unlawful to take or attempt to take snook by use of any net, seine or trap, or by use of any gang hook, multiple hooks, snatch hooks, or by spearing, or by any device designed or intended to impale or hook the fish by any part of its body other than its mouth, or by use of any other device not specifically permitted in subsection (1) of this section. What is commonly called snook snatching is prohibited within or without ~~in~~ the waters of this state.

(3) It is unlawful for any person, firm, or corporation while fishing, using, transporting or possessing any net, seine, trap or other fishing device not specifically permitted in subsection (1) of this rule to have in its possession any snook. This prohibition shall not apply to possession aboard a vessel of a single cast net if it is secured and stored off the deck of the vessel. Any snook accidentally taken by any trap, net or seine shall not be deemed to be possessed in violation of this rule if such snook is immediately returned to the water free, alive and unharmed.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-23-85. Amended 7-9-87, 3-1-94, 1-1-98, Formerly 46-21.007, Amended.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Red Drum (Redfish)

RULE TITLE:

Other Prohibitions; Applicability

RULE NO.:

68B-22.006

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring redfish to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of redfish in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-22.006 Other Prohibitions; Applicability.

(1) The harvest of any redfish in or from state waters by or with the use of any multiple hook in conjunction with live or dead natural bait is prohibited. Spearing or snagging (snatch hooking) of redfish in or from state waters is prohibited.

(2) It is unlawful for any person to possess, transport, buy, sell, exchange or attempt to buy, sell or exchange any redfish harvested in violation of this chapter.

(3) No operator of a vessel in or on state waters shall allow the possession aboard the vessel of any redfish not in compliance with established bag limits, size limits, seasons or any prohibited gear as specified in this chapter or in chapter 68B-4, F.A.C.

~~(4) All redfish harvested from Florida waters shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, or on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of any redfish that has been deheaded, sliced, divided, filleted, ground, skinned, sealed or deboned is prohibited. Mere evisceration or "gutting" of redfish, or mere removal of gills from redfish, before landing is not prohibited. Preparation of redfish for immediate consumption on board the vessel from which the fish were caught is not prohibited.~~

~~(4)(5)~~ Provisions of this rule chapter shall not apply to redfish artificially spawned and raised in commercial aquaculture facilities. Failure to maintain appropriate receipt(s), bill(s), bill(s) of sale, or bill(s) of lading, that such redfish were artificially spawned and raised in commercial aquaculture facilities, shall constitute a violation of this rule.

~~(5)(6)~~ The simultaneous possession aboard a vessel of any gill net or entangling net together with any redfish is prohibited.

Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 2-12-87, Amended 6-3-91, 1-1-96, 1-1-98, Formerly 46-22.006, Amended \_\_\_\_\_

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Spanish Mackerel

RULE TITLE: Size Limit RULE NO.: 68B-23.0035

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring Spanish mackerel to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of Spanish mackerel in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-23.0035 Size Limit.

(+) No person shall harvest from state waters, possess while in or on state waters, or land any Spanish mackerel with a fork length less than 12 inches, measured from the tip of the snout to the rear center edge of the tail.

~~(2) All Spanish mackerel harvested in or from Florida or adjacent federal Exclusive Economic Zone (EEZ) waters shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of a Spanish mackerel that has been deheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned is prohibited. Mere evisceration or "gutting" of Spanish mackerel, or mere removal of gills before landing is not prohibited.~~

Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 6-1-99, Formerly 46-23.0035, Amended.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Spanish Mackerel

RULE TITLE: Recreational Bag Limit for Spanish Mackerel      RULE NO.: 68B-23.005

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to increase the recreational bag limit on July 1, 2000, to acknowledge the continued recovery of the species in Florida and adjacent federal waters under conservative management. The effect should be to promote angling for this now abundant fish.

SUBJECT AREA TO BE ADDRESSED: Spanish mackerel recreational bag limit.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-23.005 Recreational Bag Limit for Spanish Mackerel.

(1) No recreational harvester shall harvest more than 15 ~~40~~ Spanish mackerel per day from waters of the state.

(2)(a) No recreational harvester shall possess, while in or on the waters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters, more than 15 ~~40~~ Spanish mackerel, whether harvested from state waters or from adjacent federal waters.

(b) The captain or crew of a charter vessel may each temporarily possess more than the applicable possession limit for Spanish mackerel, once the vessel is docked, for the limited purposes of transporting, cleaning, or storing fish for customers, so long as the fish are segregated in bags or other containers by customer and the customer has given written authorization to the captain to temporarily possess the fish for such limited purposes. The authorization shall remain attached to the bag or container containing the fish until they are returned to the customer.

(3) No recreational harvester, while on any vessel in state waters, shall transfer any Spanish mackerel to any other vessel.

PROPOSED EFFECTIVE DATE: July 1, 2000.

Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 10-30-86, Amended 12-10-87, 10-1-88, 10-1-90, 11-26-92, 2-14-94, 1-1-98, Formerly 46-23.005, Amended 7-1-00.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Southwest Florida Shells

RULE TITLE: Live Shellfish, Regulation      RULE NO.: 68B-26.003

PURPOSE AND EFFECT: The purpose of this rule amendment is to expand the prohibition against harvest or possession of any live shellfish in Lee County to include Ft. Myers Beach. The municipality has requested this action. The effect of the rulemaking should be to increase public awareness of the need to conserve live shellfish in Ft. Myers Beach, while not affecting the normal practice of collecting shells that do not contain a living animal.

SUBJECT AREA TO BE ADDRESSED: Collection of live shellfish in Ft. Myers Beach in Lee County.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-26.003 Live Shellfish, Regulation.

(1) Lee County Live Shellfish Restrictions –

(a) Except as provided in paragraph (b) for the City of Sanibel and in subsection (3), no person shall:

1. Harvest more than two live shellfish of any single species, per day, within Lee County.

2. Possess, in that area of Lee County between the mean high water line and the county limits in the Gulf of Mexico, more than two live shellfish of any single species at any time.

(b) Except as provided in subsection (3), no person shall:

~~1. harvest any live shellfish within the following named cities, or City of Sanibel.~~

~~2. possess, in that area of the City of Sanibel between the mean high water line and the city limits, any live shellfish at any time;~~

1. The City of Sanibel.

2. The City of Ft. Myers Beach.

(2) Manatee County Live Shellfish Restrictions – Except as provided in subsection (3), beginning July 1, 1996, no person shall:

(a) Harvest more than 2 live shellfish of any single species, per day, within Manatee County.

(b) Possess, in that area of Manatee County between the mean high water line and the seaward extent of state waters within the county, more than two live shellfish of any single species at any time.

(3) Pursuant to Section 370.10(2), Florida Statutes, the Fish and Wildlife Conservation Commission may issue permits to harvest or possess more live shellfish of any single species within Lee County or Manatee County than provided for in subsections (1) and (2) of this rule, for experimental, scientific, or exhibitional purposes.

(4) It is lawful to harvest any shell within Lee County or within Manatee County, so long as such shell does not contain any live shellfish at the time of harvest and so long as a live shellfish is not killed, mutilated, or removed from its shell prior to such harvest.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-15-87, Amended 9-1-93, 1-1-95, 4-1-96, Formerly 46-26.003, Amended \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: King Mackerel – Atlantic Fishery

RULE TITLE: \_\_\_\_\_ RULE NO.: \_\_\_\_\_

Size Limit \_\_\_\_\_ 68B-30.0025

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring king mackerel to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of king mackerel in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-30.0025 Size Limit.

(1) No person shall harvest from the waters of the Atlantic Fishery or land any king mackerel with a fork length less than 24 inches, measured from the tip of the snout to the rear center edge of the tail.

~~(2) All king mackerel shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, or on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of any such fish that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of such fish, or mere removal of gills before landing is not prohibited.~~

~~(2)(3)~~ It is the intent of this rule and Rule 68B-12.0035 to expressly repeal and replace Section 370.11(2)(a)3., Florida Statutes, and the remainder of Section 370.11(2)(a), Florida Statutes, as these provisions pertain to king mackerel.

Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, and Chapter 85-163, Laws of Fla. History--New 11-29-93, Amended 7-15-96, 10-22-99, Formerly 46-30.0025, Amended

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Pompano, African Pompano, and Permit

RULE TITLE: Size and Bag Limits; Prohibition of Sale

RULE NO.: 68B-35.003

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring pompano, African pompano, and permit to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of pompano, African pompano, and permit in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-35.003 Size and Bag Limits; Prohibition of Sale.

(1) Size Limits –

(a) No person shall harvest in or from state waters, or possess while in or on state waters, any pompano or permit, with a ~~fork~~ length less than 10 inches, or greater than 20 inches. No person shall purchase, sell, or exchange any pompano or permit with a length less than 10 inches, or greater than 20 inches.

(b) No person shall harvest in or from state waters, or possess while in or on state waters, any African pompano with a length less than 24 inches.

~~(c) All pompano, African pompano, and permit shall be landed in whole condition. The possession, while in or on state waters, on any public or private fishing pier, or on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of any such fish that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of such fish, or mere removal of gills, before landing is not prohibited.~~

(2) Bag Limits –

(a) Except for persons harvesting pursuant to a valid saltwater products license, no person shall harvest in or from state waters more than a total of 10 pompano or permit per day, in any combination of species, nor possess while in or on state waters more than 10 such fish. No more than one (1) of such fish shall exceed 20 inches length.

(b) Each harvester of African pompano is subject to a bag limit of 2 African pompano per day, however, no more than 2 African pompano shall be possessed aboard any vessel while in or on state waters at any time.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-1-89, Amended 1-1-96, Formerly 46-35.003, Amended

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Black Drum

RULE TITLE: Other Prohibitions

RULE NO.: 68B-36.005

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring black drum to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment



should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of black drum in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-36.005 Other Prohibitions.

(H) The harvest of black drum within or without the waters of the state by or with the use of any multiple hook in conjunction with live or dead natural bait, or the landing of black drum so harvested, is prohibited. Snagging (snatch hooking) of black drum within or without the waters of the state is also prohibited.

~~(2) All black drum shall be landed in a whole condition. The possession, while in or on state waters, of black drum that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of black drum, or mere removal of gills, before landing is not prohibited.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-89, Formerly 46-36.005, Amended \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Spotted Seatrout

RULE TITLE: Size Limits RULE NO.: 68B-37.003

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring spotted seatrout to be landed in a whole condition in favor of a new generic rule

being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of spotted seatrout in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-37.003 Size Limits.

(1)(a) Recreational Size Limits – Except as provided in paragraph (b), a person subject to a regional bag limit specified in Rule 68B-37.004(1) shall not harvest, possess while in or on the waters of the state, or land any spotted seatrout with a total length smaller or larger than the regional size limits indicated in this paragraph:

1. In the Northeast Region and South Region, a total length less than 15 inches or greater than 20 inches.

2. In the Northwest Region, a total length less than 15 inches or greater than 24 inches.

(b) A person harvesting under the bag limit established in Rule 68B-37.004 may harvest, possess while in or on the waters of the state, and land no more than one spotted seatrout per day with a total length greater than than the applicable regional maximum size limit specified in paragraph (a) of this subsection.

(2) Commercial Size Limit – A person harvesting for commercial purposes shall not harvest, possess while in or on the waters of the state, or land any spotted seatrout with a total

length less than 15 inches or greater than 24 inches. No person shall buy, sell, or exchange any spotted seatrout with a total length less than 15 inches or greater than 24 inches.

~~(3) All spotted seatrout harvested in or from Florida or adjacent federal Exclusive Economic Zone (EEZ) waters shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of a spotted seatrout that has been deheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned is prohibited. Mere evisceration or "gutting" of spotted seatrout, or mere removal of gills before landing is not prohibited.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-1-89, Amended 1-1-96, 8-1-96, Formerly 46-37.003, Amended.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Dolphin

RULE TITLE: RULE NO.:

Size Limit, Prohibition of Sale 68B-41.003

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring dolphin to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of dolphin in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-41.003 Size Limit, Prohibition of Sale.

(1) No person shall buy, sell, or exchange any dolphin with a fork length less than 20 inches.

(2) No person harvesting for commercial purposes shall harvest, possess while in or on the waters of the state, or land any dolphin with a fork length less than 20 inches.

~~(3) No person harvesting for commercial purposes shall land any dolphin in other than a whole condition. The possession by such a person, while in or on state waters, of dolphin that have been deheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned is prohibited. Mere evisceration or "gutting" of dolphin, or mere removal of gills, before landing is not prohibited.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-91, Formerly 46-41.003, Amended.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Weakfish

RULE TITLE: RULE NO.:

Size Limits 68B-47.002

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring weakfish to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of weakfish in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-47.002 Size Limits.

(1) No person shall harvest, within or without the waters of the state, possess, or land any weakfish with a total length less than 12 inches.

(2) No person shall purchase, sell, or exchange any weakfish with a total length less than 12 inches.

~~(3) All weakfish shall be landed in whole condition. The possession, while in or on state waters, of weakfish that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of weakfish, or mere removal of gills, before landing is not prohibited.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-17-95, Formerly 46-47.002, Amended \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Flounder and Sheepshead

RULE TITLE: Size and Bag Limits RULE NO.: 68B-48.003

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring flounder and sheepshead to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of flounder and sheepshead in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting

by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-48.003 Size and Bag Limits.

(1) Size Limits.

~~(a) No person shall harvest in or from state waters, possess while in or on state waters, or sell or offer for sale any flounder or any sheepshead with a total length less than 12 inches.~~

~~(b) All flounder and sheepshead shall be landed in whole condition. The possession, while in or on state waters, on any public or private fishing pier, or on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of any such fish that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of such fish, or mere removal of gills, before landing is not prohibited.~~

(2) Bag Limits – Except for persons harvesting pursuant to a valid saltwater products license:

(a) No person shall harvest in or from state waters more than a total of 10 flounder per day, nor possess while in or on state waters more than 10 such fish.

(b) No person shall harvest in or from state waters more than a total of 15 sheepshead per day, nor possess while in or on state waters more than 15 such fish.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 1-1-96, Amended 1-1-97, 8-31-98, Formerly 46-48.003, Amended \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Tripletail

RULE TITLE: Size and Bag Limits, Daily Commercial RULE NO.: 68B-49.002

Vessel Limit, Designation as Restricted Species

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete a provision requiring tripletail to be landed in a whole condition in favor of a new generic rule being adopted, Rule 68B-5.005, that will impose such a requirement for all finfish. The effect of the rule amendment should be to increase understanding of rules for all finfish harvested in Florida and adjacent federal waters and aid enforcement of size and species rules.

SUBJECT AREA TO BE ADDRESSED: Maintenance of tripletail in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.  
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER ANNOUNCED IN THIS PUBLICATION.

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Adrena Knicely, (850)487-1406. If you are speech or hearing impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-49.002 Size and Bag Limits, Daily Commercial Vessel Limit, Designation as Restricted Species.

(1) Size Limits.

~~(a) No person shall harvest in or from state waters, possess while in or on state waters, or sell or offer for sale any tripletail with a total length less than 15 inches.~~

~~(b) All tripletail shall be landed in whole condition. The possession, while in or on state waters, on any public or private fishing pier, or on a bridge or eatwalk attached to a bridge from which fishing is allowed, of any tripletail that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of such fish, or mere removal of gills, before landing is not prohibited.~~

(2) Bag Limit and Daily Commercial Vessel Limit.

(a) Except for persons possessing a valid saltwater products license with a restricted species endorsement, no person shall harvest in or from state waters more than a total of 2 tripletail per day, nor possess while in or on state waters more than 2 such fish.

(b) Each person possessing a valid saltwater products license with a restricted species endorsement, shall be subject to a limit of 10 tripletail per day, provided however, that no more than 10 such fish shall be possessed aboard any vessel while in or on state waters, irrespective of the number of commercial harvesters aboard.

(3) Tripletail is hereby designated a restricted species pursuant to Section 370.01(20), Florida Statutes.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-96, Amended 8-31-98, Formerly 46-49.002, Amended \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Standards

RULE TITLE: Standards RULE NO.: 5F-10.001

PURPOSE AND EFFECT: The purpose of 5F-10.001 is to adopt the most recent version of the chemical and physical standards for antifreeze set forth by the American Society for Testing and Materials. The effect of each adoption is to maintain nationally recognized standards.

SUMMARY: Proposed rule 5F-10.001 will adopt the most recent versions of the American Society for Testing and Materials' standards and specifications for antifreeze products in accordance with 501.921, Florida Statutes. The Department will use these standards and specifications when evaluating antifreeze products offered for registration with the Department or offered for sale to the public.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding hesatement 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: 570.07(23), 501.921 FS.

LAW IMPLEMENTED: 501.913, 501.917, 501.921 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., Wednesday, May 17, 2000

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, Phone (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-10.001 Standards.

(1) The performance specifications and standards for ethylene glycol base antifreeze are hereby incorporated by reference: ASTM D 3306-98 ~~ASTM D 3306-94~~, "Standard Specification for Ethylene Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 1998 ~~September, 1994~~).