

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Connecting or Disconnecting Cylinders, Tanks, or Systems; Notice to Owner; Transportation **RULE NO.:** 5F-11.047

PURPOSE AND EFFECT: This is a second meeting of the negotiated rulemaking committee is for the purpose of reviewing survey information from the liquefied petroleum gas industry with regard to the the existing rule to determine if revisions are necessary based on departmental policies, current industry procedures, practices and safety criteria.

SUBJECT AREA TO BE ADDRESSED: This rule addresses the criteria, safety requirements, notification requirements, time frames and conditions under which liquefied petroleum gas cylinders, tanks or systems may or may not be disconnected or connected and transported.

SPECIFIC AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06, 527.07 FS.

THE DEPARTMENT WILL HOLD A MEETING OF THE NEGOTIATED RULEMAKING COMMITTEE AT THE TIME, DATE AND PLACE SHOWN BELOW:

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

PLACE: George Eyster Auditorium, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, OR THE EXISTING RULE IS: Vicki O’Neil, Bureau Chief, Bureau of Liquefied Petroleum Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, telephone (850)921-8001, Fax (850)921-8079

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

DEPARTMENT OF EDUCATION

RULE TITLE: State Requirements for Educational Facilities **RULE NO.:** 6-2.001

PURPOSE AND EFFECT: The purpose of this rule development is to update the reference document for life safety purposes, the National Fire Protection Association Life Safety Code NFPA 101, 2000 edition. In addition, forms for reporting information required by Chapter 235, Florida Statutes, will be adopted, conflicts for inspections of existing buildings will be addressed, and fire codes will be clarified.

SUBJECT AREA TO BE ADDRESSED: Standards and requirements for the procurement and management of educational facilities will be the subject area to be addressed.

SPECIFIC AUTHORITY: 235.01(2) FS.

LAW IMPLEMENTED: 50.011, 50.021, 50.031, 50.041, 50.051, 50.061, 50.071, 215.61, 230.23(9), 230.33(12)(j), 230.64, 235.011, 235.014, 235.04(1), 235.05, 235.054, 235.055, 235.056, 235.057, 235.06, 235.15, 235.18, 235.19, 235.193, 235.195, 235.211, 235.26, 235.30, 235.31, 235.32, 235.321, 235.34, 235.41, 235.42, 235.435, 236.13, 236.25, 236.35, 236.36, 236.37, 236.49, 237.01, 237.031, 237.40, 239.229, 240.209(3)(a), 240.295, 240.299, 240.319(3)(e)&(f), 240.327, 240.331, 255.0515, 255.20, 267.061, 287.055, 287.0935, 287.133, 440.02, 440.03, 440.10, 440.103, 440.38, 442.004, 442.006, 442.007, 442.0105, 422.019, 422.022, 442.101, 442.109, 442.115, 471.003, 481.229, 489.113(2), 489.125, 553.63, 553.64, 553.71, 553.79, 553.80, 633.025 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Suzanne Marshall, Room 1054, 325 West Gaines Street, Tallahassee, Florida 32399, Telephone (850)487-1130, Fax (850)488-1677

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Resident Access Grants **RULE NO.:** 6A-20.007

PURPOSE AND EFFECT: The purpose of this rule development is to rename the program to be consistent with the name as amended by the Legislature, the William L. Boyd, IV, Florida Resident Access Grant, and to delete references to rules, statutes, and forms which are no longer relevant to the program.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to the current Florida Resident Access Grant program will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 240.404, 240.4041, 240.605 FS.

LAW IMPLEMENTED: 229.053, 240.1201, 240.404, 240.4042, 240.605 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES: RULE NOS.:
Critical Teacher Shortage Tuition Reimbursement Program 6A-20.012

Grants for Teacher for Special Training in Exceptional Student Education 6A-20.025

PURPOSE AND EFFECT: The purpose of this rule development is to adopt a newly revised application form and to delete references to statutes and rules which are no longer applicable to these programs.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to these programs will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 240.405(5), 240.4064(2) FS.

LAW IMPLEMENTED: 240.405, 240.4064 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:
Critical Teacher Shortage Student Loan Forgiveness Program 6A-20.013

PURPOSE AND EFFECT: The purpose of this rule development is to adopt a newly revised application form and to delete reference to statutes which are no longer applicable to this program.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to the current Critical Teacher Shortage Student Loan Forgiveness Program will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 231.621(4) FS.

LAW IMPLEMENTED: 231.621 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:
Seminole and Miccosukee Indian Scholarships 6A-20.020

PURPOSE AND EFFECT: The purpose of this rule development is to provide for the reinstatement of student eligibility during subsequent application periods, as provided in Section 240.404(3)(b), Florida Statutes, when a student fails to meet the minimum number of credit hours required for renewal. In addition, an outdated reference to the Council on Postsecondary Accreditation will be corrected. The effect will be a rule which reflects current law as adopted by the Legislature.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to the Seminole and Miccosukee Indian Scholarship program will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 240.1201, 240.4041, 240.413(1) FS.

LAW IMPLEMENTED: 240.404, 240.413 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Jose Marti Scholarship Challenge Grant Fund	6A-20.023
Florida Teacher Scholarship and Forgivable Loan Program	6A-20.039

PURPOSE AND EFFECT: The purpose of these rule developments is to adopt newly revised application forms, delete a renewal application form which is no longer required, and delete references to rules and statutes which are no longer applicable to these programs.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to these programs will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 240.404, 240.4041, 240.412, 240.465, 240.4063(1) FS.

LAW IMPLEMENTED: 231.62, 240.1201, 240.404, 240.4042, 240.4063, 240.412 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE:	RULE NO.:
Florida Work Experience Program	6A-20.038

PURPOSE AND EFFECT: The purpose of this rule development is to review the requirements relating to the allocation of funds by the Department to ensure that they are statutorily compliant. In addition, references to outdated rules and statutes will be deleted. The effect will be a rule which reflects the intent of the Legislature.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to the Florida Work Experience Program will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 240.404, 240.4041, 240.606(7) FS.

LAW IMPLEMENTED: 229.053, 240.1201, 240.404, 240.4042, 240.606 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Administration of Combined Design and Construction Contracts (Design-Build)
 RULE CHAPTER NO.: 14-91

RULE TITLES: Public Announcement Procedures
 Selection and Award Process
 RULE NOS.: 14-91.005
 14-91.007

PURPOSE AND EFFECT: The method of publishing notice of Design-Build projects is being updated to Internet and letter notification instead of the Florida Administrative Weekly.

SUBJECT AREA TO BE ADDRESSED: The amendment to Rules 14-91.005 and 14-91.007 will update the method of publishing notices of proposed Design-Build projects.

SPECIFIC AUTHORITY: 334.044(2), 337.11(7)(b) FS.

LAW IMPLEMENTED: 337.11(7) 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: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-91.005 Public Announcement Procedures.

Except in emergency situations where a proper declaration of emergency has been executed, the Department shall publish an announcement on the Internet web site at <http://www.dot.state.fl.us>, and the Department will seek to notify all listed pre-qualified contractors in a letter, in the Florida Administrative Weekly, setting forth a general description of the project requiring design-build services and defining the process for interested firms to submit a letter of interest. ~~For major bridge projects (or other design-build projects under Section 337.025, Florida Statutes), this announcement shall be sent to all prequalified contractors as well.~~ The announcement will state where the letters of interest are to be sent. Additionally, the Department may utilize other forms of communication to announce the Project.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.11(7), 337.025 FS. History—New 3-13-88, Amended 2-20-96, 9-3-96, _____.

14-91.007 Selection and Award Process.

(1) Letters of Interest Requirements. Firms desiring to submit bid proposals on a design-build project must submit a letter of interest setting forth the qualifications of the members of the Firm and providing any other information required by the announcement of the project.

(2) Short Listing Criteria and Procedures. On Adjusted Score Design-Build projects, the Department will determine the short list of Firms based on an evaluation of the information provided by the letters of interest and in accordance with Rule Chapter 14-75. For this purpose, all references to “consultant” in Rule Chapter 14-75 shall be deemed to be a reference to “Firm” under this Rule Chapter. Low Bid Design-Build projects will not require short listing.

(3) Scope of Services Requirements. The Department shall develop a scope of services which furnishes sufficient information upon which Firms may prepare bid proposals and which sets forth the technical proposal evaluation criteria.

(4) Bid Proposal Requirements. Bid proposals shall consist of a technical proposal and a price proposal. The technical and price proposals will be received by the Department by the deadline stipulated in the public announcement.

(a) Technical Proposal. A technical proposal shall include all information requested in response to the request for proposals.

(b) Price Proposal. A price proposal shall include one lump sum cost for all costs of the project as defined by the scope of services requirements. Examples of such services are: design, permits, construction engineering and inspection and construction of the proposed project.

(5) Technical Review Committee. There shall be a Technical Review Committee consisting of Department employees whose members are selected based on their experience and the nature of the project. This committee will be used to evaluate letters of interest and review technical proposals in accordance with the provisions of the request for proposal.

(6) The Department will use the Low Bid Design-Bid process when its scope of work is precise, explicit and clearly defined, and will use the Adjusted Score Design-Bid process when the scope of work is flexible and identifies an end result that the Department wants to achieve, rather than dictating specific methods and materials. The public announcement Florida Administrative Weekly notice for a particular project will specify which process will be used.

(7) When a project will operate under time constraints, the Department will include an adjustment for the value of time in either type of design-build process referenced in Section 14-91.007(6). This adjustment will be based on the Firm's proposed number of days to complete the project multiplied by a value per day established by the Department in the request for proposals, i.e., number of days multiplied by the dollar value per day equals the price proposal adjustment (increase). This factor will be used for selection purposes only and shall not affect the Department's liquidated damages schedule or affect the incentive/disincentive provisions of the contract.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.11(7) FS. History--New 3-13-88, Amended 6-13-90, 2-20-96, 9-3-96,_____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Incentive/Disincentive Procedure	14-93
RULE TITLES:	RULE NOS.:
Purpose	14-93.001
Background	14-93.002
Procedure	14-93.003
Incentive/Disincentive Procedure	14-93.004

PURPOSE AND EFFECT: The proposed amendment to Rule Chapter 14-93 is to clarify the incentive/disincentive procedures. The three existing rules are to be repealed and replaced with a single rule. This realignment is consistent with the streamlining of rules which began around 1996. Specific amendments include clarification regarding revenue producing projects. The fee structure table is deleted. Also, the statutory citations are updated.

SUBJECT AREA TO BE ADDRESSED: Rule Chapter 14-93 is being amended to clarify the Department's incentive/disincentive procedures. The statutory citations are being updated and the three existing rules are being repealed and replaced by one new rule.

SPECIFIC AUTHORITY: 334.044(2), 337.18(4)(b) FS.

LAW IMPLEMENTED: 337.18(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: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-93.001 Purpose.

Specific Authority 334.044(2), 337.18(4)(5)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed.

14-93.002 Background.

Specific Authority 334.044(2), 337.18(4)(5)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed.

14-93.003 Procedure.

Specific Authority 334.044(2), 337.18(4)(5)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed.

14-93.004 Incentive/Disincentive Procedure.

(1) Purpose. This rule governs the use of incentive/disincentive provisions in construction contracts. Directions are included for selecting projects, establishing the amounts and durations for incentive/disincentive provisions, and approval authority.

(2) Background. Section 337.18(4), Florida Statutes, authorizes the use of incentives/disincentives. Incentive/disincentive provisions in a contract compensate the contractor a predetermined amount of money for each day identified work is completed ahead of schedule or assesses a deduction for each day the contractor is late in meeting the time specified. Incentive/disincentive provisions can be placed in the contract when it is determined and adequately documented that the timely completion of any project or critical phases of a project will provide a substantial benefit to the public health, safety, or welfare, will limit the disruptive effect of construction on the community, or is cost beneficial on a revenue producing project.

(3) Procedure.

(a) Incentives/disincentives may be applied when it is documented that the project will provide a substantial benefit to the public health, safety, or welfare, will limit the disruptive effect of construction on the community, or is cost beneficial on a revenue producing project. The incentive/disincentive contract should include the identification of critical phases of work or critical locations within the project limits warranting use of incentive/disincentive provisions as a measure to mitigate the extent of anticipated problems.

(b) Monetary and Time Limitations. The monetary and time requirements for incentive/disincentive provisions should be established based on the facts supporting each project. Existing state statutes limit incentive/disincentive provisions to a maximum of \$10,000 per calendar day, except for revenue producing projects. For revenue producing projects, the incentive amount per calendar may be greater if an analysis indicates that additional revenues projected to be received upon completion of the project will exceed the cost of the incentive payments.

(c) Justification of Allowance.

1. Only projects determined to be capable of accelerated construction will be considered eligible for inclusion of an incentive/disincentive provision. The use of the incentive/disincentive provision requires detailed design drawings, pay items, specifications, utility information, maintenance of traffic plans, establishment of contract time, scheduling requirements, and other essential contract elements.

2. The incentive/disincentive monetary amount set for each project should be supported by an estimated cost of damages expected to be mitigated or revenue to be received by early or late completion for the overall project or critical phase of work. The cost for construction engineering inspection services, delay cost to facility users, or expected improvements at high-accident locations, are examples of impacts for which costs normally can be estimated.

3. Other justifications for use of incentive/disincentive provisions, such as more circuitous access to residences or businesses during construction, lessening disruptive impacts to community services, etc., cannot be converted easily to monetary terms, but are examples of valid impacts.

Specific Authority 334.044(2), 337.18(4)(b) FS. Law Implemented 337.18(4) FS. History—New

STATE BOARD OF ADMINISTRATION

RULE TITLE: Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes
RULE NO.: 19-8.013

PURPOSE AND EFFECT: To discuss proposed amendments to the bonding rule for the Florida Hurricane Catastrophe Fund.

SUBJECT AREA TO BE ADDRESSED: Conforming the rule to recent statutory enactments.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. – Noon, Wednesday, May 31, 2000

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dr. Jack E. Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1340

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON MAY 8, 2000.

Copies of the proposed amended rule and the agenda for the workshop may be obtained from: Anne Bert, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, Tel. (850)413-1349.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Bert at least 5 calendar days before the workshop.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Probation and Parole – Use of Force
RULE NO.: 33-302.105

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the circumstances in which the use of force is appropriate in probation and parole settings and to establish procedures relating thereto. The effect is to clarify: situations in which use of force is permissible, the amount of force to be used, procedures relating to preparation of Use of Force Reports, review of Use of Force Reports, treatment of injuries sustained in incidents involving the use of force, and procedures relating to the use of chemical agents.

SUBJECT AREA TO BE ADDRESSED: Use of Force in Probation and Parole.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.35 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 29, 2000

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Giselle Lysten Rivera, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.105 Probation and Parole – Use of Force.

(1) Physical force shall not be used on offenders under supervision or others in the performance of duty unless required:

(a) in self-defense or the protection of others; or

(b) to prevent damage to property or

(c) to quell a disturbance; or

(d) to overcome physical resistance to a lawful command;

or

(e) to prevent an offender from inflicting injury to herself or himself; or

(f) when assisting law enforcement personnel in the lawful performance of their duties.

(2) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible. When use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. Force shall not be used solely in response to verbal abuse that does not rise to the level of a physical altercation.

(3) Use of Force Reports.

(a) The employee engaged in the use of force shall immediately notify his or her supervisor of the incident. A Community Corrections Report of Force Used, Form DC3-210, An Assault Incident Report Form shall be prepared, dated and signed by the employee using force and submitted to the ~~the circuit correctional probation administrator~~ within one five working days (Monday through Friday) following the ~~of such an incident with copies provided to the division director of community corrections.~~ Form DC3-210 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(b) Each additional employee involved in the use of force who agrees with the facts and circumstances as reported shall prepare a Community Corrections Report of Force Used – Staff Supplement, Form DC3-211, and shall submit it to the circuit administrator within 1 working day (Monday through Friday) following the incident. Form DC3-211 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(c) Any employee involved in a use of force who disagrees with the facts and circumstances as reported on the Community Corrections Report of Force Used shall complete a separate Community Corrections Report of Force Used within one working day following the incident.

(d) Whenever an employee witnesses a use of force incident, but was not physically involved in the use of force, the employee shall complete an Incident Report, Form DC6-210. Form DC6-210 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(e) The Circuit Administrator will review the report and any other statements from the offender or witnesses and process his or her recommendation on whether the appropriate level of force was used in the incident to the Inspector General Field Office for review within five working days (Monday-Friday).

(f) The Inspector General Field Office will conduct a review and forward their findings to the Inspector General's Office within five working days (Monday-Friday).

(g) The Use of Force Unit within the Inspector General's Office will either approve the action and return the Community Corrections Report of Force Used to the Circuit Administrator for distribution, or if disapproved, refer it for investigation.

(h) The Inspector General will notify the Circuit Administrator and Regional Director of any officer involved in three or more use of force incidents in a 12-month period. The Regional Director will review the circumstances for possible reassignment of the officer.

(4) Staff or Offender Injury Sustained During Use of Force Incident.

(a) Medical attention for any injury sustained by staff during an incident involving the use of force will be sought through Worker's Compensation, unless injuries warrant the summoning of emergency medical personnel.

(b) When safety is not jeopardized, the offender will be asked if any injury was sustained as soon as possible following a use of force incident. If the offender responds in the affirmative and the offender is in custody of law enforcement, the correctional probation officer will convey the reported injury to law enforcement. The officer will document details of this reported injury in case notes, including the name of the law enforcement officer and any witnesses.

(c) If the offender is not in custody, the officer will call emergency services for the offender as soon as possible, without jeopardizing the officer's safety. Documentation of contacts for medical services will be included in the Community Corrections Report of Force Used.

(5)(2) Officers shall use handcuffs only in case of emergencies in the office involving self-defense or to prevent injury to others ~~or required in accordance with use of force procedures.~~

(6)(3) Use of chemical agents.

(a) Chemical agents shall be used only after all other reasonable efforts to avoid confrontation with a disorderly person or persons posing an immediate threat of bodily harm to an officer.

(b) Chemical agents shall be used only by persons trained by the Florida Department of Law Enforcement as certified instructors and shall be used only for authorized purposes as outlined in this rule. FDLE training shall be coordinated by the director of the Florida Corrections Academy. Officers shall receive training within 6 months after hire and shall receive retraining yearly. Training documentation shall be maintained in the employee's personnel file. Chemical agents shall be used only according to the principles taught by FDLE and only in situations authorized in this rule.

(c) Only those chemical agents containing oleoresin capsicum and that are non-flammable shall be approved for use. Chemical agents may be issued to correctional probation

staff including clerical support staff who have received training pursuant to (3)(b). Correctional probation staff who have received training may carry chemical agents upon their persons during working hours. If an employee has a question regarding chemical agents, he shall refer to the manufacturer's instructions or shall contact his supervisor.

(d) As soon as possible, consistent with continuing efforts to restore control of the situation, any part of the body exposed to chemical agents shall be flushed with water and the person should be given an opportunity to shower and change into fresh clothing.

(e) Local law enforcement shall be notified immediately following the use of chemical agents in every case to assist in gaining control of the emergency and in decontamination procedures.

(f) The supervisor and circuit administrator shall be notified immediately following the use of chemical agents.

~~(g)(f)~~ Use of chemical agents on animals shall be limited to those situations in which the officer is in danger of an immediate attack from the animal. Following use of chemical agents, the officer shall immediately remove himself from the area, contact local animal control officers, and make a formal complaint regarding the attack. Under no circumstances shall chemical agents be used on animals who are not posing an immediate threat to the officer.

~~(h)(g)~~ In any case in which chemical agents are used, an accurate record shall be maintained as to what type was used, how much was used, and the location and reason for use, and a factual description of the circumstances and the incident. This information shall be reflected on the Community Corrections Report of Force Used, Form DC3-210 Assault Incident Report, Form DC4-954. The officer who used the chemical agent shall complete the report within one working day (Monday through Friday) 48 hours after the incident. ~~This form is hereby incorporated by reference. A copy of the form may be obtained from the Probation and Parole Services Program Office, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope. The effective date of this form is March 4, 1992.~~

(7) Report of Suspected Offender Abuse

(a) Any employee who witnesses or has reasonable cause to suspect that an offender has been unlawfully abused will immediately prepare an independent report (not a Community Corrections Report of Force Used form) pursuant to s. 944.35(3)(d), F.S.

(b) The report or written communication will be delivered to the Inspector General's Office with a copy to the Regional Director of Community Corrections.

(c) If the Inspector General's investigation finds that a violation of law occurred, the State Attorney within the circuit of that probation office will be notified.

Specific Authority 944.09 FS. Law Implemented 944.35 FS. History—New 5-28-86, Amended 8-6-90, 2-15-98, Formerly 33-24.017, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Rural Health Clinic Services
 RULE NO.: 59G-4.280

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, January 2000.

SUBJECT AREA TO BE ADDRESSED: Medicaid Rural Health Clinic Services Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:00 a.m., May 23, 2000

PLACE: 2728 Ft. Knox Blvd., Building 3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kay Aloi, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7330

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.280 Rural Health Clinic Services.

(3) All rural health clinic providers enrolled in the Medicaid program must comply with the Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, January 2000 ~~April 1997~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA 1500 and Child Health Check-Up EPSDT 221, incorporated by reference in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 4-14-80, Amended 12-28-80, Formerly 10C-7.51, Amended 8-11-91, 1-19-93, Formerly 10C-7.051, Amended 6-29-94, 6-10-96, 6-24-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Job Scopes for Registered Licensure
 RULE NO.: 61G4-15.0055

PURPOSE AND EFFECT: The Board proposes the development of a new rule to address uniformity of job scopes for registered licensure categories.

SUBJECT AREA TO BE ADDRESSED: Job scopes for registered licensure categories.

SPECIFIC AUTHORITY: 489.117(5) FS.
 LAW IMPLEMENTED: 489.117(5) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G4-15.0055 Job Scopes for Registered Licensure Categories.
The Board shall register only those local licensees whose job scopes substantially correspond to the scopes of services set out in the contractor definitions set forth in Sections 489.105(3)(a)-(o), F.S.

Specific Authority 489.117(5) FS. Law Implemented 489.117(5) FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Clinical Training
 RULE NO.: 64B9-2.008
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment intended to reduce the student/instructor ratio in clinical training settings.
 SUBJECT AREA TO BE ADDRESSED: The student/instructor ratio in clinical training settings.
 SPECIFIC AUTHORITY: 464.006, 464.019 FS.
 LAW IMPLEMENTED: 464.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-2.008 Clinical Training.
 (1) through (4) No change.

(5) No more than ~~eight~~ ~~twelve~~ students shall be assigned to a faculty member for supervision in providing direct care to patients/clients for any one clinical instruction period.

(6) through (16) No change.

Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History--New 7-15-80, Amended 11-22-84, Formerly 21O-7.27, Amended 6-8-88, 2-15-90, 3-12-91, 3-24-91, Formerly 21O-7.027, Amended 9-7-93, 5-1-94, Formerly 61F7-2.008, Amended 11-16-95, Formerly 59S-2.008, Amended 12-11-97, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Standards for Continuing Education
 RULE NO.: 64B9-5.003
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address continuing education.

SUBJECT AREA TO BE ADDRESSED: Standards for continuing education.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.013(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth R. Steihl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-5.003 Standards for Continuing Education.

(1) No change.

(2) Subject Matter. The content shall be specifically designed to meet the objectives and the stated level and learning needs of the participants. The content shall be planned in logical order and reflect input from experts in the subject matter. Appropriate subject matter for continuing education offering shall reflect the professional educational needs for the learner in order to meet the health care needs of the consumer and consist of content from one or more of the following:

(a) through (e) No change.

(f) Subjects which are taken at an accredited educational institution as verified by an official transcript, that meet any one of the criteria in Rule 64B9-5.003(2)(a-e), F.A.C., and are relating to nursing practice which are required as part of a formal nursing program which is advanced beyond that completed for original licensure may be approved for continuing education under this rule.

(g) No change.

(3) through (8) No change.

Specific Authority 464.006 FS. Law Implemented 464.013(4) FS. History--New 9-12-79, Amended 10-6-82, Formerly 21O-13.09, Amended 8-18-88, 3-28-89, Formerly 21O-13.009, 61F7-5.003, Amended 5-2-95, Formerly 59S-5.003, Amended _____.

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Drinking Water Systems 64E-8

RULE TITLES: RULE NOS.:

New Private and Multi-Family

System Construction 64E-8.003

Limited Use System Operating Permits 64E-8.004

Water Quality Standards and Monitoring 64E-8.006

Prohibited Acts 64E-8.010

Services Provided 64E-8.011

Cross-Connection Control 64E-8.013

PURPOSE AND EFFECT: The changes will correct references and add categorical language changed by the previous rule, additionally changes to the rule are proposed to incorporate current standards.

SUBJECT AREA TO BE ADDRESSED: Modifications of the rule to reflect current standards in installation methodology.

SPECIFIC AUTHORITY: 381.0011, 381.006, 381.0062, 403.862 FS.

LAW IMPLEMENTED: 381.006, 381.0062, 403.862 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: 9:00 a.m. - 12:00 Noon, Monday, May 22, 2000

PLACE: Hurston Building, Room C, South Tower, 400 W. Robinson St., Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bill Melton, Bureau of Water and Onsite Sewage Programs, HSEWOS, 4052 Bald Cypress Way, Bin #A08 Tallahassee, FL 32399-1713, Phone number (850)488-4070

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-8.003 New Private and Multi-Family System Construction.

(1) No change.

~~(2) Private and multi-family water systems must construct a two-foot square concrete apron four inches thick centered on the well.~~

(2)(3) No person shall construct or alter a multi-family water system without approval on Form DH 4093, 8/97; an applicant must complete and submit Form DH 4092B, 9/97, to the county health department with:

(a) Two sets of site plans drawn to scale and two sets of a construction plan, each drawing must be a minimum 8.5 x 11 inches and of sufficient clarity for reproduction; and

(b) A \$40 processing fee.

~~(3)(4)~~ Construction approval will be granted if the system meets the criteria in rules 64E-8.002(4),(5) and (6) and 64E-8.003(1).

~~(4)(5)~~ The applicant shall analyze the water per rule 64E-8.006(2)(d) and (e) and provide a copy of the results to the department. These results shall not exceed the MCL's in rule 64E-8.006.

~~(5)(6)~~ The department shall inspect to determine that the system has been constructed in compliance with the approved plans. Re-inspection requests must be accompanied by a \$25 fee.

~~(6)(7)~~ If the inspection and laboratory results are satisfactory, the department shall authorize operation using Form DH 4093.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062(1),(3), 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.026, Amended 1-26-98, 1-24-00, _____.

64E-8.004 Limited Use System Operating Permits.

(1) through (3) No change.

(4) A satisfactory sanitary survey conducted by the department in the last twelve months shall assure that:

(a) Setbacks in rule 64E-8.002 are met, except that a system supplied by a well constructed prior to ~~1972~~ 1-1-93 that is between 50 and 100 feet from an OSTDS shall be permitted without a variance if:

1. the well was constructed and approved as a potable water well;

2. both the well and the OSTDS were permitted and approved at the time of construction for the proposed and existing use, and the OSTDS is otherwise in compliance with rule chapter 64E-6, F.A.C.;

(b) through (6) No change.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a),(6) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062, 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.027, Amended 1-26-98, 1-24-00, _____.

64E-8.006 Water Quality Standards and Monitoring.

(1) through (4) No change.

(5) Monitoring by Supplier - Rule chapter 62-524, F.A.C., precludes all persons, except department staff, from sampling water systems for initial compliance with delineated area listed chemical MCL's within DEP delineated areas. For initial clearance, the department shall charge the supplier \$50 for each delineated area chemical sampling site visit, \$50 for delineated area clearance processing, and each laboratory analysis fee required ~~in rule 64E-8.012~~, for the particular contaminant(s).

Specific Authority 403.862(1)(f), 381.0011(4),(13), 373.309, 381.006, 381.0062(1),(3)(a), 381.0202(3) FS. Law Implemented 381.0012, 381.0061, 381.0067, 373.309(1)(e)6. 381.006(1),(2), 381.0062, 403.862(1)(f), 381.0202(3) FS. History—New 1-1-93, Amended 8-20-96, Formerly 10D-4.029, Amended 1-26-98, 1-24-00,_____.

64E-8.010 Prohibited Acts.

The following are prohibited:

- (1) Failure to conduct required sampling or testing, or falsification of results.
- (2) Intentionally or otherwise introducing a contaminant determined to pose a health hazard into a Limited Use, Multi-family, or Private Water System or its source.
- (3) Failure to meet schedules for compliance or corrective actions.
- (4) Failure to conduct required public notification or corrective action.
- (5) Impersonating a department employee.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a) FS. Law Implemented 381.0012, 381.0025, 381.0061, 381.0067, 381.006(1)-(2), 381.0062, 403.862(1)(f) FS. History—New 1-1-93, Amended 8-20-96, Formerly 10D-4.033, Amended 1-26-98,_____.

64E-8.011 Services Provided.

- (1) Any person who submits to the Department of Health and Rehabilitative Services water, soil, air and other samples for chemical, microbiological, and radiochemical analyses for compliance with federal, state and local regulations shall pay to the department the fee required for such analysis ~~as prescribed by section 64E-8.012 of this rule.~~ Fees shall be paid in advance to the state laboratory(ies).
- (2) No change.

Specific Authority 381.0011(13), 381.0202, 403.862 FS. Law Implemented 381.0202, 403.862 FS. History—New 1-1-95, Formerly 10D-4.100, Amended _____.

64E-8.013 Cross-Connection Control.

- (1) Cross-connections as defined in 64E-8.001(5) are prohibited.
- (2) Any cross-connection involving a limited use, multi-family, or private water system shall be corrected using the methods established within "Recommended Practice for Backflow Prevention and Cross-Connection Control", American Water Works Association Manual M14, Second Edition, 1990, American Water Works Association, 6666 West Quincy Avenue, hereby incorporated by reference.

Specific Authority 381.0011(4),(13), 381.006, 381.0062(1),(3)(a), 403.862(1)(f) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1)-(2), 381.0062(1)-(3), 403.862(1)(f) FS. History—New 1-26-98, Amended _____.

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: RULE NO.:

Adoption of Uniform Packaging and Labeling Regulation 5F-3.001

PURPOSE AND EFFECT: The purpose of 5F-3.001 is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 2000 edition of National Institute of Standards and Technology Handbook 130. Adoption of the current national standards will make Florida’s requirements uniform with the national requirements and facilitate interstate commerce and trade.

SUMMARY: Updates Chapter 5F-3.001 to adopt the current national requirements for the packaging and labeling of commodities as adopted by the National Conference on Weights and Measures and published as the “Uniform Packaging and Labeling Regulation” in the 2000 edition of National Institute of Standards and Technology Handbook 130.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 531.41(3) FS.

LAWS IMPLEMENTED: 531.41(13), 531.47, 531.49 FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, May 31, 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: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone (850)488-9140