

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Criteria for Filing a Letter of Credit in Lieu of Trusting

RULE NO.: 3F-7.011

PURPOSE AND EFFECT: This rule is being amended to renumber the form entitled "Application to Use a Letter of Credit or Surety Bond" and to change the effective date of the form.

SUBJECT AREA TO BE ADDRESSED: Criteria for Filing a Letter of Credit in Lieu of Trusting.

SPECIFIC AUTHORITY: 497.103, 497.425 FS.

LAW IMPLEMENTED: 497.425, 497.427 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-7.011 Criteria for Filing a Letter of Credit in Lieu of Trusting.

(1) No change.

(2) For approval, the certificate of authority holder shall submit to the Board of Funeral and Cemetery Services, Form ~~DBF-LCSB-1, DBF-C-1~~, Application to Use a Letter of Credit or Surety Bond, which is hereby incorporated by reference (effective ~~6/97~~ ~~3-20-91~~) and available from the Department of Banking and Finance, Division of Finance, The Fletcher Building, 101 East Gaines Street, Suite 550, Tallahassee, Florida 32399-0350 and meet the following criteria:

(a) through (4) No change.

(5) The Board shall deny an application to use a letter of credit in lieu of the merchandise trust fund if the application is incomplete or if the report as set forth in Rule ~~3F-7.009, Florida Administrative Code, 3D-30.037~~ shows the existing merchandise trust is not in compliance with the law.

Specific Authority 497.103, 497.425 FS. Law Implemented 497.425, 497.427 FS. History--New 3-20-91, Formerly 3D-30.036, Amended 10-25-95, 7-22-97,

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Criteria for Filing a Surety Bond in Lieu of Trusting

RULE NO.: 3F-7.012

PURPOSE AND EFFECT: This rule is being amended to update the form number and effective date.

SUBJECT AREA TO BE ADDRESSED: Criteria for Filing a Surety Bond in Lieu of Trusting.

SPECIFIC AUTHORITY: 497.103, 497.425 FS.

LAW IMPLEMENTED: 497.425 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-7.012 Criteria for Filing a Surety Bond in Lieu of Trusting.

(1) No change.

(2) For approval the certificate of authority holder shall submit to the Board of Funeral and Cemetery Services, Form ~~DBF-LCSB-1, DBF-C-1~~, Application to Use a Letter of Credit or Surety Bond, hereby incorporated by reference (effective ~~6/97~~ ~~3-20-91~~) and available from the Department of Banking and Finance, Division of Finance, The Fletcher Building, 101 East Gaines Street, ~~Suite 550~~, Tallahassee, Florida 32399-0350 and meet the following criteria:

(a) No change.

(b) The amount of the bond shall be based on a report documenting the outstanding liabilities of the certificate of authority holder as prescribed by Section 497.425(1)(b), Florida Statutes, and set forth in Rule 3F-7.010, Florida Administrative Code; however, should no liabilities exist, a minimum of \$250,000 will be the initial amount. If the certificate of authority has existing liabilities that are secured by a trust fund account which will remain in place, and desires to secure new preneed sales with a surety bond, the face amount of the bond shall be at least \$1,000,000.

(3) through (8) No change.

Specific Authority 497.103, 497.425 FS. Law Implemented 497.425 FS. History--New 3-20-91, Formerly 3D-30.039, Amended 10-25-95, 7-22-97,

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Alternative Form of Security for Permanent Outer Burial Receptacle Manufacturers RULE NO.: 3F-7.0125

PURPOSE AND EFFECT: This rule is being amended to be consistent with the statute. "Outer Burial container" is now defined in subsection (29) and to correct the statute referencing financial statements from 497.23(10)-(13) to 497.423(10)-(13).

SUBJECT AREA TO BE ADDRESSED: Alternative Form of Security to Permanent Outer Burial Receptacle.

SPECIFIC AUTHORITY: 497.103, 497.337(2)(c) FS.

LAW IMPLEMENTED: 497.337(2)(c) 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-7.0125 Alternative Form of Security for Permanent Outer Burial Receptacle Manufacturers.

(1) Pursuant to Sections 497.423(9) and 497.337(2)(c), Florida Statutes, manufacturers of permanent outer burial receptacles shall be permitted to utilize the alternative form of security as provided in Section 497.337(2), F.S., and this rule, in connection with the sale of permanent outer burial receptacles sold to pre-need sellers in Florida. For purposes of this rule, a "permanent outer burial receptacle" as referred to in Section 497.337(2)(c), F.S., has the same meaning as an "outer burial container," as defined in Section 497.005(29)(46), F.S.

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

b. submit its financial statements to the Board on an annual basis pursuant to sections 497.423(10)-(13), F.S.;

c. through 3. No change.

Specific Authority 497.103, 497.337(2)(c) FS. Law Implemented 497.337(2)(c) FS. History—New 6-15-95, Amended.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Procedures for Filing Claim with the Board RULE NO.: 3F-7.013

PURPOSE AND EFFECT: This rule is being amended to correct the language to conform with statute numbers and form names.

SUBJECT AREA TO BE ADDRESSED: Procedures for Filing Claim with the Board.

SPECIFIC AUTHORITY: 497.103, 497.425 FS.

LAW IMPLEMENTED: 497.425(3) 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: Diana M. Evans, Executive Director, Board of Funerals and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-7.013 Procedures for Filing Claim with the Board.

A buyer of preneed merchandise or services who does not receive such services or merchandise due to the economic failure, closing, or bankruptcy of the cemetery company which has submitted a surety bond or letter of credit to the Board in lieu of utilizing a merchandise trust fund may file a claim with the Board as provided by Section 497.425(3) ~~497.0484(3)(a)~~, Florida Statutes. The purchaser of preneed merchandise or services must file the claim in the following manner:

(1) Submit to the Board Form DBF-C-3, Letter of Credit/Surety Bond Claim Form, ~~Surety Bond or Letter of Credit Claim Form~~, which is hereby incorporated by reference (effective 3-20-91) and available at the Department of Banking and Finance, Division of Finance, The Fletcher Building, 101 East Gaines Street, ~~Suite 553~~, Tallahassee, Florida 32399-0350;

(2) through (3) No change.

Specific Authority 497.103, 497.425 FS. Law Implemented 497.425(3)(a) FS. History—New 3-20-91, Formerly 3D-30.040, Amended.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Trust Fund Deposits; Funeral and Burial Services and Merchandise Preneed Contracts Payments RULE NO.: 3F-7.017

PURPOSE AND EFFECT: This rule is being amended to substitute the word liability in place of sale prices to conform to the statute.

SUBJECT AREA TO BE ADDRESSED: Trust Fund Deposits; Funeral and Burial Services and Merchandise Preneed Contract Payments.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.337, 497.417, 497.423, 497.425, 497.429 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-7.017 Trust Fund Deposits; Funeral and Burial Services and Merchandise Preneed Contract Payments.

(1) through (2) No change.

(3) If the contract does not provide for the allocation of payments as anticipated in paragraph (2) above, such payments shall be allocated as follows:

(a) Funds collected for preneed services or merchandise contracts which comply with Section 497.417, F.S., shall be deposited in trust as follows: 70 percent of funds collected for services; 100 percent of funds collected for cash advance items; and 30 percent of funds collected or 110 percent of wholesale cost, whichever is greater, for merchandise. For deferred payment contracts the liability sales price for each portion of the contract (services, cash advances and merchandise) shall be divided by the deferred payment price to arrive at the percentages for each portion of the contract. These percentages shall be applied to payments received to determine the amount to be deposited in trust. Once the total liability to the trust is fulfilled, no further deposits need be made to the trust.

(b) through (6) No change.

Specific Authority 497.103 FS. Law Implemented 497.333(8)(d), 497.337, 497.417, 497.423, 497.425, 497.429 FS. History–New 2-1-95, Amended 5-27-98, _____.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Cancellation of Preneed Contracts; Reasonable Time Defined
 RULE NO.: 3F-8.003
 PURPOSE AND EFFECT: This rule is being amended to correspond to changes made in the Florida Statutes.
 SUBJECT AREA TO BE ADDRESSED: Cancellation of Preneed Contracts; Reasonable Time Defined.
 SPECIFIC AUTHORITY: 497.103 FS.
 LAW IMPLEMENTED: 497.419(3)(a) 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-8.003 Cancellation of Preneed ~~Pre-Need~~ Contracts; Reasonable Time Defined.

For purposes of Section 497.419(3)(a), F.S., a reasonable time for delivering merchandise consisting of "caskets" as defined by Section 497.005(9) ~~492.005(14)~~, F.S., and "outer burial containers" as defined by Section 497.005(29) ~~490.005(16)~~, F.S., shall be 24 hours from the time the purchaser or agent requests that the certificateholder deliver the merchandise. The certificateholder shall record the date and time that the request for delivery is received from the purchaser or agent in a log kept for that purpose. In the event a certificateholder fails to maintain such log and record a request for delivery, then the date and time of such request shall be the date and time designated by the purchaser or agent.

Specific Authority 497.103 FS. Law Implemented 497.419(3)(a) FS. History–New 4-25-94, Amended _____.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Disbursement from the Preneed Funeral Contract Consumer Protection Trust Fund
 RULE NO.: 3F-10.002
 PURPOSE AND EFFECT: The rule is being amended to adopt the revised updated form numbered DBF-TFD-1, Proof of Claim and Disbursement Request.
 SUBJECT AREA TO BE ADDRESSED: Disbursement from the Preneed Funeral Contract Consumer Protection Trust Fund.
 SPECIFIC AUTHORITY: 497.103, 497.413(7) FS.
 LAW IMPLEMENTED: 497.413(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 AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diana

M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-10.002 Disbursement from the Preneed Funeral Contract Consumer Protection Trust Fund.

The purpose of the Preneed Contract Consumer Protection Trust Fund is to provide restitution to preneed contract purchasers and their estates due to a Certificateholder's or otherwise covered provider's failure to provide the benefits of a preneed contract or failure to refund the appropriate principal amount by reason of cancellation thereof. All restitution to be paid from the Preneed Funeral Contract Consumer Protection Trust Fund shall be subject to review and approval of the Board. Amounts disbursed from the Preneed Funeral Contract Consumer Protection Trust Fund shall be determined in accordance with the following criteria:

- (1) No change.
- (2) Requests for restitution shall be submitted on the Preneed Funeral Contract Consumer Protection Trust Fund Proof of Claim and Request for Disbursement Request form, DBF-TFD-1, effective August, 1995, May 23, 1994, which is incorporated herein by reference and available from the Department of Banking and Finance. Restitution will only be made if the Certificateholder or otherwise covered provider was licensed as a COA or was regulated under Chapter 470, F.S., when the contract was written. All requests for restitution from the Preneed Funeral Contract Consumer Protection Trust Fund shall be accompanied by a copy of the preneed contract and documentation which verifies the total funds paid on preneed contract, and that the applicant has not defaulted in the terms of the contract. In addition, documentation that the Certificateholder or otherwise covered provider has failed to provide the benefits of the preneed contract or has failed to refund the appropriate principal amount by reason of cancellation.
- (3) through (8) No change.

Specific Authority 497.103, 497.413 FS. Law Implemented 497.413 FS. History—New 5-23-94, Amended 12-4-95, 10-18-99,_____.

DEPARTMENT OF INSURANCE

RULE TITLE: Effective Date of Termination of Appointment **RULE NO.:** 4-211.007
PURPOSE AND EFFECT: This rule will set guidelines for all authorized insurers or other eligible appointing entities and licensed insurance representatives when they desire to terminate and appointment or an appointee pursuant to Section 626.471, F.S. The rule was promulgated in response to a Final Order Denying Petition for Declaratory Statement. In The Matter of: Larry Franklin, Case No. 29105-99-SP, which required rulemaking.

SUBJECT AREA TO BE ADDRESSED: The rule will specify termination dates of appointments for purpose of licensure compliance.

SPECIFIC AUTHORITY: 624.308, 626.161 FS.

LAW IMPLEMENTED: 624.307, 626.161, 626.471 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., June 20, 2000

PLACE: Room 143, 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: Shirley Kerns, Bureau Chief, Agent and Agency Services, Department of Insurance

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Shirley Kerns at (850)922-3110, ext. 5405.

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

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: Entering Freshmen **RULE NO.:** 6C-6.002

PURPOSE AND EFFECT: To further clarify acceptable high school coursework for admissions purposes; to revise the SAT/ACT Concordance; and to stipulate that all admissions applicants must take the SAT or ACT.

SUBJECT AREA TO BE ADDRESSED: SAT/ACT; SAT/ACT scores; acceptable high school coursework.

SPECIFIC AUTHORITY: 240.209(1),(3)(r) FS.

LAW IMPLEMENTED: 240.209(1), 240.227(8), 240.115(4), 240.152, 240.233, 232.246 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY, 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: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, Tallahassee, Florida 32399-1950

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

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: Tuition, Fee Schedule and Percentage of Cost RULE NO.: 6C-7.001

PURPOSE AND EFFECT: Establish authority for universities to charge other than the standard out-of-state tuition for students whose residence is in a state which borders the university's service area.

SUBJECT AREA TO BE ADDRESSED: Tuition and Fees.

SPECIFIC AUTHORITY: 240.209(1) FS., CS/CS/HB 1567, 2000 Legislature

LAW IMPLEMENTED: CS/CS/HB 1567, 2000 Legislature

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY, 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: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-1950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6C-7.001 Tuition, Fee Schedule and Percentage of Cost.

(1) through (3) No change.

(4) The following tuition shall be levied and collected effective the fall semester indicated for each student regularly enrolled, unless provided otherwise in this chapter.

(a) through (d) No change.

(e) Pursuant to CS/CS/HB 1567, 2000 Legislature, a university may use a plan, approved by the Board, for a differential out-of-state tuition fee for students who are residents of another state that borders the university's service area.

Specific Authority 240.209(1),(3)(e),(r) FS. Law Implemented 240.117, 240.124, 240.209(3)(e),(h), 240.235(1) FS., Conference Committee Report on Senate Bill 2500, 1999. History--Adopted 4-8-79, Renumbered 12-16-74, Amended 6-28-76, 7-4-78, 8-6-79, 9-28-81, 12-14-83, 10-2-84, 10-7-85, Formerly 6C-7.01, Amended 12-25-86, 11-16-87, 10-19-88, 10-17-89, 10-15-90, 9-15-91, 1-8-92, 11-9-92, 7-22-93, 8-1-94, 11-29-94, 4-16-96, 8-12-96, 9-30-97, 12-15-97, 8-11-98, 9-30-98, 8-12-99,_____.

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: Special Fees, Fines, and Penalties RULE NO.: 6C-7.003

PURPOSE AND EFFECT: Implement a transportation access fee.

SUBJECT AREA TO BE ADDRESSED: Rule will be amended to add a new transportation access fee as authorized by recently passed legislation.

SPECIFIC AUTHORITY: 240.209(1) FS.

LAW IMPLEMENTED: CS/CS/HB 1567, 2000 Legislative Session

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY, 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: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, Tallahassee, Florida 32399-1950

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

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: Continuing Education RULE NO.: 6C-8.002

PURPOSE AND EFFECT: The Board proposes revisions for purposes of clarification, codification of its policy on courses offered outside of service areas, and codification of a service area for Florida Gulf Coast University.

SUBJECT AREA TO BE ADDRESSED: Coordination of instructional delivery, courses offered outside of service area, service areas.

SPECIFIC AUTHORITY: 240.209(1),(3)(j),(q) FS.

LAW IMPLEMENTED: 240.209(1),(3)(j) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY, 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: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, Tallahassee, Florida 32399-1950

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Development

RULE CHAPTER TITLE: Manufactured Buildings RULE CHAPTER NO.: 9B-1

RULE TITLES: Department Activities RULE NOS.: 9B-1.003

Manufacturer Requirements 9B-1.007

Quality Control Procedures 9B-1.010

Multiple Site Manufacturing 9B-1.015

Insignia Denial 9B-1.018

PURPOSE AND EFFECT: The purpose of the amendment of the above-listed rules is to repeal 9B-1.003(1) and the last phrase of 9B-1.018 as an unnecessary recitation of statute,

repeal 9B-1.015, which implements no specific law, repeal 9B-1.007(1)(c), which refers to a previously repealed rule, and amend 9B-1.010, making grammatical changes to improve readability of the rule.

SUBJECT AREA TO BE ADDRESSED: Multiple editorial changes made to rules pertaining to Manufactured Buildings, and repealing the rule pertaining to the manufacture of manufactured buildings at multiple sites.

SPECIFIC AUTHORITY: 553.37(1), 553.38(1), 553.381 FS.

LAW IMPLEMENTED: 553.37(1),(2),(8), 553.38, 553.381 FS.

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

TIME AND DATE: 9:00 a.m. – 10:00 a.m., June 19, 2000

PLACE: Randall Kelley Training Center, 3rd Floor, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Mo Madani, Planning Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-1.003 Department Activities.

~~(1) The Department shall interpret and clarify the various aspects of the Manufactured Building Act of 1979 and will promulgate such regulations and rules as will from time to time be deemed necessary to carry out its purpose.~~

~~(1)(2)~~ The inspection agency shall approve the manufacturer's quality control manuals, model design plans and changes as they occur prior to filing them with the Department.

~~(2)(3)~~ Plans and manuals shall be submitted to the Department by an approved inspection agency, on behalf of their client, for final approval based upon compliance with the standards set forth in Rule 9B-1.004.

~~(3)(4)~~ Manufacturer certification – The manufacturer shall submit evidence to the Department that it has product liability insurance in an amount of not less than \$250,000 to continue manufacturing and/or modifying buildings for installation in Florida.

~~(4)(5)~~ Testing and Evaluations of Products – A recognized testing organization must comply with the ISO/IEC Guide 25:990 General Requirements for the Competency of Calibration and Testing Agencies; ISO/IEC Guide 38:1983 Acceptance of Testing Agencies; 40:1983 ISO/IEC Guide for the Acceptance of Certification Bodies.

~~(5)(6)~~ Program Forms – The following forms are hereby adopted by reference into this chapter.

TITLE	NUMBER
a. Three Dimensional or Component Application	Mfg Bldg 001
Annual Renewal Application	Mfg Bldg 002
Commercial/Residential Insignia Request	Mfg Bldg 003
Component System Insignia Request	Mfg Bldg 004
Room Addition Component Insignia Request	Mfg Bldg 005
Acknowledgment of Receipt Disposition Report	Mfg Bldg 006
Monitoring Checklist	Mfg Bldg 007
Invoice for Plans	Mfg Bldg 008

Specific Authority 553.37(1) FS. Law Implemented 553.37(1),(2), 553.81 FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 11-1-84, Formerly 9B-1.03, Amended 1-1-87, 1-1-89, 3-1-92, 3-1-95,_____.

9B-1.007 Manufacturer Requirements.

(1) In order to be approved to construct or modify manufactured buildings for sale or installation in Florida a manufacturer shall:

(a) Adopt and maintain quality control procedures in accordance with Rule 9B-1.010; and.

(b) Submit to the Department evidence of product liability insurance coverage in an amount of not less than \$250,000; and

~~(c) Ensure that inspections are carried out in accordance with Rule 9B-1.008.~~

(2) through (3) No change.

Specific Authority 553.37(1), 553.38(1), 553.381 FS. Law Implemented 553.37(8), 553.38(1) FS. History–New 1-17-72, Amended 2-23-75, 11-14-76, 3-1-80, 11-4-84, Formerly 9B-1.07, Amended 1-1-87, 1-1-89, 3-1-95,_____.

9B-1.010 Quality Control Procedures.

(1) Quality Control Manual (QCM). Since manufactured buildings cannot ~~are not~~ normally be inspected inspectable in the field, it will be necessary that they be manufactured in accordance with the Quality Control procedures established by the manufacturer and approved by the agency and the department.

(2) through (3) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1),(8) FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, Formerly 9B-1.10, Amended 1-1-89, 3-1-92, 3-1-95,_____.

9B-1.015 Multiple Site Manufacturing.

Specific Authority 553.37(1) FS. Law Implemented 553.37 FS. History--New 1-17-72, Amended 2-23-75, 3-1-80, Formerly 9B-1.15, Amended 3-1-92, 3-1-95, Repealed.

9B-1.018 Insignia Denial.

Should inspection reveal that a manufacturer is not manufacturing components or systems according to plans as approved by the Department and such manufacturer, after having been served with a notice setting forth the provisions of the plan approval which have been violated, continues to manufacture units in violation of the plan approval, applications for new insignia shall be denied and the insignia previously issued for units in violation of the plan approval shall be confiscated. Upon satisfactory proof of compliance such manufacturer may resubmit a request for an insignia. ~~This action shall be reviewable by hearing in accordance with Section 120.57, Florida Statutes.~~

Specific Authority 553.37(1) FS. Law Implemented 553.37(1), 553.38 FS. History--New 1-17-72, Amended 2-23-75, Formerly 9B-1.18, Amended 3-1-92, 3-1-95, _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Florida Building Commission –

RULE CHAPTER NO.: 9B-3

Operational Procedures

9B-3

RULE TITLE:

RULE NO.: 9B-3.047

Criteria for Review of Amendments and Modifications

9B-3.047

PURPOSE AND EFFECT: Implement legislative directive regarding criteria for review of amendments and modifications to the Florida Building Code.

SUBJECT AREA TO BE ADDRESSED: Review of amendments and modifications to the Florida Building Code.

SPECIFIC AUTHORITY: 553.73(7) FS., as amended by s. 40 of ch. 98-287, L.O.F.

LAW IMPLEMENTED: 553.73(7) FS., as amended by s. 40 of ch. 98-287, L.O.F.

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

TIME AND DATE: 8:30 a.m., Tuesday, June 13, 2000

PLACE: Clarion Plaza Hotel, 9700 International Drive, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mo Madani, Planning Manager, Codes and Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824

Any person requiring special accommodation at the workshop because of a disability or physical impairment should contact Mo Madani, Planning Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824, at least seven days before

the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

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

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE CHAPTER TITLE: Land Acquisition Procedures With

RULE CHAPTER NO.: 9K-6

Preservation 2000 Funds

9K-6

RULE TITLES:

RULE NOS.:

Trust Governing Body Action

9K-6.013

Closing

9K-6.014

PURPOSE AND EFFECT: The proposed rule amendment is needed to streamline the procedure for project plan approval and shorten the time for related real estate acquisitions.

SUBJECT AREA TO BE ADDRESSED: Acquisition procedures of the Florida Communities Trust Act.

SPECIFIC AUTHORITY: 380.507(11) FS.

LAW IMPLEMENTED: 259.101, 375.045, 380.501-.515 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 (IF NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m. – 12:00 noon, June 14, 2000

PLACE: Randall Kelley Training Center, 3rd Floor, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Ann Wild, Trust Counsel, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ann Wild, Trust Counsel, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9K-6.013 Trust Governing Body Action.

(1) No change.

(2) ~~The Trust shall consider Consideration and approve approval~~ of the terms of the acquisition, together with all other requirements associated with the grant award to the recipient and the release of funds for the grants, ~~shall occur at a regularly scheduled meeting of the governing body of the Trust.~~

(3) through (4) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.101, 375.045, 380.501-.515 FS. History--New 7-7-94, Amended.

9K-6.014 Closing.

(1) No change.

(2) The Trust Executive Director shall have the authority to modify the purchase agreement previously approved by the Trust governing body to extend the time for option exercise, closing date, submittal deadlines or any other time limit relating to such agreement, provided the total extension of time for closing does not exceed 180 calendar days after the date contemplated in the purchase instrument approved by the Trust governing body. The Executive Director shall also have the authority to execute or modify all documents necessary for the implementation of Trust governing body action, including but not limited to the purchase agreement, letter of notification of exercise of option, leases, easements, legal descriptions, deeds, assignments, and other miscellaneous agreements and affidavits, provided the modification does not change the substance nor the scope of Trust governing body approval, and provided the document executed or modified was either approved by the Trust governing body or contemplated by Trust governing body approval. Any changes in the purchase price to be paid to the owner not contemplated by the terms of the purchase agreement must be approved by the Trust governing body. An extension or modification may only be made under the terms of the purchase agreement, or with the owner's agreement.

(3) through (8) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.101, 375.045, 380.501-.515 FS. History--New 7-7-94, Amended.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Maximum Management
 RULE NO.: 33-601.820
 PURPOSE AND EFFECT: The purpose of the proposed rule is to establish placement criteria, guidelines for conditions of, and procedures relating to maximum management. The effect is to clarify: the purpose of maximum management; applicable definitions; placement criteria and procedures; physical conditions and privileges of inmates; procedures relating to hearings on placement; review of placement; appeals; security procedures; and, other conditions of placement.
 SUBJECT AREA TO BE ADDRESSED: Maximum Management.
 SPECIFIC AUTHORITY: 944.09 FS.
 LAW IMPLEMENTED: 944.09 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., June 13, 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 Lylen Rivera, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.820 Maximum Management.

(1) General. Maximum Management is a temporary status for an inmate who, through a current incident or a series of current incidents, has been identified as being an extreme security risk to the Department and requires an immediate level of control beyond that available in close management or death row.

(2) Definitions.

(a) Close Management I (CM I) – the most restrictive single cell housing level of all the close management status designations.

(b) Institutional Classification Team (ICT) – refers to the team responsible for making local classification decisions. The Institutional Classification Team shall be comprised of the Warden or Assistant Warden who shall serve as Chairperson, Classification Supervisor, Chief of Security, and other members as necessary when appointed by the warden or designated by rule.

(c) Maximum Management (MM) – refers to a temporary status for an inmate who, through a current incident or series of current incidents, has been identified as being an extreme security risk to the Department and requires an immediate level of control beyond that available in close management or death row.

(d) Maximum Management Cell – a single-cell housing type that has a grille front and door, a solid door external to the grille and a securable opening for feeding and cuffing.

(e) Maximum Management Review Team (MMRT) – refers to the committee in Central Office that has approval authority for recommendations for placement in maximum management. The MMRT shall consist of the following staff or those acting in that capacity: Chief, Bureau of Classification and Central Records (Chairperson); Chief, Bureau of Security Operations; Deputy Director of Health Services (Clinical), and Regional Director.

(f) Shift Supervisor – the highest-ranking Correctional Officer of the on-duty shift.

(g) Staff Assistant – refers to an employee assigned to the inmate to explain the recommendation for placement or procedures to the inmate when the inmate is illiterate or does not understand English. A staff assistant shall not take the position of an advocate or defense attorney.

(h) State Classification Office (SCO) – refers to a staff member at the central office level who is responsible for the review of the inmate classification decisions. Duties include approving or rejecting Institutional Classification Team (ICT) recommendations.

(3) Maximum Management Placement Criteria.

(a) An inmate shall have, at a minimum, met the criteria for placement in Close Management I or death row and participated in a current incident or series of current incidents which demonstrate:

1. The inmate’s ability to effect an escape from a secure environment;

2. The inmate’s demonstrated willingness to use deadly force in a correctional setting;

3. The inmate’s involvement in dangerous acts which could lead to a person’s injury or death, or insurrection; or

4. Other management problems that require an immediate level of control which exceeds that available in close management or death row.

(b) Whenever an inmate has met at least one of the conditions above, and the Shift Supervisor believes that the inmate cannot be controlled in a status less than maximum management, the Shift Supervisor shall recommend immediate placement in maximum management by completing Section 1 of Form DC6-101, Referral for Maximum Management. Form DC6-101 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. Approval from the Duty Warden shall be received prior to placement of the inmate in maximum management.

(c) The Duty Warden shall approve or disapprove the immediate placement of an inmate in maximum management by signing Form DC6-101, Referral for Maximum Management.

(d) Whenever an inmate has met at least one of the conditions in 33-601.820(3)(a) and the Shift Supervisor believes that the inmate should be reviewed for but not immediately placed in maximum management at the present time, then the Shift Supervisor shall recommend placement by completing Section 1 of Form DC6-101, Referral for Maximum Management. The Shift Supervisor shall notify the Classification Supervisor in writing of the recommendation no later than the following administrative workday.

(e) The Classification Supervisor shall docket the inmate’s hearing before the Institutional Classification Team for considering placement in maximum management status in accordance with 33-601.820(6).

(4) Conditions of Placement in Maximum Management.

(a) Any inmate initially placed into maximum management will be provided the following:

1. Clothing – (one set of blue pants and shirt, boxer shorts, tee shirt, coat during the winter, and one pair of shower slides);

2. Bedding – (one mattress, one pillow and one blanket);

3. Reading materials – (a bible or religious testament only);

4. Out-of-doors recreation – (limited to once every 30 days);

5. Meals shall be served on paper or styrofoam products only;

6. Legal materials;

7. Inmate Grievance forms;

8. Visits with attorney or emergency visits as approved by the warden;

9. Phone calls for legal or emergency purposes as approved by the warden;

10. Mail correspondence for the purpose of conducting legal business only.

(b) Inmates in maximum management status shall not be allowed to make routine bank transactions or canteen purchases, with the exception of stamp purchases for legal mail.

(c) The conditions set forth in (a) above shall be reviewed at least weekly by the ICT, and when the ICT determines the inmate has sufficiently demonstrated positive adjustment, consideration shall be given to adjusting the inmate’s conditions. The Institutional Classification Team shall document their justification for adjustment on Form DC6-101, Referral for Maximum Management. The State Classification Office, upon their review, may also consider adjusting the inmate’s conditions. Any adjustment made by the State Classification Office shall be documented on Form DC6-101.

(d) If, based on the inmate’s overall adjustment, a relaxed condition needs additional review, the Institutional Classification Team or State Classification Office shall follow the procedure set forth in Rule 33-601.820(9).

(5) Inmate Notice of Maximum Management Hearing. The Shift Supervisor who recommends placing an inmate in maximum management shall ensure delivery of the Notice of Referral for Maximum Management, Form DC6-101, to the inmate prior to being relieved of duty. Form DC6-101 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 _____. The written notice will provide the inmate with an explanation of the reason for the recommendation or placement and inform the inmate that a hearing will be held no sooner than 24 hours of the recommended placement in maximum management. The inmate may waive the 24-hour period or appearance at the

hearing by signing the Inmate Waiver, Form DC6-104. Form DC6-104 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 _____.

(6) Conducting the Hearing.

(a) The Institutional Classification Team (ICT) shall conduct a hearing with the inmate to determine whether placement in maximum management is appropriate.

(b) The inmate shall be present for the hearing, unless:

1. The inmate waives his right to appear by signing the Inmate Waiver Form DC6-104; or

2. The inmate's behavior jeopardizes the security or safety of the institution or the hearing as determined by the Institutional Classification Team chairperson. The reasons the inmate did not appear at the hearing shall be documented on Form DC6-101, Referral for Maximum Management.

(c) If the Institutional Classification Team chairperson determines the need for staff assistance based upon language barriers or other existing barriers, the chairperson shall appoint a staff assistant.

(d) The chairperson shall offer the inmate the opportunity to make a verbal statement or present a written statement.

(e) The Institutional Classification Team chairperson shall have authority to postpone the hearing to gather further information or order an investigation regarding any pertinent issues.

(f) The Institutional Classification Team shall approve or disapprove the recommendation for placement in maximum management.

(g) The inmate shall be informed verbally and in writing of the ICT decision.

(h) If the Institutional Classification Team disapproves placement, the inmate shall immediately be reclassified to his original status and removed from the maximum management cell.

(i) If the Institutional Classification Team approves placement, the decision will be forwarded to the Chairperson of the State Classification Office who will schedule the referral for review by the MMRT.

(7) Final Review of Placement.

(a) The MMRT shall approve or disapprove the ICT recommendation based on the criteria in section (3)(a). If the ICT recommendation is incomplete or additional data is needed, the MMRT shall return the recommendation to the ICT for additional information.

(b) If the MMRT disapproves placement, the inmate shall immediately be reclassified to his original status, unless the Institutional Classification Team appeals the decision of the MMRT as outlined in 33-601.820(10).

(8) Review of Maximum Management.

(a) The Institutional Classification Team shall review the inmate's maximum management status weekly for the first two months from the date of placement, and monthly thereafter.

1. A recommendation for release from maximum management shall be set forth in memorandum and forwarded to the State Classification Office chairperson for review.

2. An inmate shall not be released from maximum management status until authorized by a member of the State Classification Office.

(b) If an inmate remains in maximum management status for 90 days or more, a member of the State Classification Office shall conduct an on-site review of the inmate's maximum management status every 90 days from the date of placement.

1. The Institutional Classification Team shall participate in the review of the inmate's adjustment with the State Classification Office member.

2. The State Classification Office member is authorized to reclassify an inmate from maximum management status at any point during the reviews.

3. The Institutional Classification team shall be authorized to appeal the decision to reclassify the inmate to the State Classification Office chairperson.

4. The inmate shall not be released from maximum management status until the State Classification Office chairperson rules upon the appeal. The ruling of the State Classification Office chairperson is final.

(9) Maximum Management Conditions After Initial Placement. Should the inmate's behavior require alteration of previously relaxed conditions as described in (4)(a), the Institutional Classification Team shall make the recommendation to the State Classification Office chairperson on Form DC6-101, Referral for Maximum Management. The State Classification Office chairperson shall approve, disapprove or modify the recommendations.

(10) Appeal Of An MMRT Decision.

(a) The Institutional Classification Team may appeal an MMRT decision to the Deputy Director of Institutions (Classification).

(b) The inmate shall remain in maximum management status pending the Institutional Classification Team appeal.

(c) The Deputy Director shall approve or modify the MMRT decision or reclassify the inmate.

(11) Security Requirements.

(a) All security requirements outlined in rules 33-601.801 through 33-601.813 for close management inmates are applicable for all maximum management inmates.

(b) Additionally, the following security precautions shall be followed for maximum management inmates:

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS.
History—New _____.

42DD-1.002 Boundary.

The boundaries of the district are as follows:

PARCEL "A"

A PART OF SECTIONS 17, 19, 20, 29, AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A CONCRETE RAYONIER MONUMENT SITUATED IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210 (A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), AT THE MOST WESTERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 215, PAGE 876 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE S 32°12'14" E, ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 325.08 FEET TO A CONCRETE RAYONIER MONUMENT; THENCE S 78°39'07" E, ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 444.40 FEET; THENCE S 23°06'51" W, A DISTANCE OF 4424.78 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE SOUTHWESTERLY 1100.22 FEET ALONG THE ARC OF SAID CURVE, A CHORD BEARING S 42°56'15" W AND A CHORD DISTANCE OF 1078.40 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 62°45'39" W, A DISTANCE OF 427.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1700.10 FEET; THENCE SOUTHWESTERLY 1086.64 FEET ALONG THE ARC OF SAID CURVE A CHORD BEARING S 44°33'22" W AND A CHORD DISTANCE OF 1068.45 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 26°21'05" W, A DISTANCE OF 429.59 FEET; THENCE DUE WEST 787.18 FEET; THENCE N 61°55'39" W, A DISTANCE OF 832.24 FEET; THENCE DUE NORTH A DISTANCE OF 600.00 FEET; THENCE DUE EAST, A DISTANCE OF 750.00 FEET; THENCE DUE NORTH, A DISTANCE OF 600.00 FEET; THENCE N 72°15'19" E, A DISTANCE OF 2624.88 FEET; THENCE N 00°00'43" E, A DISTANCE OF 2449.07 FEET; THENCE N 58°23'09" E, A DISTANCE OF 1526.49 FEET; THENCE N 32°28'57" W, A DISTANCE OF 706.30 FEET; THENCE NORTHEASTERLY 187.88 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2339.48 FEET, ALONG THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210, A CHORD BEARING N 60°05'51" E, AND A CHORD DISTANCE OF 187.83 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 57°47'48" E, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE,

A DISTANCE OF 438.25 FEET TO THE POINT OF BEGINNING CONTAINING 179.05 ACRES MORE OR LESS; BEING THE SAME LANDS DESCRIBED AS PARCEL A, IN OFFICIAL RECORDS BOOK 724, PAGE 1696 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY.

PARCEL "B"

A PART OF SECTIONS 20, 28 AND 29, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A CONCRETE RAYONIER MONUMENT SITUATED IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210 (A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), AT THE MOST WESTERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 215, PAGE 876 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE S 32°12'14" E, ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 325.08 FEET TO A CONCRETE RAYONIER MONUMENT; THENCE S 78°39'07" E, ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 566.97 FEET; THENCE S 23°06'51" W, A DISTANCE OF 1621.90 FEET TO THE POINT OF BEGINNING; THENCE S 38°14'02" E, A DISTANCE OF 2347.25 FEET; THENCE S 15°56'43" E, A DISTANCE OF 2233.98 FEET; THENCE N 89°58'05" E, A DISTANCE OF 1034.24 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 95 (I-95); THENCE SOUTHEASTERLY 1394.21 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 3926.77 FEET, A CHORD BEARING S 17°18'47" E AND A CHORD DISTANCE OF 1386.90 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 27°29'04" E, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF I-95, A DISTANCE OF 771.76 FEET; THENCE S 30°56'36" W, A DISTANCE OF 806.94 FEET; THENCE S 89°58'25" W, A DISTANCE OF 4301.90 FEET; THENCE N 00°00'09" W, A DISTANCE OF 805.66 FEET; THENCE N 63°38'55" W, A DISTANCE OF 2590.10 FEET; THENCE N 26°21'05" E, A DISTANCE OF 429.59 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE NORTHEASTERLY 1010.39 FEET ALONG THE ARC OF SAID CURVE, A CHORD BEARING N 44°33'22" E, AND A CHORD DISTANCE OF 993.47 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 62°45'39" E, A DISTANCE OF 427.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1710.00 FEET; THENCE NORTHEASTERLY 1183.26 FEET ALONG THE ARC OF SAID CURVE, A CHORD

BEARING N 42°56'15" E AND A CHORD DISTANCE OF 1159.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 23°06'51" E, A DISTANCE OF 648.62 FEET; THENCE S 89°43'40" E, A DISTANCE OF 387.99 FEET; THENCE N 00°14'32" E, A DISTANCE OF 603.56 FEET; THENCE N 82°20'31" W, A DISTANCE OF 127.59 FEET; THENCE N 23°06'51" E, A DISTANCE OF 1506.34 FEET TO THE POINT OF BEGINNING CONTAINING 539.14 ACRES MORE OR LESS BEING THE SAME LANDS DESCRIBED AS PARCEL B, IN OFFICIAL RECORDS BOOK 724, PAGE 1696 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY.

PARCEL "C"

A PART OF SECTIONS 17, 20, 29, AND 41, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A CONCRETE RAYONIER MONUMENT SITUATED IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210 (A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), AT THE MOST WESTERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 215, PAGE 876 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE S 32°12'14" E, ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 325.08 FEET TO A CONCRETE RAYONIER MONUMENT; THENCE S 78°39'07" E, ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 444.40 FEET; THENCE S 23°06'51" W, A DISTANCE OF 1531.33 FEET TO THE POINT OF BEGINNING; THENCE S 23°06'51" W, A DISTANCE OF 2893.44 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE SOUTHWESTERLY 1100.22 FEET ALONG THE ARC OF SAID CURVE, A CHORD BEARING S 42°56'15" W AND A CHORD DISTANCE OF 1078.40 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 62°45'39" W, A DISTANCE OF 427.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1710.00 FEET; THENCE SOUTHWESTERLY 1086.64 FEET ALONG THE ARC OF SAID CURVE A CHORD BEARING S 44°33'22" W AND A CHORD DISTANCE OF 1068.45 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 26°21'05" W, A DISTANCE OF 429.59 FEET; THENCE S 63°38'55" E, A DISTANCE OF 120.00 FEET; THENCE N 26°21'05" E, A DISTANCE OF 429.59 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE NORTHEASTERLY 1010.39 FEET ALONG THE ARC OF SAID CURVE, A CHORD BEARING N 44°33'22" E AND A CHORD DISTANCE OF 993.47 FEET TO THE POINT OF TANGENCY OF SAID

CURVE; THENCE N 62°45'39" E, A DISTANCE OF 427.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1710.00 FEET; THENCE NORTHEASTERLY 1183.26 FEET ALONG THE ARC OF SAID CURVE, A CHORD BEARING N 42°56'15" E AND A CHORD DISTANCE OF 1159.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 23°06'51" E, A DISTANCE OF 2827.87 FEET; THENCE N 66°53'09" W, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING CONTAINING 16.18 ACRES MORE OR LESS; BEING A PART OF THE SAME LANDS DESCRIBED AS PARCEL C, IN OFFICIAL RECORDS BOOK 724, PAGE 1696 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY.

PARCEL "D"

A PART OF SECTIONS 17, AND 20, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A CONCRETE RAYONIER MONUMENT SITUATED IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210 (A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), AT THE MOST WESTERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 215, PAGE 876 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE S 57°47'48" W, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 438.25 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2339.48 FEET; THENCE SOUTHWESTERLY 187.88 FEET ALONG THE ARC OF SAID CURVE, A CHORD BEARING S 60°05'51" W AND A CHORD DISTANCE OF 187.83 FEET TO THE POINT OF BEGINNING; THENCE S 32°28'57" W, A DISTANCE OF 706.30 FEET; THENCE S 58°23'09" W, A DISTANCE OF 1526.49 FEET; THENCE N 00°00'43" E, A DISTANCE OF 1135.26 FEET; THENCE NORTHEASTERLY 963.47 FEET ALONG THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210, ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2339.48 FEET, A CHORD BEARING N 74°11'46" E AND A CHORD DISTANCE OF 956.67 FEET TO THE POINT OF BEGINNING; CONTAINING 23.64 ACRES MORE OR LESS;

CONSERVATION EASEMENT

38.00 ACRE CONSERVATION EASEMENT DESCRIBED IN EXHIBIT "A" RECORDED IN OFFICIAL RECORDS BOOK 1201, PAGE 1121, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL "E"

A PART OF SECTIONS 28 AND 29, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A CONCRETE RAYONIER MONUMENT SITUATED IN THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 210 (A 100 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), AT THE MOST WESTERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 215, PAGE 876 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE S 32°12'14" E, ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 325.08 FEET TO A CONCRETE RAYONIER MONUMENT THENCE S 78°39'07" E, ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, A DISTANCE OF 566.97 FEET; THENCE S 23°06'51" W, A DISTANCE OF 1621.90 FEET; THENCE S 38°14'02" E, A DISTANCE OF 2347.25 FEET; THENCE S 15°56'43" E, A DISTANCE OF 2233.98 FEET; THENCE N 89°58'05" E, A DISTANCE OF 1034.24 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 95 (I-95); THENCE SOUTHEASTERLY 1394.21 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 3926.77 FEET, A CHORD BEARING S 17°18'47" E AND A CHORD DISTANCE OF 1386.90 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 27°29'04" E, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF I-95, A DISTANCE OF 771.76 FEET; THENCE S 30°56'36" W, A DISTANCE OF 806.94 FEET; THENCE S 89°58'25" W, A DISTANCE OF 177.43 FEET TO THE POINT OF BEGINNING; THENCE S 33°17'36" W, A DISTANCE OF 118.78 FEET; THENCE S 22°47'34" W, A DISTANCE OF 84.46 FEET; THENCE S 42°22'03" W, A DISTANCE OF 268.72 FEET; THENCE S 48°53'11" W, A DISTANCE OF 117.43 FEET; THENCE S 58°05'45" W, A DISTANCE OF 434.94 FEET; THENCE S 74°34'25" W, A DISTANCE OF 93.54 FEET; THENCE S 87°08'14" W, A DISTANCE OF 294.15 FEET; THENCE S 80°44'39" W, A DISTANCE OF 9.55 FEET; THENCE S 88°00'58" W, A DISTANCE OF 70.77 FEET; THENCE S 75°10'10" W, A DISTANCE OF 2470.49 FEET; THENCE N 21°32'44" W, A DISTANCE OF 1457.75 FEET; THENCE N 89°58'25" E, A DISTANCE OF 4124.47 FEET TO THE POINT OF BEGINNING CONTAINING 80.0 ACRES MORE OR LESS;

PARCEL "F"

A PART OF SECTIONS 28 AND 29, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE

AT THE NORTHWEST CORNER OF A 38.00 ACRE CONSERVATION EASEMENT DESCRIBED IN EXHIBIT "A" RECORDED IN OFFICIAL RECORDS BOOK 1201, PAGE 1121 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID CONSERVATION EASEMENT THE FOLLOWING SEVEN COURSES: COURSE (1) S 02°27'40" E, A DISTANCE OF 240.76 FEET; COURSE (2) S 86°46'19" E, A DISTANCE OF 315.11 FEET; COURSE (3) S 60°42'09" E, A DISTANCE OF 98.24 FEET; COURSE (4) S 88°36'23" E, A DISTANCE OF 161.94 FEET; COURSE (5) S 00°43'05" E, A DISTANCE OF 210.42 FEET; COURSE (6) S 54°21'35" W, A DISTANCE OF 565.23 FEET; COURSE (7) S 31°12'25" E, A DISTANCE OF 206.04 FEET; THENCE N 89°37'57" W, A DISTANCE OF 546.00 FEET; THENCE N 56°41'25" W, A DISTANCE OF 1217.03 FEET; THENCE N 75°10'10" E, A DISTANCE OF 1386.59 FEET TO THE POINT OF BEGINNING CONTAINING 24.84 ACRES MORE OR LESS.

PARCEL "G"

A PARCEL OF LAND BEING A PORTION OF SECTIONS 20 AND 21, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF THE F. J. FATIO GRANT, SECTION 40, SAID TOWNSHIP 5 SOUTH, RANGE 28 EAST, SAID POINT BEING MONUMENTED BY A LIGHTER WOOD POST; THENCE N 88°35'02" E, ALONG THE SOUTH LINE OF SAID SECTION 40 (BEING THE NORTH LINE OF SAID SECTIONS 20 AND 21), A DISTANCE OF 861.65 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 9, ALSO KNOWN AS INTERSTATE I-95 (A 300 FOOT LIMITED ACCESS RIGHT-OF-WAY AS PER THE STATE OF FLORIDA, STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION NO. 78080-2403, RECORDED IN ROAD PLAT BOOK 1, PAGE 1 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA); THENCE S 03°07'28" E, ALONG THE WESTERLY LINE OF SAID STATE ROAD NO. 9, ALSO KNOWN AS INTERSTATE I-95, A DISTANCE OF 1529.33 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES: COURSE NO. 1: S 03°07'28" E, A DISTANCE OF 2724.01 FEET TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; COURSE NO. 2: THENCE SOUTHERLY ALONG AND AROUND THE ARC OF A CURVE BEING CONCAVE EASTERLY, HAVING A RADIUS OF 3,925.72 FEET, THROUGH A CENTRAL ANGLE OF 04°05'20" TO THE LEFT, AN ARC DISTANCE OF 280.15 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 21,

LAST SAID LINE BEING SUBTENDED BY A CHORD BEARING A DISTANCE OF S 05°10'08" E, 280.09 FEET; THENCE S 89°58'05" W, ALONG THE AFORESAID SOUTH LINE OF SAID SECTION 21, AND THEN ALONG THE SOUTH LINE OF SAID SECTION 20, A DISTANCE OF 1031.26 FEET TO A POINT; THENCE N 15°56'43" W, A DISTANCE OF 2,233.98 FEET TO A POINT; THENCE N 38°14'02" W, A DISTANCE OF 1779.51 FEET; THENCE N 56°56'37" E, A DISTANCE OF 45.05 FEET; THENCE N 84°58'49" E, A DISTANCE OF 33.97 FEET; THENCE S 45°12'54" E, A DISTANCE OF 40.39 FEET; THENCE N 54°28'38" E, A DISTANCE OF 32.35 FEET; THENCE N 20°07'33" W, A DISTANCE OF 50.80 FEET; THENCE N 41°31'46" E, A DISTANCE OF 60.26 FEET; THENCE N 33°02'14" W, A DISTANCE OF 50.24 FEET; THENCE N 65°37'11" E, A DISTANCE OF 55.27 FEET; THENCE N 62°47'45" E, A DISTANCE OF 45.40 FEET; THENCE S 43°26'38" E, A DISTANCE OF 49.66 FEET; THENCE S 42°18'16" W, A DISTANCE OF 93.80 FEET; THENCE S 13°18'36" W, A DISTANCE OF 74.66 FEET; THENCE S 02°58'19" E, A DISTANCE OF 34.98 FEET; THENCE S 71°56'02" W, A DISTANCE OF 38.01 FEET; THENCE S 13°12'52" W, A DISTANCE OF 90.35 FEET; THENCE N 85°01'22" E, A DISTANCE OF 38.00 FEET; THENCE N 55°55'32" E, A DISTANCE OF 66.14 FEET; THENCE S 18°33'36" E, A DISTANCE OF 44.41 FEET; THENCE S 63°55'06" E, A DISTANCE OF 45.45 FEET; THENCE S 17°08'24" W, A DISTANCE OF 57.02 FEET; THENCE S 65°29'57" E, A DISTANCE OF 45.89 FEET; THENCE S 89°21'43" E, A DISTANCE OF 46.92 FEET; THENCE N 17°03'33" E, A DISTANCE OF 60.93 FEET; THENCE N 09°18'18" W, A DISTANCE OF 63.70 FEET; THENCE N 25°45'36" W, A DISTANCE OF 51.19 FEET; THENCE N 81°55'37" W, A DISTANCE OF 45.14 FEET; THENCE N 22°32'12" E, A DISTANCE OF 43.18 FEET; THENCE N 52°01'59" W, A DISTANCE OF 31.49 FEET; THENCE N 30°47'13" W, A DISTANCE OF 34.23 FEET; THENCE N 76°11'45" E, A DISTANCE OF 51.53 FEET; THENCE N 66°46'51" E, A DISTANCE OF 54.96 FEET; THENCE S 18°05'28" E, A DISTANCE OF 36.46 FEET; THENCE N 35°34'17" E, A DISTANCE OF 59.04 FEET; THENCE S 76°13'03" E, A DISTANCE OF 43.73 FEET; THENCE N 26°26'15" E, A DISTANCE OF 55.87 FEET; THENCE S 62°53'03" E, A DISTANCE OF 55.82 FEET; THENCE S 01°23'50" W, A DISTANCE OF 63.71 FEET; THENCE S 68°07'06" W, A DISTANCE OF 50.33 FEET; THENCE S 41°14'29" W, A DISTANCE OF 42.88 FEET; THENCE S 19°12'34" E, A DISTANCE OF 46.82 FEET; THENCE S 20°30'09" E, A DISTANCE OF 30.94 FEET; THENCE S 45°06'36" E, A DISTANCE OF 34.10 FEET; THENCE N 41°17'30" E, A DISTANCE OF 52.03 FEET; THENCE N 15°39'51" E, A DISTANCE OF 57.52 FEET; THENCE S 84°59'23" E, A DISTANCE OF 49.25 FEET; THENCE N 54°37'43" E, A DISTANCE OF 46.97 FEET; THENCE S

75°25'32" E, A DISTANCE OF 40.39 FEET; THENCE S 33°50'56" E, A DISTANCE OF 53.43 FEET; THENCE N 74°53'51" E, A DISTANCE OF 66.32 FEET; THENCE N 39°00'22" E, A DISTANCE OF 50.69 FEET; THENCE S 65°36'27" E, A DISTANCE OF 34.62 FEET; THENCE N 73°15'34" E, A DISTANCE OF 39.52 FEET; THENCE S 44°26'10" E, A DISTANCE OF 25.79 FEET; THENCE S 21°54'48" W, A DISTANCE OF 33.67 FEET; THENCE S 11°18'36" W, A DISTANCE OF 50.78 FEET; THENCE S 89°06'21" E, A DISTANCE OF 31.38 FEET; THENCE N 42°52'21" E, A DISTANCE OF 41.71 FEET; THENCE N 27°22'13" W, A DISTANCE OF 51.49 FEET; THENCE N 11°35'50" E, A DISTANCE OF 38.34 FEET; THENCE N 45°02'28" E, A DISTANCE OF 66.70 FEET; THENCE S 83°26'05" E, A DISTANCE OF 50.80 FEET; THENCE N 63°58'25" E, A DISTANCE OF 78.46 FEET; THENCE S 16°35'37" E, A DISTANCE OF 36.74 FEET; THENCE S 26°08'23" E, A DISTANCE OF 56.48 FEET; THENCE N 75°03'57" E, A DISTANCE OF 39.91 FEET; THENCE N 57°18'52" E, A DISTANCE OF 45.86 FEET; THENCE N 88°52'38" E, A DISTANCE OF 90.93 FEET; THENCE S 62°08'48" E, A DISTANCE OF 44.65 FEET; THENCE S 40°46'20" E, A DISTANCE OF 37.61 FEET; THENCE S 20°23'46" E, A DISTANCE OF 51.75 FEET; THENCE S 73°55'36" E, A DISTANCE OF 29.33 FEET; THENCE N 59°24'29" E, A DISTANCE OF 36.85 FEET; THENCE S 80°53'42" E, A DISTANCE OF 31.74 FEET; THENCE N 38°51'41" E, A DISTANCE OF 68.08 FEET; THENCE N 55°25'36" E, A DISTANCE OF 82.37 FEET; THENCE S 64°53'11" E, A DISTANCE OF 59.83 FEET; THENCE S 74°56'08" E, A DISTANCE OF 90.32 FEET; THENCE S 15°04'44" E, A DISTANCE OF 96.81 FEET; THENCE S 18°02'48" W, A DISTANCE OF 90.44 FEET; THENCE S 07°59'12" E, A DISTANCE OF 58.67 FEET; THENCE S 03°46'51" W, A DISTANCE OF 60.60 FEET; THENCE S 10°30'12" W, A DISTANCE OF 65.08 FEET; THENCE S 66°36'49" E, A DISTANCE OF 44.20 FEET; THENCE N 35°15'09" E, A DISTANCE OF 46.31 FEET; THENCE N 38°54'07" E, A DISTANCE OF 36.51 FEET; THENCE S 48°56'39" E, A DISTANCE OF 27.70 FEET; THENCE 16°42'43" E, A DISTANCE OF 25.04 FEET; THENCE S 35°48'31" W, A DISTANCE OF 30.00 FEET; THENCE S 45°47'56" W, A DISTANCE OF 46.84 FEET; THENCE S 50°18'47" E, A DISTANCE OF 62.46 FEET; THENCE S 10°34'27" W, A DISTANCE OF 87.97 FEET; THENCE S 66°33'13" W, A DISTANCE OF 41.47 FEET; THENCE N 32°48'46" W, A DISTANCE OF 42.66 FEET; THENCE S 72°41'18" W, A DISTANCE OF 31.22 FEET; THENCE S 01°39'28" E, A DISTANCE OF 36.54 FEET; THENCE S 40°32'12" E, A DISTANCE OF 32.10 FEET; THENCE S 73°33'46" E, A DISTANCE OF 58.11 FEET; THENCE N 67°58'31" E, A DISTANCE OF 46.09 FEET; THENCE S 53°30'10" E, A DISTANCE OF 56.99 FEET; THENCE S 48°31'39" E, A DISTANCE OF 58.51 FEET; THENCE S

10°29'16" W, A DISTANCE OF 49.68 FEET; THENCE S 25°58'51" W, A DISTANCE OF 69.60 FEET; THENCE S 22°46'02" E, A DISTANCE OF 27.77 FEET; THENCE S 89°26'05" E, A DISTANCE OF 31.56 FEET; THENCE N 71°23'10" E, A DISTANCE OF 32.09 FEET; THENCE S 50°53'00" E, A DISTANCE OF 57.46 FEET; THENCE S 55°16'53" E, A DISTANCE OF 63.46 FEET; THENCE S 68°28'52" E, A DISTANCE OF 77.45 FEET; THENCE N 73°08'58" E, A DISTANCE OF 75.57 FEET; THENCE S 52°04'59" E, A DISTANCE OF 42.01 FEET; THENCE N 77°17'23" E, A DISTANCE OF 59.16 FEET; THENCE N 41°50'22" E, A DISTANCE OF 49.63 FEET; THENCE S 54°20'06" E, A DISTANCE OF 51.85 FEET; THENCE N 89°30'17" E, A DISTANCE OF 51.53 FEET; THENCE N 27°57'03" E, A DISTANCE OF 25.13 FEET; THENCE N 44°15'20" W, A DISTANCE OF 57.13 FEET; THENCE N 72°42'15" W, A DISTANCE OF 58.48 FEET; THENCE N 57°54'54" W, A DISTANCE OF 24.76 FEET; THENCE N 73°02'24" W, A DISTANCE OF 39.15 FEET; THENCE N 66°00'25" W, A DISTANCE OF 24.14 FEET; THENCE S 81°45'07" E, A DISTANCE OF 26.44 FEET; THENCE N 18°01'16" E, A DISTANCE OF 13.97 FEET; THENCE N 78°16'53" W, A DISTANCE OF 40.72 FEET; THENCE N 75°58'33" W, A DISTANCE OF 45.78 FEET; THENCE N 78°28'08" W, A DISTANCE OF 43.81 FEET; THENCE N 70°47'39" W, A DISTANCE OF 30.16 FEET; THENCE N 62°50'53" W, A DISTANCE OF 20.52 FEET; THENCE S 85°33'07" E, A DISTANCE OF 17.49 FEET; THENCE S 71°56'51" E, A DISTANCE OF 36.36 FEET; THENCE S 75°08'19" E, A DISTANCE OF 31.61 FEET; THENCE S 85°06'52" E, A DISTANCE OF 41.50 FEET; THENCE N 17°36'20" E, A DISTANCE OF 38.39 FEET; THENCE N 43°18'32" E, A DISTANCE OF 22.51 FEET; THENCE S 11°38'51" E, A DISTANCE OF 46.83 FEET; THENCE S 36°43'12" E, A DISTANCE OF 35.57 FEET; THENCE S 80°35'40" E, A DISTANCE OF 34.80 FEET; THENCE N 01°48'04" W, A DISTANCE OF 22.10 FEET; THENCE N 05°23'31" E, A DISTANCE OF 54.65 FEET; THENCE N 30°23'59" E, A DISTANCE OF 35.58 FEET; THENCE N 18°42'50" E, A DISTANCE OF 48.99 FEET; THENCE S 60°56'57" E, A DISTANCE OF 21.06 FEET; THENCE N 70°51'27" E, A DISTANCE OF 62.32 FEET; THENCE N 87°50'43" E, A DISTANCE OF 61.30 FEET; THENCE N 63°12'49" E, A DISTANCE OF 55.55 FEET; THENCE N 68°54'02" E, A DISTANCE OF 31.49 FEET; THENCE N 64°56'05" E, A DISTANCE OF 21.14 FEET TO THE POINT OF BEGINNING CONTAINING 114.57 ACRES MORE OR LESS.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History-New _____.

42DD-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Morgan S. Brown, David Tillis, Ed Hill, Harry Waldron, and Nancy Zyski.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History-New _____.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Commission on Human Relations

RULE TITLE: Executive Director's Investigatory Determination; Notice

RULE NO.: 60Y-5.004

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

SUBJECT AREA TO BE ADDRESSED: The Executive Director's investigatory determination and notice of the determination.

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

LAW IMPLEMENTED: 760.11 FS.

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

TIME AND DATE: 10:00 a.m., June 14, 2000

PLACE: Florida Commission on Human Relations, 325 John Knox Road, Suite 240, Building F, Tallahassee, Florida 32303-4149

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dana Baird, General Counsel, Florida Commission on Human Relations, 325 John Knox Road, Suite 240, Building F, Tallahassee, Florida 32303-4149, whose telephone number is (850)488-7082, Ext. 1035

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60Y-5.004 Executive Director's Investigatory Determination; Notice.

(1) through (4) No change.

(5) A Notice of Determination of No Reasonable Cause, No Jurisdiction or Untimeliness shall advise the complainant of the right to file a Petition for Relief, pursuant to Rule 60Y-5.008, within 35 30 days of service of the notice. A form, Petition for Relief, hereby incorporated by reference, in blank, shall be provided to the complainant at the time of service of the notice.

~~(6) A Notice of Determination shall further advise the parties of the right to request redetermination, pursuant to Rule 60Y-5.007, within 20 days of service of the notice. If the~~

~~complainant requests redetermination, the 30-day period for filing a Petition for Relief shall be tolled until service of a Notice of Redetermination.~~

(6)(7) After service of a Notice of Determination, the parties named in the determination may inspect the records and documents, in the custody of the Commission, which pertain to the determination. The Executive Director may direct that a particular record, document or portion thereof be withheld from inspection by a party only when necessary for the protection of a witness or third party, or for the preservation of a trade secret.

Specific Authority ~~760.06(12), 760.11(14), 760.06(13)~~ FS. Law Implemented ~~760.11, 760.06, 760.10~~ FS. History—New 11-2-78, Amended 6-16-83, 8-12-85, Formerly 22T-9.04, 22T-9.004, Amended.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLES: Definitions
License Renewal Fee Waivers

RULE NOS.: 61-5.002
61-5.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement the amendment made to section 455.219(1), Florida Statutes, passed during the 2000 Legislative Session in section 8 of Senate Bill 1016. This amendment authorizes the Department to adopt rules which provide for the waiver of license renewal fees for professions which meet the statutory criteria.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the waiver of license renewal fees for certain professions regulated by the Department.

SPECIFIC AUTHORITY: 455.219(1) FS.

LAW IMPLEMENTED: 455.219(1) FS.

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

TIME AND DATE: 1:30 p.m., July 12, 2000

PLACE: Hurston Towers, 400 West Robinson Street, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Thomas, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring a special accommodation to participate in this meeting is asked to advise the agency at least forty-eight (48) hours prior to the meeting by contacting Kari McIlvaine, (850)487-9510. If you are hearing or speech impaired, please contact the agency by using the Florida Dual Party Relay System, which can be reached by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE: Florida Elevator Safety Code

RULE CHAPTER NO.: 61C-5

RULE TITLES: Elevators, Dumbwaiters, Escalators,

Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and

Inclined Stairway Chairlifts 61C-5.001
Bulletin Boards 61C-5.004

Alterations to Electric and Hydraulic Elevators and Escalators 61C-5.011

Service Maintenance Contracts 61C-5.013

PURPOSE AND EFFECT: Revision of Chapter 61C-5 which covers the adoption of elevator safety codes have been changed to reflect the more current editions available.

SUBJECT AREAS TO BE ADDRESSED: The area to be discussed is the adoption of the most recent elevator safety codes and changes in some of the adopted codes.

SPECIFIC AUTHORITY: 399.02 FS.

LAW IMPLEMENTED: 399.01, 399.02 FS.

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

TIME AND DATE: 12:00 – 5:00 p.m., June 20, 2000

PLACE: Secretary’s Conference Room, Room 259, The Johns Building, 725 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the hearing by contacting Cathy White, Bureau Chief, at (850)488-9097. If you are hearing or speech impaired please contact the agency by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Cathy White, Bureau Chief, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-1012, Telephone (850)488-9097

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-5.001 Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts.

(1) American National Standard Safety Code for elevators and escalators, ASME A17.1, 1996 ~~1993~~ edition, effective 8-1-96 and ASME A17.1a, 1997 ~~1994~~ addenda, effective 8-1-96, and ASME A17.1b, 1998 ~~1995~~ addenda, effective 8-1-96.

(2)(a) American National Standard Inspectors Manual for Electric Elevators and Escalators, ASME/ANSI A17.2.1, 1996 ~~1988~~ edition, and including ASME/ANSI A17.2.1a, 1997 ~~1989~~ Addenda and ASME/ANSI A17.2.1b, 1998 ~~1990~~ Addenda.

(b) American National Standard Inspectors Manual for Hydraulic Elevators ASME A17.2.2, 1997 edition including ASME A17.2.2a, 1998 Addenda.

(c) American National Standard Inspectors Manual for Escalators and Moving Walks, ASME A17.2.3, 1998 edition.

(3) American National Standard Safety Code for Manlifts, ASME ~~ANSI~~ A90.1, 1992 ~~1976~~ edition.

(4) National Fire Protection Association, NFPA-70, National Electrical Code, 1999 ~~1996~~ edition.

(5) through (6) No change.

(7) The following rules of ASME A17.1, are hereby amended ~~to read~~ as follows:

(a) Rule 211.9e is added, and reads as follows: Each car in a multicar group shall be sequentially numbered from left to right, as viewed from the elevator lobby. Rule 111.10 Access to Hoistways for Emergency Purposes. Hoistway door unlocking devices conforming to Rules 111.9e(1) and (3) shall be provided for all hoistway doors.

(b) No change.

(c) Rule 211.8 Switch Keys, of ASME A17.1, is amended to read as follows: The switches required by Rule 211.2 through 211.5, for all elevators in a building, must be operable by the same keys. This key must not operate any other switch and shall not be part of a building master key system. There must be a key for the designated level switch and for each elevator in the group. These keys must be kept on the premises at all times in a location readily accessible to authorized personnel, and state elevator inspectors, but not where the key is available to the general public. NOTE: (RULE 211.8): Local authorities may specify a uniform keyed lock box to contain the necessary keys.

(d) Rule 805.2d is added, and 805.1a Starting Switch of ASME A17.1, is amended to read as follows: Starting switches must be of the key-operated type and must be located so that the escalator steps are within sight. Automatic starting by any means is prohibited. The key for the starting switches must be kept on the premises at all times in a location readily available to authorized personnel and state elevator inspectors, but not where the key is available to the general public.

(e) No change.

(8) Specifically excluded from ASME A17.1, 1996 ~~1993~~ edition and supplements are:

(a) through (d) No change.

Specific Authority 399.02 FS. Law Implemented 399.02 FS. History—Amended 10-20-63, 4-20-64, 11-17-73, 12-20-73, Revised 3-22-74, Amended 12-18-74, 8-21-79, 8-1-82, 9-19-84, Formerly 7C-5.01, Amended 11-1-87, 10-31-88, 6-12-89, 9-10-89, 10-3-90, 5-12-91, 6-23-91, 8-9-91, 8-27-92, Formerly 7C-5.001, Amended 2-2-94, 8-1-96, 1-1-98,_____.

61C-5.004 Bulletin Boards.

(1) through (6) No change.

(7) The bottom of the bulletin boards shall not be less than ~~4 5~~ feet above the cab floor, and no less than three inches above a handrail. The ~~and the~~ total area shall not exceed 4 square feet.

Specific Authority 399.02 FS. Law Implemented 399.02(2) FS. History—New 5-14-79, Amended 8-1-82, Formerly 7C-5.04, Amended 10-31-88, 4-11-91, Formerly 7C-5.004, Amended 2-2-94,_____.

61C-5.011 Alterations to Electric and Hydraulic Elevators and Escalators.

In addition to the alterations set forth in Rule 1003.3 and Rule 1006.3, ASME A17.1, 1996 ~~1993~~, the following alterations require, in addition to a construction permit, that inspections and tests be performed to determine conformance with the ASME A17.1, 1996 ~~1993~~, rules cited below:

(a) through (g) No change.

(2) The following alterations require, in addition to a construction permit, that inspections be performed to determine conformance with the ASME A17.1, 1996 ~~1993~~, rule cited below:

(a) through (d) No change.

(e) Car leveling device (addition of) 1202.12b 1203.8b and (trucking device) 1202.4a

(f) through (x) No change.

Specific Authority 399.02 FS. Law Implemented 399.02 FS. History—New 2-11-92, Formerly 7C-5.0011, Amended 8-1-96,_____.

61C-5.013 Service Maintenance Contracts.

(1) No change.

(a) Registered elevator companies that enter into service maintenance contracts with elevator owners must follow the procedures within the scope of ASME/ANSI A17.2.1, A17.2.2, and A17.2.3, Inspectors Manuals, and latest Addendas, Part I, II, III and IV, for its routine examinations of elevators;

(b) through (2) No change.

Specific Authority 399.02 FS. Law Implemented 399.01 FS. History—New 2-2-94, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Certification of Registered Contractors

RULE NO.: 61G6-5.0035

PURPOSE AND EFFECT: The Board proposes to implement Section 489.514, F.S.

SUBJECT AREA TO BE ADDRESSED: Certification of registered contractors.

SPECIFIC AUTHORITY: 489.507(3), 489.514 FS.

LAW IMPLEMENTED: 489.513(3), 489.514, 489.517 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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLES:	RULE NOS.:
Continuing Education Requirements	64B5-12.013
Subject Area Requirements	64B5-12.016
Application for Providership	64B5-12.017
Standards for Approved Providers	64B5-12.0175
Courses Required for Initial Licensure, Renewal, or Reactivation	64B5-12.019
Courses Required of Dentists for Renewal and Reactivation	64B5-12.020

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B5-12.013 to update the continuing education requirements for dentists and dental hygienists. Rule 64B5-12.016 is being amended to include the reference "Section 455.597, F.S." The Board proposes to amend Rule 64B5-12.017 to update the rule text with regard to the qualifications of instructors for the subject area of domestic violence. The Board proposes to amend Rule 64B5-12.0175 to update the standards for approved providers for the subject area of domestic violence. Rule 64B5-12.019 requires amendments in order to update the courses required for initial licensure, renewal, or reactivation. The Board proposes to amend Rule 64B5-12.020 to update the rule text for continuing education for licensed dentists.

SUBJECT AREA TO BE ADDRESSED: Continuing education requirements; subject area requirements; application for providership; standards for approved providers; courses required for initial licensure, renewal, or reactivation; courses required of dentists for renewal and reactivation.

SPECIFIC AUTHORITY: 455.604, 455.564(8), 455.587(2), 455.597, 466.004(4), 466.0135, 466.014 FS.

LAW IMPLEMENTED: 455.587(2), 455.604, 455.564(8), 455.597, 466.0135, 466.014, 466.017(3),(5) 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: 8:00 a.m., June 16, 2000

PLACE: The Radisson Plaza Hotel, 60 Ivanhoe Boulevard, Orlando, Florida 32804

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-12.013 Continuing Education Requirements.

(1) Dentists shall complete 30 hours of continuing professional education during each license renewal biennium as a condition of license renewal. No more and no less than one hour shall consist of training in domestic violence as required by Section 455.597, F.S., and described in Rule 64B5-12.019(8). Two of the required hours shall be in law and rules governing the practice of dentistry and dental hygiene ethics and jurisprudence as set forth in Rules 64B5-12.016(1)(d) and Rule 64B5-12.020(2), F.A.C. In addition to the 30 hours required herein, each licensed dentist shall complete the training in cardiopulmonary resuscitation (CPR) required in Rule 64B5-12.020(1), F.A.C.

(2) Dental hygienists shall complete 24 hours of continuing professional education during each license renewal biennium as a condition of license renewal. In addition, during each license renewal biennium licensed dental hygienists shall complete training in cardiopulmonary resuscitation (CPR) at the basic support level, which results in certification or recertification in CPR by the American Heart Association, the American Red Cross or an entity with equivalent requirements. In addition to the 24 hours required herein, each dental hygienist shall complete no more and no less than one + hour of continuing professional education consisting of training in domestic violence as required by Section 455.597, F.S., Ch. 95-187, Laws of Florida, and described in Rule 64B5-12.019(8).

(3) Continuing education credit shall be awarded only for educational experiences that are specifically appropriate for, and contain useful information directly pertinent to, dentistry and only if received through the following methods:

- (a) No change.
- (b) By participating in courses offered by:

1. The American or National Dental Associations and their constituent and component and affiliate dental associations and societies, including affiliated specialty organizations or a provider organization recognized by either the American or National Dental Associations;

2. through (6) No change.

Specific Authority 466.004(4), 466.0135, 466.014, 455.564(8), 455.597 FS. Law Implemented 466.0135, 466.014, 466.028(1)(i),(bb), 466.017(3),(5), 455.564(8), 455.597 FS. History—New 4-2-86, Amended 12-31-86, 4-26-87, 7-20-87, 9-16-87, 11-18-89, 7-9-90, Formerly 21G-12.013, Amended 5-19-94, 7-18-94, Formerly 61F5-12.013, Amended 11-15-95, 4-8-96, Formerly 59Q-12.013, Amended 2-17-98, 2-15-99, 3-11-99.

64B5-12.016 Subject Area Requirements.

(1) Regardless of the manner by which a licensee obtains continuing education, no credit will be awarded unless the subject matter falls within the following subject matter categories:

(a) through (c) No change.

(d) Subjects dealing with licensees' legal ~~and ethical~~ responsibilities, including but not limited to the laws and rules governing the practice of dentistry and dental hygiene.

(e) One hour of credit will be awarded for completion of a course on domestic violence as required by Section 455.597, F.S. Ch. 95-187.

(2) through (3) No change.

Specific Authority 466.004(4), 466.0135, 466.014 FS. Law Implemented 466.0135, 466.014 FS., Ch. 95-187, Laws of Florida. History—New 4-2-86, Amended 1-18-89, 7-9-90, 2-1-93, Formerly 21G-12.016, 61F5-12.016, Amended 9-27-95, Formerly 59Q-12.016, Amended.

64B5-12.017 Application for Providership.

(1) Entities or individuals who wish to become approved providers of continuing education must submit the approval fee set forth in Rule 64B5-15.022(1), Florida Administrative Code, and an application on the appropriate form set forth in Rule 64B5-1.021 which contains the following information and which is accompanied by the following documentation:

(a) No change.

(b) The qualifications of all instructors, which may be evidenced by a curriculum vitae or professional licensure in the subject area taught. Because domestic violence courses must contain information specifically appropriate for, directly pertinent to, and useful in, dentistry, all domestic violence instructors shall identify dental injuries indicative of domestic violence, mandatory reporting and patient records confidentiality for dentists under Florida and federal law, and incidence statistics in the dental profession.

(2) through (3) No change.

Specific Authority 466.004(4), 466.014, 455.587(2) FS. Law Implemented 466.0135, 466.014, 455.587(2) FS. History—New 4-2-86, Amended 10-26-87, 1-18-89, 7-9-90, 5-2-91, Formerly 21G-12.017, 61F5-12.017, 59Q-12.017, Amended 8-19-97.

64B5-12.0175 Standards for Approved Providers.

Approved continuing professional education providers and providers authorized pursuant to Rule 64B5-12.013(3)(b), shall comply with the following requirements:

(1) No change.

(2) Instructors shall be adequately qualified by training, experience or licensure to teach specified courses. Because domestic violence courses must contain information specifically appropriate for, directly pertinent to, and useful in,

dentistry, all domestic violence instructors shall be familiar with dental injuries indicative of domestic violence, reporting obligations under Florida and federal law, and incidence statistics in the dental profession.

(3) through (10) No change.

Specific Authority 466.004(4), 466.014 FS. Law Implemented 466.0135, 466.014 FS. History—New 1-18-89, Amended 7-9-90, Formerly 21G-12.0175, 61F5-12.0175, 59Q-12.0175, Amended 10-3-99.

64B5-12.019 Courses Required for Initial Licensure, Renewal, or Reactivation.

(1) No license shall be granted and no license shall be renewed or reactivated unless the applicant or licensee submits confirmation to the Board that he or she has successfully completed, within 24 months prior to seeking initial licensure, renewal or reactivation, a Board-approved course on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS), and other infectious diseases pertinent to the practice of dentistry and dental hygiene and a Board-approved course on domestic violence.

(2) To receive Board approval, courses on HIV/AIDS and infectious diseases pertinent to the practice of dentistry and dental hygiene shall consist of instruction which shall include, but need not be limited to, viral counts, hepatitis, sterilization and infection control requirements, identification of oral lesions associated with infectious disease, how the presence of infectious disease directly affects treatment decisions of dentists, and the following subject areas set forth under Section 455.604, F.S.:

~~(a) Immunology;~~

~~(b) Pathogenesis;~~

~~(c) Modes of transmission;~~

~~(d) Clinical manifestations;~~

~~(e) Prevention;~~

~~(f) Treatment;~~

~~(g) Infection control procedures and products including barrier techniques, sterilization and disinfection;~~

~~(h) Clinical management of dental patients with communicable disease;~~

~~(i) Handling and disposal of contaminated materials;~~

~~(j) Legal responsibilities and implications; and~~

~~(k) Any other information or recent research relating to HIV/AIDS which is available from the Centers for Disease Control of the United States Public Health Service or the Florida Department of Health.~~

(3) Every such course for the purpose of obtaining initial licensure shall have a minimum of two (2) 3 hours dedicated to the subject areas set forth ~~in subparagraphs (2)(g) through (k) above and a minimum of 1 hour dedicated to the subject areas set forth in subparagraphs (2)(a) through (f) above.~~ Every such course for the purpose of renewal or reactivation of licensure shall have no more and no less than one (1) hour at a minimum 2—hours dedicated to the subject areas set forth ~~in~~

subparagraphs (a) through (k) above. Furthermore, every such course shall include information on current Florida law and its impact on testing, confidentiality of test results, and treatment of patients. However, any such course completed outside of Florida, which complies with the criteria set forth in paragraph (2) above shall be approved by the Board if the applicant or licensee submits to the Board a statement that he or she has reviewed and studied current Florida law and its impact on testing, confidentiality of test results, and treatment of patients. To fulfill the requirements of this paragraph every HIV/AIDS course shall include or each applicant or licensee shall review and study Chapters 381 and 384, Florida Statutes.

(4) Only courses on HIV/AIDS and infectious diseases pertinent to the practice of dentistry and dental hygiene that ~~which~~ meet the requirements set forth in rule 64B5-12.019(2) and (3), and that ~~which~~ are offered in compliance with Rule 64B5-12.013(3), shall be and are hereby approved by the Board. Home study courses are permitted for the purpose of meeting the requirements of HIV/AIDS and infectious diseases pertinent to the practice of dentistry and dental hygiene education, provided they comply with the requirements set forth in subsections (2) and (3), above.

(5) through (7) No change.

(8) To receive Board approval, courses on domestic violence must be a minimum of 1 hour long, must cover the substantive areas set forth in Section 455.597, F.S., Ch. 95-187, Laws of Florida, and must be approved by any state or federal government agency or professional association or offered by a Board approved continuing education provider.

Specific Authority 455.604, 455.597 FS. Law Implemented 455.604, 455.597 FS. History–New 1-18-89, Amended 10-28-91, 2-1-93, Formerly 21G-12.019, Amended 6-14-94, Formerly 61F5-12.019, Amended 11-15-95, 2-10-97, Formerly 59Q-12.019, Amended _____.

64B5-12.020 Courses Required of Dentists for Renewal and Reactivation.

Licensed dentists are required to complete the following continuing education during each license renewal biennium.

(1) No change.

(2) Instruction in laws and rules governing the practice of dentistry and dental hygiene ~~ethics and jurisprudence~~ consisting of at least 2 hours of instruction in relevant topics including: professional responsibility and competence; ~~moral~~ ~~and~~ legal standards; confidentiality; professional relationships; recordkeeping; common malpractice complaints; commonly reported violations reported to the Department; and relevant case studies. Because laws and rules courses must contain information specifically appropriate for, directly pertinent to, and useful in, dentistry, all instructors shall be current or former Florida Board of Dentistry members or, in the alternative, attorneys licensed by The Florida Bar with experience in health law or health care risk managers licensed by the Florida Agency for Health Care Administration, Risk Management Office.

(a) through (b) No change.

Specific Authority 466.004 FS. Law Implemented 466.0135 FS. History–New 4-11-94, Amended 7-18-94, Formerly 61F5-12.020, 59Q-12.020, Amended _____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Fees and License Renewal Application RULE NO.: 64B16-26.101

PURPOSE AND EFFECT: The purpose of this rule amendment is update the rule text regarding an unlicensed activity fee.

SUBJECT AREA TO BE ADDRESSED: Fee for unlicensed activity fee.

SPECIFIC AUTHORITY: 455.711, 465.008 FS.

LAW IMPLEMENTED: 455.641 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL 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: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-26.101 Fees and License Renewal Application.

(1) through (4) No change.

(5) The \$5.00 unlicensed activity fee provided for pursuant to Section 455.641, F.S., shall be paid in addition to ~~earmarked from~~ the current initial licensure and renewal fees.

Specific Authority 465.005 FS. Law Implemented 455.711, 465.008, 455.641 FS. History–New 3-19-79, Formerly 21S-6.05, Amended 1-7-87, 4-21-87, 12-29-88, Formerly 21S-6.005, Amended 7-31-91, 1-10-93, Formerly 21S-26.101, 61F10-26.101, Amended 3-10-96, Formerly 59X-26.101, Amended 12-31-97, _____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Continuing Education Credits RULE NO.: 64B16-26.103

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Continuing education credits.

SPECIFIC AUTHORITY: 455.604, 465.009 FS.

LAW IMPLEMENTED: 455.604, 465.009 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL 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: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-26.103 Continuing Education Credits.

(1) No biennial renewal certificate shall be issued by the Board until the applicant submits proof satisfactory to the Board that during each ~~of the calendar years preceding year of the renewal date~~ biennial period that he has participated in not less than 15 hours of approved courses of continued professional pharmaceutical education per calendar year for a total of not less than 30 hours in the two calendar years ~~biennial period~~ preceding the renewal date period.

(2) No change.

(3) No biennial renewal of license shall be issued by the Board until the applicant submits proof satisfactory to the Board that during the two calendar years ~~biennial period~~ preceding the renewal date period the licensee has participated in a CE course approved by the Board on HIV/AIDS. The course shall be not less than 1 contact hour and must contain these components:

(a) through (e) No change.

Notwithstanding the provisions of Section (2), proof of completion must be returned when submitting the biennial renewal fee. Hours obtained pursuant to Section (3) may be applied to the requirements of Section (1).

Specific Authority 465.005, 455.604 FS. Law Implemented 465.009, 455.604 FS. History–New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Examination Fees
RULE NO.: 64B16-26.2035
PURPOSE AND EFFECT: The Board proposes to amend this rule to increase the examination fees.
SUBJECT AREA TO BE ADDRESSED: Increase in fees.
SPECIFIC AUTHORITY: 465.005 FS.
LAW IMPLEMENTED: 465.007 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL 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: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-26.2035 Examination Fees.

The examination fees for licensure by examination includes a fee of \$100 ~~\$50~~ payable to the Board, and component examination fees of \$360 ~~\$250~~ for the National Practice Examination and \$130 ~~\$85~~ for the jurisprudence examination. Component examination fees may be paid directly to the examination vendor. All fees collected under this section are non-refundable.

Specific Authority 465.005 FS. Law Implemented 465.007 FS. History–New 9-19-94, Amended 3-10-96, Formerly 59X-26.2035, Amended 3-22-99, _____

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Continuing Education – Ordering and Evaluation of Laboratory Tests
RULE NO.: 64B16-26.320
PURPOSE AND EFFECT: The Board proposes to amend subsection (1) of this rule to add new rule text to further clarify continuing education credits and the ordering and evaluation of laboratory tests. Unnecessary rule text is being deleted.
SUBJECT AREA TO BE ADDRESSED: Continuing education credits – ordering and evaluation of laboratory tests.
SPECIFIC AUTHORITY: 465.0125(3) FS.
LAW IMPLEMENTED: 465.0125(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL 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: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-26.320 Continuing Education – Ordering and Evaluation of Laboratory Tests.

(1) Those consultant pharmacists and pharmacists holding the Doctor of Pharmacy degree that wish to order and evaluate laboratory tests under the provisions of section 465.0125, F.S., shall successfully complete the requirements of a continuing education course provided for by this section prior to such practice. Successful completion of the course will certify the pharmacist for this practice through the end of the pharmacist's next biennial renewal date. After initial certification and license renewal, in order for a pharmacist to maintain this certification to order and evaluate laboratory tests, a one hour course shall be completed during the two calendar years preceding the next biennial renewal date for two (2) years from date of completion.

(2) through (3) No change.

Specific Authority 465.0125(3) FS. Law Implemented 465.0125(2) FS. History–New 2-23-98, Amended 6-15-98,_____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES: Reporting Continuing Education Requirements

RULE NOS.:

64B16-26.603
64B16-26.606

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B16-26.603 by updating the rule text with regard to reporting programs of continuing education. Rule 64B16-26.606 is being amended to clarify the time period for submission of continuing professional education credits.

SUBJECT AREA TO BE ADDRESSED: Reporting continuing education requirements and number of required hours.

SPECIFIC AUTHORITY: 465.005, 465.009 FS.

LAW IMPLEMENTED: 465.009 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL 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: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENTS IS:

64B16-26.603 Reporting Continuing Education Requirements.

Each registered pharmacist shall at the time of the biennial license renewal, report programs of continuing professional education compliance for the two preceding calendar years prior to during the applicable renewal date period. Each registered pharmacist shall retain documentation of participation in such continuing education programs for not less than two years after each biennial license renewal for audit purposes if and when such audit is undertaken by the Department of Health and the Board of Pharmacy. Such documentation shall consist of slips for lecture attendance, certification forms from instructors, or course completion slips from correspondence courses.

Specific Authority 465.005 FS. Law Implemented 465.009 FS. History–New 10-17-79, Formerly 21S-13.04, Amended 5-10-89, Formerly 21S-13.004, 21S-26.603, 61F10-26.603, 59X-26.603, Amended_____.

64B16-26.606 Number of Required Hours.

As a condition of the biennial renewal of his license a registered pharmacist must submit proof in the form of certification to the Board the completion of not less than fifteen (15) hours per calendar year of continuing professional education which fulfills the requirements of this rule. A pharmacist, upon request by the Board office, shall provide additional proof of the required continued pharmaceutical education credits as provided by Rule 64B16-26.603, F.A.C. At least five (5) of the required fifteen (15) hours per year must be obtained either at a live seminar, a live video teleconference, or through an interactive computer based application.

Specific Authority 465.005 FS. Law Implemented 465.009 FS. History–New 10-17-79, Formerly 21S-13.07, 21S-13.007, Amended 7-31-91, Formerly 21S-26.606, 61F10-26.606, 59X-26.606, Amended 2-23-98,_____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Permit Fees

RULE NO.:

64B16-28.121

PURPOSE AND EFFECT: The purpose of this rule amendments is to increase the fees for permits.

SUBJECT AREA TO BE ADDRESSED: Increase in permit fees.

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL 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: John

Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-28.121 Permit Fees.

(1) The initial permit fee for a pharmacy, as provided by Section 465.022(8)(a), Florida Statutes, shall be two hundred fifty ~~twenty~~ dollars (~~\$220~~) (\$250).

(2) The biennial permit renewal fee for a pharmacy, as provided by Section 465.022(8)(b), Florida Statutes, shall be two hundred fifty ~~one hundred seventy-five~~ dollars (~~\$175~~) (\$250).

(3) through (4) No change.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022 FS. History—New 7-31-91, Formerly 21S-28.121, 61F10-28.121, 59X-28.121, Amended _____.

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLES:	RULE NOS.:
Probable Cause Determinations	64B33-1.001
Other Board Business for Which Compensation is Allowed	64B33-1.002
Unexcused Absences of Board Members	64B33-1.003
Security and Monitoring Procedures for Examination	64B33-1.004
Exemptions for Spouses of Members of the Armed Forces	64B33-1.005

PURPOSE AND EFFECT: The Board proposes the development of new rules to address organizational rules for the recently created Board of Athletic Training.

SUBJECT AREA TO BE ADDRESSED: Rules regarding probable cause determinations; board business for which compensation is allowed; unexcused absences of board members; security and monitoring of examinations; and exemptions for spouses of members of the armed forces.

SPECIFIC AUTHORITY: 120.53, 455.507(2), 455.534(3),(4), 455.574(1)(d), 455.621 FS.

LAW IMPLEMENTED: 455.507(2), 455.534(3),(4), 455.574(1)(d), 455.621 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: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-1.001 Probable Cause Determinations.

(1) The determination as to whether probable cause exists that a violation of the provisions of Chapters 455 and 468, Part XIII, Florida Statutes, and/or the rules promulgated pursuant thereto, has occurred shall be made by a majority vote of a probable cause panel of the Board.

(2) There shall be one probable cause panel of the board, composed of two members, one of whom may be a past board member who is not currently appointed to the board.

(3) The probable cause panel members shall be selected by the Chair of the Board, one (1) of whom shall be designated by the Chair of the Board as the presiding officer of the panel.

(4) The probable cause panel shall meet at such times as called by the presiding officer of the panel or by two members of the panel.

Specific Authority 120.53, 455.621 FS. Law Implemented 455.621 FS. History—New _____.

64B33-1.002 Other Board Business for Which Compensation is Allowed.

The following is defined to be other business involving the Board pursuant to Section 455.534(4), F.S.:

(1) All Board or Committee meetings required by statutes, Board rule, or Board action.

(2) Meetings of Board members with Department staff or contractors of the Department at the Department's or the Board's request.

(3) Any meeting a Board member attends at the request of the Secretary of the Department or by the Board or Board Chair.

(4) Probable Cause Panel Meetings.

(5) All participation in Board authorized meetings with professional associations of which the Board is a member or invitee. This would include all meetings of national associations of registration Boards of which the Board is a member as well as Board authorized participation in meetings of national or professional associations or organizations involved in educating, regulating, or reviewing the profession over which the Board has statutory authority.

(6) All attendance at continuing education courses for the purpose of monitoring said courses.

(7) All travel to and from Board meetings or other Board business that involves the use of all or any part of a day prior to or subsequent to completion of the Board meeting or other Board business.

Specific Authority 120.53(1), 455.534(4) FS. Law Implemented 455.534(4) FS. History—New _____.

64B33-1.003 Unexcused Absences of Board Members.

(1) A Board member's absence from a Board meeting shall be considered unexcused if the Board member had not received approval of the Chair or the Chair's designee prior to missing the meeting.

(2) Arriving late for a Board meeting or leaving early from a Board meeting without prior approval of the Chair or the Chair's designee shall be considered an unexcused absence.

Specific Authority 455.534(3) FS. Law Implemented 455.534(3) FS. History--New

64B33-1.004 Security and Monitoring Procedures for Examination.

The Board adopts by reference Rule 64B-1.010, F.A.C., of the Department of Health as its rule governing examination security and monitoring.

Specific Authority 455.574(1)(d) FS. Law Implemented 455.574(1)(d) FS. History--New

64B33-1.005 Exemptions for Spouses of Members of the Armed Forces.

Any licensed athletic trainer who is a spouse of a person on active duty with the Armed Forces of the United States, who is absent from this state because of the spouse's duties with the Armed Forces, and who, at the time the absence became necessary, was in good standing with the Board of Athletic Training, shall be exempt from biennial renewal of licensure, payment of required fees hereunder, and performance of any other act on the licensee's part to be performed.

Specific Authority 455.507(2) FS. Law Implemented 455.507(2) FS. History--New

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLES: RULE NOS.:
Licensure Requirements 64B33-2.001

Requirement for Instruction in Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome 64B33-2.002

Requirements for Continuing Education 64B33-2.003

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to delete language which is no longer necessary with regard to licensure and to clarify continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Licensure requirements and continuing education requirements.

SPECIFIC AUTHORITY: 455.564, 455.607, 468.705, 468.707, 468.711 FS.

LAW IMPLEMENTED: 455.607, 468.707, 468.711(2),(3) 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: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-2.001 Licensure Requirements.

All candidates for licensure shall pay the application fee and shall submit a completed DOH form DOH-AT-001 entitled "STATE OF FLORIDA EXAMINATION APPLICATION FOR LICENSURE AS AN ATHLETIC TRAINER" incorporated herein by reference and effective 1/19/96, to the Department. The application can be obtained by writing the Department of Health, Board of Athletic Trainers, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

(1) Each applicant for licensure ~~by examination~~ shall meet the following requirements:

(a) The applicant shall submit transcripts indicating completed coursework in the following areas with a minimum of the hours specified in each area:

1. 3 semester hours or 4 quarter hours of health;
2. 3 semester hours or 4 quarter hours of human anatomy;
3. 3 semester hours or 4 quarter hours of kinesiology/biomechanics;
4. 3 semester hours or 4 quarter hours of human physiology;
5. 3 semester hours or 4 quarter hours of physiology of exercise;
6. 2 semester hours or 4 quarter hours of basic athletic training; and
7. 3 semester hours or 4 quarter hours of advanced athletic training. Coursework covering evaluation of injuries and therapeutic modalities shall meet this requirement.

(b) The applicant shall submit proof of passing the National Athletic Trainers Association Board of Certification Entry Level Certification examination, which is hereby approved by the Board.

~~(c) The applicant shall submit proof of having a baccalaureate degree from a college or university accredited by an accrediting agency recognized and approved by the U.S. Department of Education or the Commission on Recognition of Postsecondary Accreditation, or approved by the Department.~~

~~(d) The applicant shall submit proof of 800 hours of athletic training experience under the direct supervision of a licensed athletic trainer certified by the National Athletic Trainers Association or a comparable national athletic~~

~~standards organization. The 800 hours should have been completed within 2 of the preceding 5 years at the time of application.~~

~~(2)(a) Applicants seeking licensure under 468.707(1)(b) shall by October 1, 1996, submit:~~

- ~~1. Proof of having practiced athletic training for at least 3 of the 5 years preceding application; or~~
- ~~2. Proof of current certification by the National Trainers Association or a comparable national athletic standards organization.~~

~~(b) Demonstration that the applicant has "Athletic Trainers Experience" or has engaged in the practice of "athletic training" for the purpose of obtaining licensure pursuant to section 468.707(1)(a) or (b) shall require evidence that the applicant has worked, with or without remuneration, in a practice setting substantially equivalent to that described in Rule 64B30-25.004(5) using the modalities within the scope of practice described in Rule 64B30-25.004(3) and (4), Florida Administrative Code.~~

~~(2)(3) For all applicants, current certification in standard first aid training and cardiovascular pulmonary resuscitation from the American Heart Association shall be accepted as an equivalent to certification from the American Red Cross.~~

~~Specific Authority 468.705, 468.707 FS. Law Implemented 468.707 FS. History—New 5-29-96, Formerly 61-25.002, 64B30-25.002, Amended _____.~~

64B33-2.002 Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

(1) Each applicant, for initial licensure and at biennial renewal, shall complete a Board approved educational course on HIV and AIDS and shall submit a certificate of completion form from the provider of such course with the application. A copy of the certificate will satisfy this requirement.

(2) The Board approves the following HIV/AIDS education courses:

- (a) Basic HIV/AIDS educational courses presented by the Department of Health;
- (b) Courses approved by any other board within the Department of Health; ~~and~~
- (c) The American Red Cross;:-
- (d) Courses approved by the National Athletic Trainer's Association Board of Certification (NATABOC); and
- (e) Courses approved by the Athletic Trainers' Association of Florida (ATAF).

~~Specific Authority 455.607, 468.705, 468.711 FS. Law Implemented 455.607, 468.707(2), 468.711(3) FS. History—New 5-29-96, Formerly 61-25.003, 64B30-25.003, Amended _____.~~

64B33-2.003 Requirements for Continuing Education Instruction.

(1) In the 24 months preceding each biennial renewal period, every ~~Every~~ athletic trainer licensed pursuant to Chapter 468, part XIII, Florida Statutes, shall be required to complete 24 hours of continuing education in courses approved by the Board ~~in the 24 months preceding each biennial renewal period.~~ However, athletic trainers who receive an initial license during the second half of the biennium shall only be required to complete 12 hours of continuing education in courses approved by the Board prior to renewal, ~~including 4 hours of cardiopulmonary resuscitation.~~ The continuing education for all athletic trainers shall include 4 hours of cardiopulmonary resuscitation (CPR) and first aid training, regardless of whether they are required to complete 24 hours or 12 hours of continuing education. Athletic trainers who receive an initial license during the 90 days preceding a renewal period shall not be required to complete any continuing education for that renewal period.

(2) For purposes of this rule, one continuing education hour is the equivalent to fifty clock minutes.

(3) Acceptable continuing education must focus on the domains of athletic training, including prevention of athletic injuries; recognition, evaluation, and immediate care of athletic injuries; rehabilitation and reconditioning of athletic injuries; health care administration; or professional development and responsibility of athletic trainers.

(4) The following continuing education is approved by the Board:

- (a) Courses, professional development activities, and publication activities approved by the National Athletic Trainer's Association Board of Certification (NATABOC) in NATABOC Category A or B;
- (b) Courses approved by the Athletic Trainers' Association of Florida in NATABOC Category A or B;
- (c) Post-certification courses sponsored by a college or university approved by the United States Department of Education which provides a curriculum for athletic trainers in NATABOC Category C; and
- (d) Cardiopulmonary resuscitation certification courses in NATABOC Category D.

(5) Category A (home study) Home study ~~Home study~~ courses approved by the NATABOC will be acceptable for no more than 10 ten of the required continuing education hours. The remaining 14 hours require actual attendance and participation. For those licensees who are initially licensed during the second year of the biennial period, only 5 of the required continuing education hours may consist of home study courses. The remaining 7 hours require actual attendance and participation.

~~(6) The 24 continuing education hours shall include 4 hours of NATABOC Category D.~~

(6)(7) Each athletic trainer shall maintain proof of completion of the required continuing education hours for a period of 4 years, and shall provide such proof to the department upon request.

Specific Authority 468.705, 468.711(2),(3), 455.564 FS. Law Implemented 468.711(2) FS. History—New 8-4-98, Formerly 64B30-25.0031, Amended.

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLE: Fees
 RULE NO.: 64B33-3.001

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the initial licensure fee for those licensed in the second year of the biennium; to increase the delinquent license fee; and to set forth a fee for a duplicate license.

SUBJECT AREA TO BE ADDRESSED: Fees.
 SPECIFIC AUTHORITY: 455.587, 468.705, 468.70 FS.
 LAW IMPLEMENTED: 455.587, 468.709 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: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-3.001 Fees.

The following fees are prescribed for athletic trainers:

- (1) The application fee shall be \$100.
- (2) The initial licensure fee for those initially licensed in the first year of the biennium shall be \$125. For those initially licensed in the second year of the biennium, the initial licensure fee shall be \$75.
- (3) The biennial renewal fee shall be \$125.
- (4) The inactive fee shall be \$50.
- (5) The delinquent fee shall be \$75 ~~\$25~~.
- (6) The reactivation fee shall be \$25.
- (7) The change of status fee shall be \$25.
- (8) The duplicate license fee shall be \$25.

Specific Authority 455.587, 468.705, 468.709 FS. Law Implemented 455.587, 468.709 FS. History—New 7-12-95, Amended 5-29-96, Formerly 61-25.001, 64B30-25.001, Amended.

**Section II
 Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Effectiveness of Cemetery Licenses Valid on September 30, 1993
 RULE NO.: 3F-5.001

PURPOSE AND EFFECT: To repeal this rule.

SUMMARY: This rule was enacted to give authority to licensees with valid cemetery licenses valid from September 30, 1993 until May 24, 1994, under Ch. 197, Fla. Stats.

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

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

SPECIFIC AUTHORITY: 497.103(1) FS.
 LAW IMPLEMENTED: 497.405, 497.407 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

3F-5.001 Effectiveness of Cemetery Licenses Valid on September 30, 1993.

~~Unless revoked or otherwise restricted, any cemetery license valid on September 30, 1993 shall remain in effect for purposes of authority to sell preneed contracts under Chapter 197, Florida Statutes, until May 31, 1994.~~

Specific Authority 497.103(1) FS. Law Implemented 497.405, 497.407 FS. History—New 4-25-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2000