

participants, documentation in the record shall include documentation of the participant's risk factors and the record of case disposition.

(c) The department shall maintain a confidential registry of the risk screening results on all infants received from the health care providers.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 3-29-92, Amended 9-20-94, 8-14-95, 3-28-96, Formerly 10J-8.012, Amended

64C-7.011 Criteria for Designating Risk Screening Factors.

~~After consultation with the Advisory Councils,~~ The department shall designate each risk factor for inclusion in the prenatal and infant (postnatal) risk screening instruments and shall determine the weight of each risk factor. Each designated risk factor shall meet one or more of the following criteria:

- (1) The factor is known to reflect an increased risk of pregnancy complications, infant mortality, or morbidity.
- (2) The factor is associated with increased risk of impairment in health, intellect, or functional ability in a percentage of infants positive for that factor.
- (3) The factor reflects health behaviors which have been associated with increased risk of poor birth outcomes.
- (4) The factor reflects an environmental risk factor.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 3-29-92, Amended 8-14-95, Formerly 10J-8.013, Amended

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-21.002
Application and Selection Process for Loans	67-21.003
Selection Criteria and Guidelines for Selection of Developments	67-21.004
Determination of Method of Bond Sale	67-21.0045
Selection of Qualified Lending Institutions as Credit Underwriters, Originators or Servicers	67-21.005
Development Requirements	67-21.006
Fees	67-21.007
Terms and Conditions of Loans	67-21.008
Interest Rate on Mortgage Loans	67-21.009
Issuance of Revenue Bonds	67-21.010
No Discrimination	67-21.011
Advertisements	67-21.012
Private Placements of Multifamily Mortgage Revenue Bonds	67-21.013
Credit Underwriting Procedures	67-21.014
Use of Bonds with other Affordable Housing Finance Programs	67-21.015
Compliance Procedures	67-21.016
Transfer of Ownership	67-21.017
Refundings and Troubled Development Review	67-21.018
501(c)(3) Bonds for Multifamily Housing	67-21.019

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-21, Florida Administrative Code (FAC.), is to establish the procedures by which the Florida Housing Finance Corporation shall administer the application process, determine loan amounts and issue multifamily mortgage revenue bonds for new construction or substantial rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2001 application and program requirements for the Multifamily Bond Program, as specified in Rule Chapter 67-21, FAC.

SPECIFIC AUTHORITY: 420.507, 420.508 FS.
LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508, 420.509 FS.

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

TIME AND DATE: 2:00 p.m., August 31, 2000
PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida 32827, (407)825-1234 phone

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Bill Metler, Multifamily Bond Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Bill Metler at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

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

**Section II
Proposed Rules**

DEPARTMENT OF INSURANCE

RULE TITLE: Annuity Contracts; Separability RULE NO.: 4-162.017
PURPOSE AND EFFECT: There is no need for a reparability provision because it is clear that an administrative law judge can invalidate all or part of the rule. The language has no effect. The proposed action repeals the separability provision.
SUMMARY: The proposed action repeals an unnecessary separability provision.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 627.805 FS.

LAW IMPLEMENTED: 627.805 FS.

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

TIME AND DATE: 9:30 a.m., August 30, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Newell, Bureau Chief, Bureau of Life and Health Insurer Solvency, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0327, phone (850)413-5050

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

THE FULL TEXT OF THE PROPOSED RULE IS:

4-162.017 Annuity Contracts; Separability.

Specific Authority 627.805 FS. Law Implemented 627.805 FS. History—Repromulgated 12-24-74, Formerly 4-10.17, 4-10.017, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Newell, Bureau Chief, Bureau of Life and Health Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Roddenberry, Deputy Division Director, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: July 19, 2000

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE TITLE: Construction Materials Mining Activities

RULE NO.: 4A-2.024

PURPOSE AND EFFECT: The Florida Legislature in Chapter 2000-266, Laws of Florida, gives the State Fire Marshal the sole and exclusive authority to promulgate standards, limits, and regulations regarding the use of explosives in conjunction with construction materials mining activities. Currently the counties or municipalities establish these standards. The standards will address such issues as ground vibrations, intensity, date/time restrictions, and notice requirements. The proposed rulemaking will establish the required standards.

SUMMARY: The proposed rules set forth standards and requirements for ground vibrations, intensity, date/time restrictions, and notice, as required by Section 553.30, Florida Statutes. They apply to all persons engaged in construction materials mining activities, as that term is defined.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 552.30 FS.

LAW IMPLEMENTED: 552.30 FS.

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

TIME AND DATE: 9:30 a.m., August 29, 2000

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Terry Hawkins, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)413-3624

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

THE FULL TEXT OF THE PROPOSED RULE IS:

4A-2.024 Construction Materials Mining Activities.

(1) Scope. Notwithstanding the provisions of section 552.25, Florida Statutes, section 552.30, Florida Statutes, gives the State Fire Marshal sole and exclusive authority to promulgate standards, limits, and regulations regarding the use of explosives in conjunction with the extraction of limestone and sand by any person or company primarily engaged in commercial mining of limestone and sand suitable for production of construction aggregates, sand, cement, and road base materials. Any person or company not primarily engaged in commercial mining of limestone and sand suitable for production of construction aggregates, sand, cement, and road base materials remains subject to the provisions of section 552.25, Florida Statutes.

(2) Definitions. As used in this rule:

(a) "Construction materials mining activities" means the extraction of limestone and sand suitable for production of construction aggregates, sand, cement, and road base materials by any person or company primarily engaged in the commercial mining of any such limestone and sand.

(b) "Extraction" means the commercial mining of limestone and sand suitable for production of construction aggregates, sand, cement, and road base materials, but does not include excavation solely in aid of on site farming or site construction, nor the process of searching, prospecting, exploring or investigating for resources by drilling.

(c) "Independent seismologist" means a person whose primary function shall be in the field of vibration and air overpressure measurement and the analysis and evaluation of their effects upon structures. Such person shall have credentials and actual field experience in the areas stated for a minimum period of five years.

(d) "Mining" means an area of land upon which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade and as it relates to construction materials mining activities.

(e) "Person" is defined as in section 4A-2.002(5), of this chapter.

(f) "Primarily engaged" means either of the following:

1.a. With respect to the property on which the construction materials mining activities will occur, the underlying zoning and land use designation is consistent with the type zoning or land use necessary to permit mining activities;

b. The duration of the proposed mining activities is consistent with the long-term mining of limestone and sand for use as construction aggregates, sand, cement, and road base materials or products; and

c. The limestone and sand products resulting from the mining activities conducted will be principally for use off-site, as opposed to on-site, in the development of the property upon which the mine is located; or

2. The person engaged in the construction materials mining activities receives greater than fifty percent (50%) of their annual gross revenues from the commercial mining of limestone and sand.

(3) Licensing and Permitting. The use of explosives under this rule shall be conducted by a licensed user or permitted blaster pursuant to Chapter 552, Florida Statutes.

(4) Ground Vibration, Frequency Limits.

(a) The maximum ground vibration at any dwelling, public building, school, or church or commercial or institutional building adjacent to the blasting site shall not exceed the limits of particle velocity and frequencies established by the U.S. Bureau of Mines Report of Investigations No. 8507, Appendix B – Alternative Blasting Level Criteria (Figure B-1), which are hereby adopted and incorporated by reference. Copies of Appendix B, Figure B-1 may be obtained from the Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee FL 32399-0342.

(b) All measurements shall be made by an independent seismologist using seismographic equipment meeting the specifications of the International Society of Explosives

Engineers Blasters' Handbook, 17th Edition, Copyright 1998. Measurements shall be taken and equipment shall be installed in accordance with the International Society of Explosives Engineers Blaster's Handbook, 17th Edition, Copyright 1998, which is hereby adopted and incorporated by reference and may be obtained from the International Society of Explosives Engineers, 29100 AVRA Road, Cleveland, Ohio 44131.

(c) All seismographic equipment used within the boundaries of the State of Florida shall be calibrated according to the manufacturers specifications and shall be certified as accurate by the manufacturer on an annual basis or as needed. Units not meeting current calibration guidelines shall be removed from service until calibration has been completed. Calibration records shall be made available to the Division upon request.

(5) Airblast.

(a) Airblast limits shall conform with the limits established in Section 8-2 of National Fire Protection Association Standard Number 495, 1996 Edition, which is hereby adopted and incorporated. The codes and standards published by the National Fire Protection Association may be obtained by writing to the NFPA at: 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

(b) Measurements shall be made by an independent seismologist using seismographic equipment meeting the specifications of the International Society of Explosives Engineers Blasters' Handbook, 17th Edition, Copyright 1998. Measurements shall be taken and equipment shall be installed in accordance with the International Society of Explosives Engineers Blasters' Handbook, 17th Edition, Copyright 1998.

(6) Time and Date of Explosives Use. Explosive blasting shall be conducted as provided in Chapter 552, Florida Statutes, and the provisions of this rule chapter. The use of explosives shall be conducted during daylight hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, except on official holidays recognized by the State of Florida.

(7) Reporting. Each person engaged in construction materials mining activity shall submit to the Division or its delegatee, on a monthly basis, the daily results of ground vibration and airblast measurements. Records will be maintained in accordance with section 552.112, Florida Statutes.

(8) Notice. Each person engaged in construction materials mining activity shall submit written notification to the county and or municipality in which construction materials mining activity is to be conducted at least twenty days prior to the commencement of the initial blast. The notice shall include a

site plan identifying the coordinates of all blasting proposed, including the projected dates and times or a range of dates and times when blasting may occur; its possible effect on the owners or residents. No later than 3:00 p.m. on the Friday preceding the next week of blasting, each person or firm engaged in construction materials mining activity will submit its tentative blasting schedule to the county or municipality for the following week stating which days and which mines have been scheduled for blasting. The tentative schedule will include time parameters within which all blasts are expected to take place to include the approximate time of detonation, the location of the detonation, and the pattern and quantities of explosives to be used. In the event any blast cannot be detonated within the noticed schedule, the county and or municipality must be contacted for an extension or a new notice prior to detonation. No later than 9:00 a.m. each day upon which a blast is scheduled to take place the person or firm engaged in construction materials mining activity shall submit a final schedule for their respective daily blasting activities.

(9) Delegation of Authority.

(a) The State Fire Marshal hereby delegates to each municipality and county the responsibility and authority to monitor and enforce this rule governing the use of explosives. Such monitoring and enforcement shall be subject to section 552.30, Florida Statutes, and this rule.

(b) The delegation of authority provided by this subsection includes the assessment and collection of reasonable fees for the purpose of carrying out the delegated activities, as authorized by section 552.30, Florida Statutes.

(c) In addition, each municipality or county, if it elects to do so, may enact ordinances requiring local permitting and establishing procedures for obtaining a local permit to use explosives in conjunction with construction materials mining activities as defined in section 552.30, Florida Statutes. If an ordinance is enacted requiring a local permit, such local permit is valid only for the specific activity indicated in the permit. Any deviation from the specified activity and the conditions for undertaking that activity in the local permit shall constitute a violation of the permit and these rules.

Specific Authority 552.30 FS. Law Implemented 522.30 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Terry Hawkins, Safety Program Manger, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James Goodloe, Bureau Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: July 26, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2000

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE:

RULE NO.:

Grading Services for Poultry

5K-5.014

PURPOSE AND EFFECT: The rule amendment changes the fee schedule for grading services provided by Department graders and amends the definitions used in the rule.

SUMMARY: The State of Florida, Department of Agriculture and Consumer Services, provides grading services to food establishments that process poultry. The Department charges the poultry processor an hourly fee to recover the costs of this service. This rule amendment increases the hourly fees charged to a processor and requires the processor to reimburse the Department for any per diem travel costs incurred by a grader associated with this service.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 570.07(23), 583.04, 570.07(23) FS.
LAW IMPLEMENTED: 583.051, 583.052 FS.

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

TIME AND DATE: 10:00 a.m., August 29, 2000

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, FL, telephone (850)488-3951

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. John Fruin, Chief, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone (850)488-3951

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-5.014 Grading Services for Poultry.

(1) Definitions. As used in this rule, the following definitions shall apply:

(a) Days not previously scheduled or non-specified days means days not scheduled in the application for service.

(b) Department means the Florida Department of Agriculture and Consumer Services.

(c) Non-resident location means a production site to which no full-time ~~grader inspector~~ has been assigned, but the site has been previously approved for grading in accordance with an application for service inspection.

(d) ~~Full-time resident~~ ~~resident~~ location means a production site to which a full-time ~~grader inspector~~ has been assigned in accordance with an application for service requesting 40 or more hours of grading services per week.

(e) Part-time resident location means a production site where a part-time grader has been assigned to the site in accordance with an application for service requesting less than 40 hours of grading services per week.

(2) Pursuant to its authority under Section 583.052, Florida Statutes, to cooperate with and enter into agreements with various state and federal agencies, the department has entered a Cooperative Agreement with the United States Department of Agriculture for the providing of a voluntary cooperative poultry grading service to Florida producers.

(3) Under that agreement and to offset the cost of providing the services to the producer who orders them, the department establishes the following schedule:

- (a) Grader's time per hour for:
 - 1. Full-time resident location \$24.00 ~~24.05~~
 - 2. Overtime \$28.00 ~~26.50~~
 - 3. Non-resident location \$31.50 ~~28.50~~
 - 4. Non-specified days \$31.50 ~~28.50~~
- (b) Travel time to and from grader's headquarters:
 - 1. Non-resident location \$31.50 ~~28.50~~
 - 2. Non-specified days \$31.50 ~~28.50~~
 - 3. Part-time resident location \$25.00

(c) Mileage and per diem to and from the grader's headquarters shall be reimbursed at the prevailing rates provided in Section 112.061, Florida Statutes.

(4) Moneys due to the department for grading services provided to a producer who orders said services must be received within 30 days of the date of invoice.

(5) USDA volume charge on a per pound of poultry basis will be identified separately on each billing statement ~~on separate billing statements.~~

Specific Authority 570.07(23), 583.04, 570.07(23) FS. Law Implemented 583.051, 583.052 FS. History--New 8-13-92, Formerly 5E-7.014, Amended 9-30-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Bernhardt, Sanitation and Safety Administrator, State/Federal Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Marion Fuller, Director, Division of Food Safety

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2000

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE: Grading Services for Shell Eggs RULE NO.: 5K-6.010

PURPOSE AND EFFECT: The rule amendment changes the fee schedule for grading services provided by Department graders and amends the definitions used in the rule.

SUMMARY: The State of Florida, Department of Agriculture and Consumer Services, provides grading services to food establishments that process shell eggs. The Department charges the egg processor an hourly fee to recover the costs of this service. This rule amendment increases the hourly fees charged to a processor and requires the processor to reimburse the Department for any per diem travel costs incurred by a grader associated with this service.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 570.07(23), 583.04 FS.

LAW IMPLEMENTED: 583.051, 583.052 FS.

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

TIME AND DATE: 10:00 a.m., August 29, 2000

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, FL, telephone (850)488-3951

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. John Fruin, Chief, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone (850)488-3951

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-6.010 Grading Services for Shell Eggs.

(1) Definitions. As used in this rule, the following definitions shall apply:

(a) Days not previously scheduled or non-specified days means days not scheduled in the application for service.

(b) Department means the Florida Department of Agriculture and Consumer Services.

(c) Non-resident location means a production site to which no full-time ~~grader inspector~~ has been assigned, but the site has been previously approved for grading in accordance with the application for service inspection.

(d) Full-time resident ~~Resident~~ location means a production site to which a full-time ~~grader inspector~~ has been assigned in accordance with an application for service requesting 40 or more hours of grading services per week.

(e) Part-time resident location means a production site where a part-time grader has been assigned to the site in accordance with an application for service requesting less than 40 hours of grading services per week.

(a) 2 hour legal update seminar. The legal update seminar shall consist of instruction regarding changes to Chapters 455, 468, Part VIII, 617, 718, 719, and 721, Florida Statutes, and other legislation, case law, and regulations impacting community association management.

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

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

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

(e) 4 hours of additional instruction in any area described in subsections (3)(b), (3)(c) or (3)(d) of this rule or in any course or courses directly related to the management or administration of community associations.

(3) Applicants who can document to the Council that they suffer from a disability or hardship shall be permitted to complete preclicensure education by either correspondence or on-line courses. Such documentation must be received and approved by the Council prior to enrolling and completing any correspondence or on-line preclicensure courses.

(a) The following shall constitute acceptable "hardships" as the term is used in this rule:

1. The applicant's residence is more than 70 miles from the nearest physical location where preclicensure education is taught.

2. Providers are not offering any in-person preclicensure education courses within the twelve months preceding the next available examination.

(b) "Disability" as used in this rule shall mean a physical or mental impairment that substantially limits one or more of the major life activities of the applicant which would preclude the applicant from attending in-person preclicensure courses.

Specific Authority Chapter 2000-356, Laws of Florida., 468.4315(2) FS. Law Implemented Chapter 2000-356, Laws of Florida. History--New _____.

61-20.504 Fees.

The following fees are adopted by the Council:

(1) through (14) No change.

(15) Application fee for preclicensure education providers \$100.00.

(16) The renewal fee for preclicensure education providers \$100.00.

Specific Authority 468.4315 FS. Law Implemented 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435 FS. History--New 5-4-97, Amended 5-10-98, 9-9-98, 2-11-99, 3-13-00,_____.

61-20.510 Preclicensure Education Provider Approval.

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

(2) Entities or individuals who wish to become approved providers of preclicensure education shall make application to the Council, on BPR form 33-012/Rev. 07/00, entitled, "Community Association Manager's Preclicensure Education Provider Approval Application", incorporated herein by reference, effective, _____, which copies may be obtained from the Regulatory Council of Community Association Managers, at Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-1040.

(3) Each provider application shall contain the following information, and shall be accompanied by the following documentation and other information as required by BPR form 33-012:

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

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

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

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

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

(c) The appropriate preclicensure education provider application fee pursuant to Rule 61-20.504(15).

(d) A course outline which describes the course's content and subject matter. A course outline shall address the following:

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

2. Subject Matter. The content shall be specifically designed to meet the objectives and the stated level and learning needs of community association managers. Specifically, it shall address one or more of the subject areas outlined in Rule 61-20.5011(2), F.A.C.

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

- a. Learning experiences and teaching methods are appropriate to achieve the objectives;
- b. Time allotted for each activity shall be sufficient for the learner to meet the objectives;
- c. Principles of adult education are utilized in determining teaching strategies and learning activities; and
- d. Currency and accuracy of subject matter will be documented by references or bibliography.

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

(4) Prelicensure education provider status shall be valid from the date of approval until May 31 of every odd numbered year. Those seeking renewal of provider status must reapply on BPR form 33-012, referenced in Subsection (2) above, to the Council and submit the appropriate renewal fee pursuant to Rule 61-20.504(16), F.A.C. Providers who fail to renew their provider status on a timely basis in accordance with this rule shall not offer or advertise a course as a course for prelicensure education education.

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

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

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

(c) Records of individual courses shall be maintained by the provider for 4 years and shall be available for inspection by the Council.

(d) Providers shall furnish each participant with an individual certificate of attendance and completion of course. A roster of participants shall be maintained by the provider for 4 years and shall be available for inspection by the Council. Providers shall maintain security of attendance records and certificates.

(e) The course provider shall submit to the Council a sample certificate of course completion that the course instructor shall provide each course participant if the participant completes the course. Such certificate shall include the course participant's name, the title of the course, prelicensure education category, date completed, and number of hours. The certificate shall be provided to the course participant at the completion of the course. The certificate of course completion shall contain, on its face, the following statement in capital letters in at least 12 point type:

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

WRITING AT: DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, REGULATORY COUNCIL OF COMMUNITY ASSOCIATION MANAGERS, 1940 NORTH MONROE STREET, TALLAHASSEE, FLORIDA 32399-1040.

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

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

(6) A prelicensure education provider initially approved during the last 90 days prior to May 31 of an odd numbered year, shall not be required to reapply as a condition for renewing provider status.

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

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

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

Specific Authority Chapter 2000-356, Laws of Florida., 468.4315(2) FS. Law Implemented Chapter 2000-356, Laws of Florida. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLES:	RULE NOS.:
Continuing Education Renewal Requirements	61-20.508
Continuing Education Provider Approval	61-20.5081
Continuing Education Course Approval	61-20.5082

PURPOSE AND EFFECT: The Regulatory Council proposes to amend these rules to conform with the Department's continuing education rules.

SUMMARY: The Regulatory Council proposes to amend Rule 61-20.508 by adding new rule text with regard to the requirements for continuing education renewal for instructors and licensees with regard to the continuing education requirements for licensure prior to the first license renewal.

Unnecessary rule text is being deleted that is no longer needed. Rule 61-20.5081 requires amendments to update the rule text with regard to the continuing education provider status renewal period and the responsibilities of providers who offer these approved courses. Rule 61-20.5082 is being amended to update the rule text with regard to the manner in which providers shall apply for course approval.

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

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

SPECIFIC AUTHORITY: 468.4315(2), 468.433, 468.4336, 468.4337 FS.

LAW IMPLEMENTED: 468.433, 468.4336, 468.4337 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

61-20.508 Continuing Education Renewal Requirements.

(1) through (4) No change.

(5) Instructors may receive continuing education credit hours in the same contact hours as the course is offered and approved by the Council. Instructors may only receive credit for a specific course once every renewal period; however, credit may be obtained for different approved courses offered by the instructor.

~~(6)(5) A licensee shall not be required to comply with the continuing education requirements prior to the first license renewal. A licensee who was initially licensed in the last 90 days of the biennium prior to renewal shall not be required to meet the continuing education requirement as a condition of renewing the initial license. A licensee who is initially licensed in the last 90 days of the first year of a biennium shall not be required to complete a 2-hour legal update seminar for the first year of licensure.~~

~~(6) A licensee who was initially licensed during the last year of the biennium prior to renewal, except as described in subsection (5) of this rule, shall be required to satisfactorily complete 10 hours of the continuing education requirement described in subsection (1) of this rule. The licensee shall satisfactorily complete a 2-hour legal update seminar during~~

~~the last year of the biennium and shall also satisfactorily complete 2 hours of instruction in each subject area described in subsections (3)(b), (3)(c), (3)(d) and (3)(e) of this rule.~~

(7) No change.

Specific Authority 468.4315(2), 468.4336, 468.4337 FS. Law Implemented 468.4336, 468.4337 FS. History—New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55.008, 61B-55.008, Amended 10-18-99, 3-13-00,

61-20.5081 Continuing Education Provider Approval.

(1) through (3) No change.

(4) Continuing education provider status shall be valid from the date of approval until May 31 ~~June 30~~ of every odd ~~even~~ numbered year. Those seeking renewal of provider status must reapply on BPR form 33-011, referenced in Subsection (2) above, to the Council and submit the appropriate renewal fee pursuant to Rule 61-20.504(14), F.A.C. Providers who fail to renew their provider status on a timely basis in accordance with this rule shall not offer or advertise a course as an approved course for continuing education. Renewal of provider status shall be for a two year period until May 31 of the next odd numbered year.

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

(a) through (b) No change.

(c) Records of individual courses shall be maintained by the provider for 3 years and shall be available for inspection by the Council, department or department's designee.

(d) Providers shall furnish each participant with an individual certificate of attendance that complies with Rule 61-20.5082(2), F.A.C. A roster of participants shall be maintained by the provider for ~~4~~ 3 years and shall be available for inspection by the Council. Providers shall be responsible for filing with the Council, within 5 business days after the course is concluded, a list of all licensees who attended a course offered between October 1, 2000 and April 30, 2001. The list shall include the course name and approval number, each licensee's name, the license number, and the licensee's grade in the course if applicable. Beginning May 1, 2001, providers must electronically provide to the department a list of attendees taking the course within five (5) business days of the completion of the course. For home study courses, the provider must electronically supply the list of those individuals successfully completing the course by the 5th of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the individual. This list shall include the provider's name, and provider number, the name and license number of the attendee, the date the course was completed and the course number. If the instructor is receiving credit as set forth in Rule 61-20.508(5), F.A.C., the instructor shall be listed as an attendee with the same information required above. Providers shall maintain security of attendance records and certificates.

(e) All information or documentation, including electronic course rosters, submitted to the Council or the Department shall be submitted in a format acceptable to the Council and the Department. Failure to comply with the time and form requirements will result in revocation of the provider approval. No provider may reapply for continuing education provider status until at least two (2) years have elapsed since the entry of the final order against the provider.

(f) No change.

(g) Providers are required to resolve reporting conflicts with the licensee by the expiration date of the license period.

(h)(6) A continuing education provider initially approved during the last 90 days prior to May 31 June 30 of an odd even numbered year, shall not be required to reapply as a condition for renewing provider status.

(7) through (10) renumbered (6) through (9) No change.

Specific Authority 468.4315(2) FS. Law Implemented 468.4337 FS. History—New 5-14-98, Amended 3-13-00, _____.

61-20.5082 Continuing Education Course Approval.

(1) through (2) No change.

(3) Course approvals are valid for 24 months from the date of issuance. Providers must reapply for course approval after the 24 month period. Written application and course approval shall be in the same form as set forth in (1)(a) above. The Council shall be notified of any substantive changes made to approved courses during this period. Course approval shall be rescinded by the Council if such notification is not made or the changes fail to otherwise conform to this rule. Course approvals shall be automatically rescinded if the provider approval expires or is rescinded.

(4) No change.

Specific Authority 468.4315(2), 468.433 FS. Law Implemented 468.433, 468.4337 FS. History—New 3-13-00, Amended _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Audit of Certificates of Completion

RULE NO.: 61G19-9.008

PURPOSE AND EFFECT: The Board determined to repeal this rule because it is now unnecessary and redundant.

SUMMARY: This rule is being repealed due to new Legislature and Department rules.

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

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

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.627 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators & Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.008 Audit of Certificates of Completion.

Specific Authority 468.606 FS. Law Implemented 468.627 FS. History—New 5-23-94, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Code

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Code

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2000

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE TITLE: Examination Review Procedure

RULE NO.: 64B6-2.004

PURPOSE AND EFFECT: The Board determined to repeal this rule because it is unnecessary and redundant.

SUMMARY: This rule is being repealed because it recounts unnecessary language.

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: 455.574(2) FS.

LAW IMPLEMENTED: 455.574(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C09, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-2.004 Examination Review Procedure.

Specific Authority 455.574(2) FS. Law Implemented 455.574(2) FS. History—New 5-14-84, Formerly 21JJ-1.10, 21JJ-1.010, 21JJ-2.005, 61G9-2.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2000

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Hunting Regulations for Ducks, Geese, and Coots

RULE NO.: 68A-13.003

PURPOSE AND EFFECT: The proposed rule would increase the bag limit for scaup from two to three.

SUMMARY: The proposed rule would amend migratory bird hunting regulations to increase the bag limit for scaup from two to three.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed rule change will cost the agency approximately \$120 for administrative preparation and \$157 for advertising. There will be no direct cost or economic benefit as a result of this proposed rule change, and any such impacts would result not from proposed promulgation of this rule but from federal action to set migratory bird seasons. There is estimated to be no impact on competition or the open market for employment as a result of the proposed rule.

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATES: 9:00 a.m., September 6-8, 2000

PLACE: Holiday Inn DeLand Convention Center, 350 East International Speedway Boulevard, DeLand, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-13.003 Hunting Regulations for Ducks, Geese, and Coots.

The Commission has approved the following regulations and bag limits for taking ducks, geese, and coots:

- (1) Duck, light goose, and coot season:
 - (a) through (e) No change.
 - (f) Limits: The possession limit for ducks and coots shall be two days' bag limit. There shall be no possession limit for light geese. Light geese include only snow (including blue) and Ross' geese.

1. Ducks: The daily bag limit for ducks is six, including no more than four mallards, of which only two can be females, ~~three~~ two scaup, four scooters, two wood ducks, two redheads, one pintail, one black duck, one canvasback, one Florida duck (mottled duck), and one fulvous whistling-duck. In addition to the daily bag limit for ducks, the daily bag limit for mergansers is five, only one of which may be a hooded merganser.

- 2. through 3. No change.
- (g) No change.
- (2) through (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 10-23-79, 8-19-80, 9-29-81, 8-30-82, 7-27-83, 8-13-84, 8-13-85, 10-1-85, Formerly 39-13.03, Amended 8-5-86, 8-24-87, 8-18-88, 12-12-88, 8-17-89, 10-30-89, 8-9-90, 10-31-90, 8-22-91, 10-31-91, 8-23-92, 10-22-92, 9-2-93, 10-28-93, 11-6-94, 10-23-95, 10-20-96, 8-7-97, 10-28-97, 11-12-98, 6-23-99, Formerly 39-13.003, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Timothy E. O'Meara, Division of Wildlife

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 2000

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Specific Fish Management Area Regulations

RULE NO.: 68A-20.005

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish initial sportfish length and bag limits, and other access and utilization requirements for the newly established Cargill Fort Meade Mine Fish Management Area, a privately owned phosphate mine in Hardee and Polk counties, in order to open the area to public fishing.

SUMMARY: The proposed rule would establish game fish length and bag limits, public access and boating restrictions for Cargill Fort Meade Mine Fish Management Area in Polk and Hardee counties.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is anticipated that fewer than 5000 users will be required to comply with this rule. Agency promulgation costs are \$350; law enforcement will be through re-direction of existing staff. Local purchase of fishing-related items should increase local revenues, leading to a positive impact on small business. No impact is anticipated on small counties and cities.

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATES: 9:00 a.m., September 6-8, 2000

PLACE: Holiday Inn DeLand Convention Center, 350 East International Speedway Boulevard, DeLand, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Game and Fresh Water Fish Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations.

(1) through (3) No change.

(4) South Region:

(a) through (s) No change.

(t) Cargill Fort Meade Mine, Polk and Hillsborough counties:

1. General regulations:

a. All anglers shall check in and out at the Cargill Fort Meade Mine creel station, the designated entry point, unless otherwise instructed.

b. Fishing is allowed only by daily permit issued by the Commission.

c. Days and hours of operation and quotas shall be as designated by the Commission and posted at the Cargill Fort Meade Mine creel station. Fishing is permitted in designated lakes only. All other lakes and restricted areas so posted are closed to public fishing. Any lake may be temporarily closed to public access for management purposes, or in the event that access to the lake exposes the public to danger, by posting notice at the creel station.

d. No person shall kill or possess any black bass unless otherwise specified.

e. Daily bag limit for sunshine bass shall be six.

f. Daily bag limit for black crappie shall be 10. No person shall kill or possess any crappie that is less than 10 inches in total length.

g. Fish may not be filleted, nor their head or tail fin removed, until the angler has checked out at the creel station. Disposal of fish remains is prohibited.

h. Guns are prohibited.

i. Motor vehicles may be operated only on designated roads, parking areas and boat ramps.

j. No person shall park any vehicle in a manner that obstructs a road, boat ramp, gate, or fire lane.

k. Swimming and float tubes are prohibited.

l. Rough fish may be removed from designated lakes by cast nets and minnow seines at the discretion of the landowner.

m. No person shall operate any boat propelled by an internal combustion engine of more than 10 horsepower.

2. Specific regulations:

a. Haul Road Pit.

I. No person shall kill or possess any black bass that is 15 inches or more in total length.

II. No person shall kill or possess more than two black bass.

b. Long Pond (LP2 West) – No boats permitted.

(5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 12-12-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-1-92, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 3-24-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Phil Chapman

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2000

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE:

RULE NO.:

Introduction of Non-Native Aquatic Species in the Waters of the State; Provisions for Sale and Inspection of Fish for Bait or Propagation Purposes; Diseased Fish

68A-23.008

PURPOSE AND EFFECT: The purpose of the proposed rule is to prohibit the introduction of mitten crabs, specifically the Chinese mitten crab, into Florida. The deletion of the "freshwater" references in the rule title will allow both freshwater and marine species to be addressed within the rule.

SUMMARY: Rule 68A-23.008 addresses the introduction of non-native aquatic species into the waters of Florida. There has been an interest in the introduction of the Chinese mitten crab into the United States as a food source for ethnic markets. Mitten crabs, of the genus *Eriocheir* are capable of causing erosional destruction to habitat and displacement of indigenous species, as well as being intermediate hosts to a human parasite. This proposed rule change would address this problem by prohibiting the introduction of any species of mitten crab in the genus *Eriocheir*, or any part thereof, into Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$120 for administrative preparation and \$83 for advertising. No other significant economic impacts are expected.

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATES: 9:00, a.m., September 6-8, 2000

PLACE: Holiday Inn DeLand Convention Center, 350 East International Speedway Boulevard, DeLand, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS:

James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.008 Introduction of ~~Freshwater~~ Non-Native Aquatic Species in the Waters of the State; Provisions for Sale and Inspection of Fish for Bait or Propagation Purpose; Diseased Fish.

(1) No person shall transport into the state, introduce, or possess for any purpose that might be reasonably expected to result in liberation into the waters of the state, any ~~freshwater~~ aquatic species not native to the state, without having secured a permit from the Commission, except:

(a) through (b) No change.

(2) No change.

(3) Prohibited non-native aquatic species:

(a) No person shall import, sell, possess or transport in state any of the following live aquatic species or hybrids thereof:

1. through 14. No change.

15. Mitten crabs (genus *Eriocheir*), or any part thereof

(b) No change.

(4) through (8) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-84, Formerly 39-23.08, Amended 4-13-88, 7-1-89, 10-30-89, 7-1-92, 7-1-94, 4-12-98, Formerly 39-23.008, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

William H. Teehan, Division of Marine Fisheries

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Dr. Allan L. Egbert, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: March 30, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: July 7, 2000

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE:

RULE NO.:

Regulations Governing the Establishment of Alligator Management Programs on Private Lands

68A-25.032

PURPOSE AND EFFECT: The purpose of the proposed rule is to allow lands owned or leased by water control districts to be included in alligator management programs established under this rule. The effect will be to promote utilization of a renewable resource on these lands.

SUMMARY: The proposed rule would allow lands owned or leased by water control districts to be included in alligator management programs established under this rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$60 for administrative preparation and \$24 for advertising. No other significant economic impacts are expected.

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATES: 9:00 a.m., September 6-8, 2000

PLACE: Holiday Inn DeLand Convention Center, 350 East International Speedway Boulevard, DeLand, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Mr. James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.032 Regulations Governing the Establishment of Alligator Management Programs on Private Lands.

Alligator management programs designed for the taking of alligator eggs and hatchlings and the trapping of non-hatchling alligators on private lands may only be established under the following conditions:

(1) Alligator Management Program – Application and review procedures.

(a) The owner or authorized lessee of property containing alligator habitat (as described in FWC form 1000PW) shall make written application, on forms provided by the Commission (Alligator Management Program Application, FWC form 1000PW, effective April 12, 1998, is incorporated to the rule by reference and may be obtained from the Commission's Tallahassee and regional offices), for establishment of an Alligator Management Program each calendar year. A group of landowners or authorized lessees may apply jointly provided their properties are adjoining. Lands owned or leased by water control districts recognized per Chapter 298, F.S., excepting water management districts created per s. 373.069, F.S., shall be construed as private lands for purposes of this rule.

(b) through (f) No change.

(2) through (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672 FS. History—New 5-5-88, Amended 2-14-89, 4-11-90, 4-4-91, 4-15-92, 10-22-92, 4-29-93, 4-10-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.032 Amended 5-29-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Timothy E. O’Meara

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Egbert, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 3, 2000

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

Residual Markets and Special Risk Pools

RULE NO.:	RULE TITLE:
4J-1.001	FWUA Plan of Operation and Articles of Agreement Adopted

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 25, No. 15, April 16, 1999, of the Florida Administrative Weekly and amended in Vol. 26, No. 29, July 28, 2000:

The Person to be Contacted Regarding the Proposed Rule: should read “Steve Roddenberry, Deputy Director, Division of Insurer Services, Department of Insurance, 200 E. Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5104”

The remainder of the rule will read as published.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.03020	Special Programs for Students Who Are Homebound or Hospitalized
6A-6.03028	Development of Individual Educational Plans and Educational Plans for Exceptional Students
6A-6.03029	Development of Family Support Plans for Children with Disabilities Ages Birth Through Five Years
6A-6.03032	Procedures Safeguards for Children Ages Birth through Two Years with Disabilities
6A-6.0331	Identification and Determination of Eligibility of Exceptional Students
6A-6.03311	Procedural Safeguards for Students with Disabilities