

Specific Authority 320.08058(19), 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History--New

68E-2.008 Disbursement of Funds.

(1) Upon receipt of the grant applications recommended for funding by the Committee, staff shall determine the exact amount of the grant award based on available funds and prepare a grant agreement.

(2) The grant agreement will be forwarded to the applicant to be signed by a legal representative, notarized, and returned to the Commission to be signed by the Executive Director.

(3) Grant funds shall be disbursed as outlined in the grant agreement upon receipt of an invoice documenting progress by the grantee. Deliverables shall be included with the invoice as outlined in the grant agreement.

(4) The grant period for all projects shall commence on July 1 of the fiscal year following grant approval. Individual projects shall start upon execution of the grant agreement, and conclude on June 30 of that fiscal year. Research projects that are authorized for funding during two fiscal years shall be accomplished by amending grant agreements, subject to legislative appropriations.

Specific Authority 320.08058(19), 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History--New

68E-2.009 Recordkeeping.

Each grantee shall maintain accurate records of all expenditures of grant funds and shall assure that these records are available at all reasonable times for inspection, review or audit by Commission personnel. Records shall be kept by the grantee for at least three years after completion of the grant agreement.

Specific Authority 320.08058(19), 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History--New

68E-2.010 Reporting Requirements.

(1) Each invoice submitted for payment shall include a report detailing work accomplished, work pending, work still to be done, and any problems encountered.

(2) Quarterly progress reports shall be submitted by September, December, and March 15th for each year a project is funded. Progress reports will be a one-page summary, describing the status of the project, results to date, work still to be done and any issues or problems encountered.

(3) A final report shall be submitted by June 15 for each project. This report shall include the following:

- (a) The project objectives;
- (b) Methods used to implement the project;
- (c) A summary of project results, including deliverables as appropriate, data summaries, etc.

(d) A discussion of the project, including whether the objectives were achieved, the contribution of the project to marine turtle conservation and protection, recommendations for future work, and copies of draft or published manuscripts, artwork, etc.

(4) One electronic and ten printed copies of all materials prepared using Marine Turtle Grant funds shall be provided to the Commission within 30 days of production or publication.

Specific Authority 320.08058(19), 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History--New

**Section II
Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: **RULE NO.:**

Alternative Form of Security for Permanent Outer Burial Receptacle Manufacturers 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).

SUMMARY: This rule sets forth, pursuant to statute, a definition of permanent outer burial receptacle and alternative forms of security available in connection with the sale of permanent outer burial receptacles sold to preneed sellers.

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, 497.337(2)(c) FS.

LAW IMPLEMENTED: 497.337(2)(c) 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 M. 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-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)(16), 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) 497.23(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 6-16-95, Amended _____.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2000

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Trust Fund Deposits; Funeral and Burial Services and Merchandise Preneed Contract 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.

SUMMARY: This rule sets forth the percentages and allocation of payments to the trust fund for preneed services and merchandise contracts.

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 FS.

LAW IMPLEMENTED: 497.337, 497.417, 497.423, 497.425, 497.429 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 M. 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-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, _____.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2000

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.

SUMMARY: This rule defines reasonable time and sets out the reasonable time and procedures in which to cancel preneed contracts.

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 FS.

LAW IMPLEMENTED: 497.419(3)(a) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING DATE WILL BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD)

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, FL 32399-0350

THE FULL TEXT OF THE PROPOSED RULE 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.

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2000

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Remittances to the Preneed Funeral Contract

RULE NO.: 3F-10.003

Consumer Protection Trust Fund

PURPOSE AND EFFECT: The purpose is to increase the deposits to the fund from those certificateholders that choose to safeguard their contracts with a surety bond or other alternative security as opposed to a trust deposit. As implicitly recognized by the legislature when it created a different range of required deposits to the fund by such alternatively secured certificateholders as opposed to trusting certificateholders, there is a possibly greater likelihood that a failure on the part of an alternatively secured certificate holder would subject the fund to a higher exposure in light of the fact that no monies at all are in trust when such alternatives are used. While the alternative security is intended to take the place of a trust account there are significant restrictions on the accessing of the security, especially when the provisions of Section 497.425 are utilized by the certificateholder, which may make full access to the security by claimants problematic in some circumstances. Therefore, in order to properly exercise its fiduciary duty to attempt to make sure that the fund is sufficiently solvent to respond to any legitimate claims, the Board has determined to adjust the required contributions to the fund to attempt to reflect the different risks to the fund that may result from the increased number of contracts protected by alternative securities.

SUMMARY: Due to the different ranges of required deposits to the trust fund by secured certificateholders as opposed to trusting certificateholders, this rule sets forth the different percentages and amounts in order to protect the fund and its ability to deal with any legitimate claims.

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), 497.417, 497.423, 497.412, 497.429 FS.

LAW IMPLEMENTED: 497.413(1), 497.417, 497.423, 497.425, 497.429 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING DATE WILL BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD):

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, FL 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

3F-10.003 Remittances to the Preneed Funeral Contract Consumer Protection Trust Fund.

For the quarter beginning ~~April 1, 2001~~ January 1, 1997, and each quarter thereafter, the following amounts should be remitted to the Preneed Funeral Contract Consumer Protection Trust Fund.

Each certificateholder offering the sale of insurance or by establishing a trust pursuant to s. 497.417 or 497.429 shall remit the sum of \$1.00 per preneed contract. Each certificateholder ~~or by~~ utilizing s. 497.423 and s. 497.425 shall remit the sum of ~~\$5.00~~ \$1.00 for each preneed contract having a purchase price of \$1500 or less, and the sum of ~~\$10.00~~ \$1.00 for each preneed contract having a purchase price in excess of \$1500.

Specific Authority 497.417, 497.423, 497.425, 497.429 FS. Law Implemented 497.413(12), 497.417, 497.423, 497.425, 497.429 FS. History—New 3-19-97, Amended.

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: September 25, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2000

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Scope	4-156.002
Definitions	4-156.003
Minimum Benefit Standards for Policies or Certificates Issued for Delivery Prior to January 1, 1992	4-156.006
Benefit Standards for Policies or Certificates Issued or Delivered on or After January 1, 1992	4-156.007
Guaranteed Issue for Eligible Persons	4-156.0095
Loss Ratio Standards and Refund or Credit of Premium	4-156.011
Filing and Approval of Policies and Certificates and Premium Rates	4-156.012

PURPOSE AND EFFECT: Changes in the June 11, 2000 draft of the NAIC Model Regulation to Implement the NAIC Medicare Supplement Insurance Minimum Standards Model Act make amendment of the rules necessary.

SUMMARY: The rules are being amended to reflect changes in the June 11, 2000 draft of the NAIC Model Regulation to Implement the NAIC Medicare Supplement Insurance Minimum Standards Model Act.

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: 624.308, 624.308(1), 627.674(2), 627.674(2)(a), 627.6741(5) FS.

LAW IMPLEMENTED: 624.307(1), 627.410, 627.411, 627.673, 627.674, 627.674(2), 627.6741, 627.6745, 627.6746 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., December 14, 2000

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Frank Dino, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5014

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 RULES IS:

4-156.002 Scope.

(1)(a) These rules shall apply to all Medicare supplement insurance policies, including certificates issued or delivered in this state under a group Medicare supplement policy which has been effectuated within or outside this state, and other Medicare supplement health benefit plans offered by private entities and issued, delivered or issued for delivery in this state on and after January 1, 1992 ~~the effective date hereof.~~

(b) For Medicare supplement policies and certificates issued before January 1, 1992 ~~being issued solely as renewal policies~~, only 4-156.006, 4-156.010, 4-156.011, and 4-156.018 shall apply.

~~(2) This regulation shall not apply to a policy or contract of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations, or combination thereof, for employees or~~

~~former employees, or a combination thereof, or for members or former members, or a combination thereof, of the labor organizations.~~

~~(2)(3)~~ Provisions of these rules that are in conflict with the provisions of any other rule previously promulgated shall, with respect to Medicare supplement insurance, be superior and controlling.

Specific Authority 624.308(1), 627.674(2) FS. Law Implemented 624.307(1), 627.674(2) FS. History—New 1-1-81, Formerly 4-51.02, Amended 11-7-88, 9-4-89, Formerly 4-51.002, Amended 1-1-92, 7-14-96, _____.

4-156.003 Definitions.

For purposes of this rule:

(1) through (11) No change.

(12) "Medicare+Choice plan" means a plan of coverage for health benefits under Medicare Part C as defined in ~~Section 1859 found in Title IV, Subtitle A, Chapter 1 of P.L. 105-33,~~ 42 U.S.C. Section 1395w-28(b)(1) ~~(1999 Supplement)~~ which is hereby incorporated by reference, and includes:

(a) Coordinated care plans which provide health care services, including but not limited to health maintenance organization plans (with or without a point-of-service option), plans offered by provider-sponsored organizations, and preferred provider organization plans;

(b) Medical savings account plans coupled with a contribution into a Medicare+Choice medical savings account; and

(c) Medicare+Choice private fee-for-service plans.

(13) through (18) No change.

Specific Authority 624.308(1), 627.674(2), 627.6741(5) FS. Law Implemented 624.307(1), 627.674, 627.6741 FS. History—New 1-1-81, Formerly 4-51.03, Amended 11-7-88, 9-4-89, 12-9-90, Formerly 4-51.003, Amended 1-1-92, 7-14-96, 7-26-99, _____.

4-156.006 Minimum Benefit Standards for Policies or Certificates Issued for Delivery Prior to January 1, 1992.

No policy certificate may be advertised, solicited, issued, delivered or issued for delivery in this State as a Medicare supplement policy or certificate unless it meets or exceeds the following minimum standards. These are minimum standards and do not preclude the inclusion of other provisions or benefits which are not inconsistent with these standards.

(1) General Standards. The following standards apply to Medicare supplement policies and certificates and are in addition to all other requirements of this regulation.

(a) through (e) No change.

(f)1. No change.

2.a. If a group Medicare supplement insurance policy is terminated by the group policyholder and not replaced as provided in Rule 4-156.006(1)(f)4., the issuer shall offer certificateholders an individual Medicare supplement policy. The issuer shall offer the certificateholder at least the following choices:

~~(I)a.~~ An individual Medicare supplement policy currently offered by the issuer having comparable benefits to those contained in the terminated group Medicare supplement policy; and

~~(II)b.~~ An individual Medicare supplement policy which provides only such benefits as are required to meet the minimum standards as defined in Rule ~~4-156.008(5)(a) or (b) 4-156.006(2) of this Chapter.~~

b. In either case, if the group policy was issued on an issue age basis, the individual Medicare supplement policy is issued at the original issue age of the terminated certificateholder, and is at the duration of the terminated certificate at the time of conversion.

3. through 4. No change.

(g) No change.

(2) Minimum Benefit Standards.

(a) through (e) No change.

(f) Coverage for the coinsurance amount or in the case of hospital outpatient department services under a prospective payment system, the copayment amount, of Medicare eligible expenses under Part B regardless of hospital confinement, subject to a maximum calendar year out-of-pocket amount equal to the Medicare Part B deductible [\$100]. Coverage for the coinsurance amount of Medicare eligible expenses for covered outpatient drugs used in immunosuppressive therapy subject to the Medicare deductible amount is included herein.

(g) No change.

Specific Authority 624.308(1), 627.674(2) FS. Law Implemented 624.307(1), 627.410, 627.411, 627.674, 627.6741 FS. History—New 1-1-81, Formerly 4-51.05, Amended 9-4-89, 12-9-90, Formerly 4-51.005, Amended 1-1-92, _____.

4-156.007 Benefit Standards for Policies or Certificates Issued or Delivered on or After January 1, 1992.

The following standards are applicable to all Medicare supplement policies or certificates delivered or issued for delivery in this state on or after January 1, 1992. No policy or certificate may be advertised, solicited, delivered or issued for delivery in this state as a Medicare supplement policy or certificate unless it complies with these benefit standards.

(1) General Standards. The following standards apply to Medicare supplement policies and certificates and are in addition to all other requirements of this regulation.

(a) through (d) No change.

(e) Each Medicare supplement policy shall be guaranteed renewable and

1. through 2. No change.

3.a. If the Medicare supplement policy is terminated by the group policyholder and is not replaced as provided under section 4-156.007(1)(e)5., the issuer shall offer certificateholders an individual Medicare supplement policy which, at the option of the certificateholder:

i. Provides for continuation of the benefits contained in the group policy, or

ii. Provides for such benefits as otherwise meets the requirements of this rule.

b. In either case, if the group policy was issued on an issue age basis, the individual Medicare supplement policy is issued at the original issue age of the terminated certificateholder, and is at the duration of the terminated certificate at the time of conversion.

4. through 5. No change.

(f) No change.

(g) 1. through 2. No change.

3. Each Medicare supplement policy shall provide that benefits and premiums under the policy shall be suspended (for the period provided by federal regulation) at the request of the policyholder if the policyholder is entitled to benefits under Section 226(b) of the Social Security Act and is covered under a group health plan (as defined in Section 1862(b)(1)(A)(v) of the Social Security Act). If suspension occurs and if the policyholder or certificate holder loses coverage under the group health plan, the policy shall be automatically reinstated (effective as of the date of loss of coverage) if the policyholder provides notice of loss of coverage within 90 days after the date of such loss and pays the premium attributable to the period, effective as of the date of termination of entitlement.

~~4.3.~~ No change.

(2) Standards for Basic ("Core") Benefits Common to All Benefit Plans. Every issuer shall make available a policy or certificate including only the following basic "core" package of benefits to each prospective insured. An issuer may make available to prospective insureds any of the other Medicare Supplement Insurance Benefit Plans in addition to the basic "core" package, but not in lieu thereof.

(a) through (d) No change.

(e) Coverage for the coinsurance amount, ~~(or in the case of hospital outpatient department services under a prospective payment system, the copayment amount,)~~ of Medicare eligible expenses under Part B regardless of hospital confinement, subject to the Medicare Part B deductible.

(3) Standards for Additional Benefits. The following additional benefits shall be included in Medicare Supplement Benefit Plans (B) through (J) only as provided by Rule 4-156.008 ~~of this Chapter.~~

(a) through (h) No change.

(i) Preventive Medical Care Benefit: Coverage for the following preventive health services:

1. No change.

2. Any one or a combination of the following preventive screening tests or preventive services, the frequency of which is considered medically appropriate:

a. ~~Fecal occult blood test and/or~~ Digital rectal examination;

b. Mammogram;

~~b.e.~~ Dipstick urinalysis for hematuria, bacteriuria and proteinuria;

~~c.d.~~ Pure tone (air only) hearing screening test, administered or ordered by a physician;

~~d.e.~~ Serum cholesterol screening (every five (5) years);

~~e.f.~~ Thyroid function test;

~~f.g.~~ Diabetes screening.

~~3. Influenza vaccine administered at any appropriate time during the year and~~ Tetanus and Diphtheria booster (every ten (10) years).

4. through 5. No change.

j. through k. No change.

Specific Authority 624.308, 627.674(2)(a) FS. Law Implemented 624.307(1), 627.410, 627.674, 627.6741 FS. History—New 1-1-92, Amended 7-26-99,

4-156.0095 Guaranteed Issue for Eligible Persons.

(1) Guaranteed Issue.

(a) Eligible persons are those individuals described in subsection (2) who, subject to subsection (2)(b)2:

1. Apply to enroll under the policy not later than sixty-three (63) days after the date of the termination of enrollment described in subsection (2); and

2. Submit evidence of the date of termination or disenrollment with the application for a Medicare supplement policy.

(b) No change.

(2) Eligible Persons. An eligible person is an individual described in any of the following paragraphs:

(a) No change.

~~(b)1.~~ The individual is enrolled with a Medicare+Choice organization under a Medicare+Choice plan under Part C of Medicare, and any of the following circumstances apply, or the individual is 65 years of age or older and is enrolled with a Program of All-Inclusive Care for the Elderly (PACE) provider under Section 1894 of the Social Security Act, and there are circumstances similar to those described below that would permit discontinuance of the individual's enrollment with such provider if such individual were enrolled in a Medicare+Choice plan:

~~a.1. The certification of the organization or plan under this part has been terminated, or the organization or plan has notified the individual of an impending termination of such certification; or The organization's or plan's certification [under this part] has been terminated or the organization has terminated or otherwise discontinued providing the plan in the area in which the individual resides;~~

b. The organization has terminated or otherwise discontinued providing the plan in the area in which the individual resides, or has notified the individual of an impending termination or discontinuance of such plan;

~~c.2-~~ The individual is no longer eligible to elect the plan because of a change in the individual's place of residence or other change in circumstances specified by the Secretary, but not including termination of the individual's enrollment on the basis described in Section 1851(g)(3)(B) of the federal Social Security Act, ~~42 U.S.C. Section 1395w-21 (1999 Supplement)~~ which is hereby incorporated by reference (where the individual has not paid premiums on a timely basis or has engaged in disruptive behavior as specified in standards under Section 1856, ~~42 U.S.C. Section 1395w-26 (1999 Supplement)~~ and ~~42 CFR 422.74 (1998)~~ which ~~is are~~ hereby incorporated by reference), or the plan is terminated for all individuals within a residence area;

~~d.3-~~ The individual demonstrates, in accordance with guidelines established by the Secretary, that:

~~(I)a-~~ The organization offering the plan substantially violated a material provision of the organization's contract under this part in relation to the individual, including the failure to provide an enrollee on a timely basis medically necessary care for which benefits are available under the plan or the failure to provide such covered care in accordance with applicable quality standards; or

~~(II)b-~~ The organization, or agent or other entity acting on the organization's behalf, materially misrepresented the plan's provisions in marketing the plan to the individual, or

e. The individual meets such other exceptional conditions as the Secretary may provide.

2.a. An individual described in subparagraph (b) may elect to apply subsection (1) by substituting, for the date of termination of enrollment, the date on which the individual was notified by the Medicare+Choice organization of the impending termination or discontinuance of the Medicare+Choice plan it offers in the area in which the individual resides, but only if the individual disenrolls from the plan as a result of such notification.

b. In the case of an individual making the election in subparagraph (c)1. above, the issuer involved shall accept the application of the individual submitted before the date of termination of enrollment, but the coverage under subsection (1) shall only become effective upon termination of coverage under the Medicare+Choice plan involved.

(c)1. No change.

2. The enrollment ceases under the same circumstances that would permit discontinuance of an individual's election of coverage under Rule 4-156.0095(2)(b) ~~and under Section 1851(e)(4) of the Federal Social Security Act, 42 U.S.C. Section 1395w-21 (1999 Supplement) which is hereby incorporated by reference.~~

(d) No change.

(e)1. The individual was enrolled under a Medicare supplement policy and terminated enrollment and subsequently enrolled, for the first time, with:

a. through b. No change.

c. Any PACE program under section 1894 of the Social Security Act, which is incorporated in 4-156.0095,

c. through d. renumbered d. through e. No change.

2. No change.

(f) The individual, upon first becoming eligible for benefits under Part A of Medicare at age 65, enrolls in a Medicare+Choice plan under Part C of Medicare, or in a PACE program under Section 1894, and disenrolls from the plan or program by not later than twelve (12) months after the effective date of enrollment.

(3) through (4) No change.

Specific Authority 624.308, 627.674(2), 627.6741(5) FS. Law Implemented 624.307(1), 627.410, 627.673, 627.674, 627.6745, 627.6746 FS. History--New 7-26-99, Amended.

4-156.011 Loss Ratio Standards and Refund or Credit of Premium.

(1) No change.

(2) Refund or Credit Calculation.

(a)1. through 2. No change.

3. The forms shall be mailed to: Bureau of Life and Health Forms & Rates, Division of Insurer Services, Department of Insurance, 2800 South Adams Street, Post Office Box 8040, Tallahassee, FL 32314-5320.

(3) Annual Filing of Premium Rates.

(a)1. No change.

2. The supporting documentation shall also demonstrate in accordance with actuarial standards of practice using reasonable assumptions that the appropriate loss ratio standards can be expected to be met over the entire period for which rates are computed. The demonstration shall exclude the change in active life reserves as a component of incurred claims or earned premiums. An expected third-year loss ratio which is greater than or equal to the applicable percentage shall be demonstrated for policies or certificates in force less than three (3) years.

(b) through (c) No change.

(4) No change.

Specific Authority 624.308, 627.674(2) FS. Law Implemented 624.307(1), 627.410, 627.673, 627.674, 627.6745, 627.6746 FS. History--New 1-1-92, Amended 7-14-96, 12-17-96, 7-26-99, _____.

4-156.012 Filing and Approval of Policies and Certificates and Premium Rates.

(1) through (3) No change.

(4)(a) Except as provided in Rule 4-156.012(4)(a)1., an issuer shall continue to make available for purchase any policy form or certificate form issued after the effective date of this Rule Chapter that has been approved by the Department. A policy form or certificate form shall not be considered to be available for purchase unless the issuer has actively offered it for sale in the previous twelve (12) months.

1. No change.

2. An issuer that discontinues the availability of a policy form or certificate form pursuant to Rule 4-156.012(4)(a)1 shall not file for approval a new policy form or certificate form of the same type for the same standard Medicare supplement benefit plan as the discontinued form for a period of five (5) years after the issuer provides notice to the Department of the discontinuance. The period of discontinuance may be reduced if the Department determines that a shorter period is appropriate.

(b) through (c) No change.

(5) No change.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.410, 627.411, 627.674 FS. History—New 1-1-92, Amended 7-14-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Ziegler, Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Robleto, Bureau Chief, Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 10, 2000

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Uniform Minimum Standards for the Employment of Firefighters 4A-62

RULE TITLES: RULE NOS.:

Uniform Minimum Firefighter Employment Standards; Adoption of OSHA Standards 4A-62.001

Uniform Minimum Firefighter Employment Standards; Adoption of National Fire Protection Association (NFPA) Standards 4A-62.002

Uniform Minimum Firefighter Employment Standards; Adoption of 29 C.F.R. 1910.134(g)(3) and 1910.134(g)(4), Including Notes One and Two 4A-62.003

Uniform Minimum Firefighter Employment Standards; Presence of Toxic Substances; Notice to Fire Departments 4A-62.004

PURPOSE AND EFFECT: To establish uniform minimum standards for the employment of firefighters related to firefighter safety.

SUMMARY: Adopts widely accepted federal Occupational Safety and Health, and National Fire Protection Association, standards to provide for firefighter safety.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:

1. Previously Existing Rules and Law. All of the rules being adopted by the Division of State Fire Marshal, with the exception of 29 Code of Federal Regulations, Section 1910.134(g)(3) and 1910.134(g)(4), Procedures for IDLH Atmospheres, including Notes 1 and 2 to paragraph (g) (relating to interior structural firefighting, commonly referred to as the “two in, two out rule”), which comprise Sections 4A-62.001, 4A-62.002, and 4A-62.004, Florida Administrative Code, are the 1998 revisions to the 1993 version of the rules which were in place by operation of Rule Chapter 38I, Florida Administrative Code, Rules of the Division of Safety of the Department of Labor and Employment Security, as well as Section 442.118, Florida Statutes, upon the demise of the Division of Safety and Chapter 442, Florida Statutes, on June 30, 2000. Those same rules were applicable to firefighters as uniform minimum employment standards, and were carried forward for a period of 90 days by Emergency Rule 4ER00-2, Rules of the Division of State Fire Marshal, effective at midnight on June 30, 2000, and expiring on September 28, 2000. The rules proposed to be adopted are essentially the same as those rules and that statutory section, and do not require any increase in cost to any person or entity affected by them, nor do they have any additional economic impact on any affected person or entity including, but not limited to, any state or local government entity.

2. Adoption of New Rule. 29 Code of Federal Regulations, Section 1910.134(g)(3) and 1910.134(g)(4), Procedures for IDLH Atmospheres, including Notes 1 and 2 to paragraph (g) (relating to interior structural firefighting, commonly referred to as the “two in, two out rule”), effective April 8, 1998, which comprises proposed Rule 4A-62.003, Florida Administrative Code, is the only rule proposed to be adopted which was not in effect at the time of the dissolution of the said Division of Safety. Therefore, the following summary of estimated regulatory costs is being provided solely with respect to 29 Code of Federal Regulations, Section 1910.134(g)(3) and 1910.134(g)(4), Procedures for IDLH Atmospheres, including Notes 1 and 2 to paragraph (g) (relating to interior structural firefighting, commonly referred to as the “two in, two out rule”), effective April 8, 1998, and not to any other proposed rule unless otherwise indicated.

3. Bases for Estimated Regulatory Costs. This estimate is based on testimony received at the five workshops held on August 28, 29, and 30, and October 9, 2000, at West Palm Beach, Tampa, Ocala, Panama City, and Tallahassee, respectively, as well as the information received from the International Association of Fire Chiefs and the International Association of Firefighters, both of which approve of the “two-in, two-out” standard, along with other written submissions received by the Division of State Fire Marshal, a review of the standard operating procedures of large and small fire departments, and a review and comparison of the statistics relating to firefighting injuries and deaths in comparable state which have, and which do not have, the “two-in, two-out” rule.

4. The following is a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule:

A. The individuals or entities likely to be required to comply with the rule. All firefighters as defined in Chapter 633, Florida Statutes, all fire departments, and any municipality, county, or special fire district employing firefighters.

B. The types of individuals likely to be affected by the rule. This category includes those persons engaged in fire protection, fire inspections, firefighting, and life-saving services relating to firefighting activity, as well as the families of firefighters, those persons directly and indirectly connected with firefighting activities, and the entire community based on employment standards providing for the safety for their firefighters.

5. The following is a good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues:

A. Cost to the Agency. There is no additional cost to the Department of Insurance, Division of State Fire Marshal for implementing or enforcing any proposed rule. All implementation and enforcement can be performed with the present personnel, equipment, and facilities of the Division of State Fire Marshal.

B. Cost to other state and local government entities.

i. There is no additional cost, by definition, to fire departments which have adopted as a standard operating policy or a standard operating guideline the "two-in, two-out rule," or which routinely dispatch, or whose policy it is to dispatch, four or more persons to the scene of a fire.

ii. For municipalities, counties and special fire districts having firesafety responsibility which routinely dispatch, or whose policy it is to dispatch, three or fewer persons to the scene of a fire, such fire department must wait, of course doing everything possible outside of the building while waiting, until sufficient personnel arrive to enter the building. In this respect, it is important to remember that the "2-in, 2-out" rule, by its own terms, does not apply any time the building is occupied and emergency measures are needed. This rule is based on the sound and only acceptable rationale that the life and health of one firefighter are of greater value than property of any nature, kind, or description.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.45(1)(a) 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: 9:00 a.m., December 19, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)413-3620

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 Millicent King at (850)413-3619.

THE FULL TEXT OF THE PROPOSED RULES IS:

4A-62.001 Uniform Minimum Firefighter Employment Standards: Adoption of OSHA Standards.

(1) The Department of Insurance, Division of State Fire Marshal, adopts and incorporates as rules of the Division of State Fire Marshal the following standards as they pertain solely to firefighters and firefighter employers: Sections 1910.120, 1910.134 [excluding Section 1910.134(g)(3) and 1910.134(g)(4)], 1910.146, and 1910.156, of Part 1910, of the Occupational Safety and Health Standards, 29 Code of Federal Regulations, effective April 8, 1998.

(2) All standards adopted and incorporated by reference in this rule are 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.

Specific Authority 633.01(1) FS. Law Implemented 633.45(1)(a) FS. History--New

4A-62.002 Uniform Minimum Firefighter Employment Standards: Adoption of National Fire Protection Association (NFPA) Standards.

(1) The Department of Insurance, Division of State Fire Marshal, adopts and incorporates as rules of the Division of State Fire Marshal the following standards as they pertain solely to firefighters and firefighter employers: The National Fire Protection Association, Inc., Standard 1500, Paragraph 5-8 (Personal Alert Safety System [PASS]), 1997 edition. A PASS device shall be worn each time a Self-Contained Breathing Apparatus is required.

(2) 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.

Specific Authority 633.01(1) FS. Law Implemented 633.45(1)(a) FS. History--New

4A-62.003 Uniform Minimum Firefighter Employment Standards: Adoption of 29 C.F.R. 1910.134(g)(3) and 1910.134(g)(4), Including Notes One and Two.

(1) The Department of Insurance, Division of State Fire Marshal, adopts and incorporates as rules of the Division of State Fire Marshal the following standards as they pertain solely to firefighters and firefighter employers: 29 Code of Federal Regulations, Section 1910.134(g)(3) and 1910.134(g)(4), Procedures for IDLH Atmospheres, including Notes 1 and 2 to paragraph (g), effective April 8, 1998.

(2) All standards adopted and incorporated by reference in this rule are 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.

Specific Authority 633.01(1) FS, Law Implemented 633.45(1)(a) FS, History—New

4A-62.004 Uniform Minimum Firefighter Employment Standards: Presence of Toxic Substances; Notice to Fire Departments.

(1) An employer, unless specifically exempted pursuant to subsection (3), shall provide within 9 months after the effective date of this rule to the person responsible for the administration and direction of a fire department in a county, municipality, or political subdivision, including a fire chief or fire administrator or that person's designee:

(a) A list of work areas, sufficiently identified by name and location, where toxic substances are present, which list contains the chemical and common name of each substance regularly present unless such information is protected pursuant to the trade secret provisions of this act; and

(b) Upon request, any material safety data sheet for each toxic substance regularly present.

(2) Any time circumstances regarding the name and location of the substance change sufficiently to warrant an updated report, the employer shall update the information provided pursuant to subsection (1).

(3) An employer operating a plant or facility which continues in operation, including maintenance periods, 24 hours a day, 7 days a week, 365 days a year, shall not be required to provide the information specified in subsection (1) with respect to any such plant or facility, provided such plant or facility is manned at all times by personnel qualified to provide such information.

(4) The person responsible for the administration and direction of a fire department in a county, municipality, or political subdivision, including a fire chief or fire administrator or that person's designee, shall maintain the information provided by the employer as required in subsection (1) for at least 4 years and shall provide copies of such information only to the following agencies located within the geographic jurisdiction of such fire department:

(a) Fire suppression and fire inspection divisions;

(b) Emergency medical service providers licensed under chapter 401; and

(c) Upon request, law enforcement agencies and local emergency management agencies.

(5) This section shall have the same force and effect in each county and municipality as the ordinances of such county or municipality.

(6) The chief of a county, municipal, or special district fire department, other fire department personnel designated by such chief, and personnel designated by a local government having no organized fire department are authorized to enforce this section and any regulation adopted by the State Fire Marshal for enforcement of this section. Such personnel acting under the authority of this section shall be considered agents of their respective jurisdictions and not agents of the State Fire Marshal.

(7) A violation of this section constitutes a violation of the rules of the State Fire Marshal.

(8) The following definitions shall apply in this section:

(a) "Commercial product" means those products primarily used or bought for use by employers for use in the workplace.

(b) "Consumer product" means those products primarily used or bought for use by individuals for personal, family, or household purposes.

(9) The toxic substances compiled in the Florida Substance List are listed by Chemical Abstract Service Number in ascending numerical order. The Chemical Abstract Service nomenclature is used whenever feasible.

(10) The Florida Substance List consists of the substances identified in the last subsection of this section.

(11) Since not all substances are hazardous in every form to which a worker may be exposed, the State Fire Marshal sets forth the following parameters for determining the applicability of the law to specific situations:

(a) The substance or mixture must be on the Florida Substance List;

(b) It must be manufactured, produced, used, applied, or stored in the workplace; and,

(c) It must cause a significant risk to safety or health during, or as a proximate result of, any customary or reasonably foreseeable handling or use.

(12) A substance or mixture which is not a chemical substance or mixture in a gaseous, liquid, or solid state, which substance or mixture does not cause a significant risk to safety or health during, or as a proximate result of, any customary or reasonably foreseeable handling or use, and which is not manufactured, produced, used, applied, or stored in the workplace is not covered. However, any substance or mixture which does satisfy these criteria may still be excluded from coverage, to wit:

(a) Impurities which develop as intermediate materials during chemical processing but are not present in the final mixture and to which employee exposure is unlikely;

(b) Substances which are toxic solely due to chronic ingestion;

(c) Alcoholic beverages as defined in the Beverage Law;

(d) Substances which are merely being transported through the state as part of a through-shipment in interstate commerce; or

(e) Substances or mixtures which may be toxic but which are labeled pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended; and the Federal Food, Drug and Cosmetic Act, as amended.

(f) Any hazardous waste as defined by the Federal Resource Conservation and Recovery Act of 1976.

(13) In recognition of the fact that the acute and chronic effects of exposure to certain toxic substances may vary in direct proportion to the concentrations, quantities and states, for example, solid, liquid, or gas, of the substance to which a worker is exposed, the following additional exclusions and restrictions are to be taken into consideration as the final determination of coverage of quantities, concentrations and states of substances which satisfy the requirements of subsection (11) of this section, and which are not specifically excluded under subsection (12):

(a) Consumer products used in the workplace in such a manner that employee exposure is not significantly greater than exposures resulting from the principal consumer use of the product.

(b) Commercial products which are substantially equivalent in formulation to similar consumer products used for the same general purpose, when used in the workplace in such a manner that employee exposure is not significantly greater than exposures resulting from the principal consumer use of the similar consumer product.

(c) Food stuffs.

(d) Fossil fuels in fuel tanks, engines, and other operating systems of vehicles where the substances are present only in amounts and forms substantially equivalent to the amounts and forms generally available to consumers.

(e) Fossil fuels used for heating, or power generation purposes, such that employees are not exposed to fumes or combustion by-products.

(14) Every employer who manufactures, produces, uses, applies, or stores toxic substances in the workplace shall post a notice in a place where notices are normally posted, informing employees of their rights under the law. Such posters may be obtained upon request from the State Fire Marshal.

(15) List of toxic substances:

<u>CASE NUMBER</u>	<u>CHEMICAL NAME</u>
N/A	<u>BUTYL ACETYL RICINOLEATE</u>
N/A	<u>CHROMIUM CARBONATE</u>
N/A	<u>COAL DUST</u>
N/A	<u>COTTON DUST, RAW</u>
N/A	<u>2,4-DIAMYLPHENOL</u>
N/A	<u>DIBENOYL CHLORIDE</u>
N/A	<u>DIETHYL ACETOACETATE</u>
N/A	<u>ISOBUTYL HEPTYL KETONE</u>
N/A	<u>ISOPROPENYL ACETYLENE</u>
N/A	<u>MONOCHLORO-s-TRIAZINETRIONE ACID</u>
N/A	<u>MONO-(TRICHLORO)TETRA (MONOPOTASSIUM DICHLORO)</u>
N/A	<u>PENTA-s-TRIAZINE-TRIONE</u>
N/A	<u>tert-OCTYL MERCAPTAN</u>
N/A	<u>2-NITRO-P-TOLUIDINE</u>
N/A	<u>PERLITE DUST</u>
N/A	<u>N-PHENYL-N-ETHYLETHANOLAMINE</u>
N/A	<u>SILICATE SOAPSTONE DUST</u>
50-00-0	<u>FORMALDEHYDE</u>
50-07-7	<u>MITOMYCIN C</u>
50-18-0	<u>CYCLOPHOSPHAMIDE</u>
50-28-2	<u>OESTRADIOL-17 BETA</u>
50-29-3	<u>DICHLORO DIPHENYL TRICHLOROETHANE (DDT)</u>
50-32-8	<u>BENZO(A)PYRENE</u>
50-55-5	<u>RESERPINE</u>
50-76-0	<u>ACTINOMYCIN D</u>
50-78-2	<u>ACETOL(2)</u>
51-21-8	<u>FLUOROURACIL</u>
51-52-5	<u>PROPYLTHIOURACIL</u>
51-75-2	<u>NITROGEN MUSTARD</u>
51-79-6	<u>URETHANE</u>
51-83-2	<u>CARBACHOL CHLORIDE</u>
52-24-4	<u>THIO-TEPA</u>
53-16-7	<u>OESTRONE</u>
53-70-3	<u>DIBENZ(A,H)ANTHRACENE</u>
53-96-3	<u>N-FLUOREN-2-YLACETAMIDE</u>
54-11-5	<u>NICOTINE</u>
54-62-6	<u>AMINOPTERIN</u>
55-18-5	<u>N-NITROSODIETHYLAMINE</u>
55-38-9	<u>FENTHION</u>
55-63-0	<u>NITROGLYCERIN</u>
55-86-7	<u>NITROGEN MUSTARD HYDROCHLORIDE</u>
55-91-4	<u>ISOFLUORPHATE</u>
55-98-1	<u>1,4-BUTANEDIOL DIMETHANESULPHONATE</u>
56-04-2	<u>METHYLTHIOURACIL</u>

<u>56-23-5</u>	<u>CARBON TETRACHLORIDE</u>	<u>64-19-7</u>	<u>ACETIC ACID</u>
<u>56-25-7</u>	<u>CANTHARIDIN</u>	<u>64-67-5</u>	<u>DIETHYL SULFATE</u>
<u>56-38-2</u>	<u>PARATHION</u>	<u>64-86-8</u>	<u>COLCHICINE</u>
<u>56-49-5</u>	<u>3-METHYLCHOLANTHRENE</u>	<u>65-30-5</u>	<u>NICOTINE SULFATE</u>
<u>56-53-1</u>	<u>DIETHYLSTILBESTROL</u>	<u>65-85-0</u>	<u>BENZOIC ACID</u>
<u>56-55-3</u>	<u>BENZ(A)ANTHRACENE</u>	<u>66-25-1</u>	<u>HEXANAL</u>
<u>56-57-5</u>	<u>4-NITROQUINOLINE-1-OXIDE</u>	<u>66-27-3</u>	<u>METHYL METHANESULFONATE</u>
<u>56-72-4</u>	<u>COUMAPHOS</u>	<u>66-75-1</u>	<u>URACIL MUSTARD</u>
<u>56-75-7</u>	<u>CHLORAMPHENICOL</u>	<u>66-81-9</u>	<u>CYCLOHEXIMIDE</u>
<u>57-06-7</u>	<u>ALLYL ISOTHIOCYANATE</u>	<u>67-56-1</u>	<u>METHYL ALCOHOL</u>
<u>57-14-7</u>	<u>1,1-DIMETHYLHYDRAZINE</u>	<u>67-63-0</u>	<u>ISOPROPYL ALCOHOL</u>
<u>57-24-9</u>	<u>STRYCHNINE</u>	<u>67-64-1</u>	<u>ACETONE</u>
<u>57-41-0</u>	<u>PHENYTOIN</u>	<u>67-66-3</u>	<u>CHLOROFORM</u>
<u>57-47-6</u>	<u>PHYSOSTIGMINE</u>	<u>67-72-1</u>	<u>HEXACHLOROETHANE</u>
<u>57-57-8</u>	<u>beta-PROPIOLACTONE</u>	<u>68-11-1</u>	<u>THIOGLYCOLIC ACID</u>
<u>57-63-6</u>	<u>ETHINYLOESTRADIOL</u>	<u>68-12-2</u>	<u>DIMETHYLFORMAMIDE</u>
<u>57-64-7</u>	<u>PHYSOSTIGMINE SALICYLATE (1:1)</u>	<u>68-22-4</u>	<u>NORETHISTERONE</u>
<u>57-74-9</u>	<u>CHLORDANE</u>	<u>68-76-8</u>	<u>TRIS(AZIRIDINYL)-P-BENZOQUINONE</u>
<u>57-83-0</u>	<u>PROGESTERONE</u>	<u>70-25-7</u>	<u>N-METHYL-N'-NITRO-N-</u>
<u>57-97-6</u>	<u>7,12-DEMETHYLBENZ(A)ANTHRACENE</u>		<u>NITROSGUANIDINE</u>
<u>58-22-0</u>	<u>TESTOSTERONE</u>	<u>70-69-9</u>	<u>PROPIOPHENONE,4-AMINO-</u>
<u>58-36-6</u>	<u>PHENOARSINE, 10, 10'-OXYDI-</u>	<u>71-23-8</u>	<u>PROPYL ALCOHOL</u>
<u>58-89-9</u>	<u>LINDANE</u>	<u>71-36-3</u>	<u>N-BUTYL ALCOHOL</u>
<u>59-88-1</u>	<u>PHENYLHYDRAZINE HYDROCHLORIDE</u>	<u>71-41-0</u>	<u>AMYL ALCOHOL</u>
<u>59-89-2</u>	<u>N-NITROSOMORPHOLINE</u>	<u>71-43-2</u>	<u>BENZENE</u>
<u>59-96-1</u>	<u>PHENOXYBENZAMINE</u>	<u>71-55-6</u>	<u>1,1,1-TRICHLOROETHANE</u>
<u>60-11-7</u>	<u>p-DIMETHYLAMINOAZOBENZENE</u>	<u>71-63-6</u>	<u>DIGITOXIN</u>
<u>60-24-2</u>	<u>2-MERCAPTOETHANOL</u>	<u>72-20-8</u>	<u>ENDRIN</u>
<u>60-29-7</u>	<u>ETHYL ETHER</u>	<u>72-33-3</u>	<u>MESTRANOL</u>
<u>60-34-4</u>	<u>METHYL HYDRAZINE</u>	<u>72-43-5</u>	<u>METHOXYCHLOR</u>
<u>60-41-3</u>	<u>STRYCHNINE SULFATE</u>	<u>72-57-1</u>	<u>TRYPAN BLUE</u>
<u>60-51-5</u>	<u>DIMETHOATE</u>	<u>74-83-9</u>	<u>METHYL BROMIDE</u>
<u>60-57-1</u>	<u>DIELDRIN</u>	<u>74-85-1</u>	<u>ETHYLENE</u>
<u>61-57-4</u>	<u>NIRIDAZOLE</u>	<u>74-86-2</u>	<u>ACETYLENE</u>
<u>61-82-5</u>	<u>AMITROLE</u>	<u>74-87-3</u>	<u>METHYL CHLORIDE</u>
<u>62-38-4</u>	<u>ACETOXYPHENYLMERCURY</u>	<u>74-88-4</u>	<u>METHYL IODIDE</u>
<u>62-44-2</u>	<u>P-ACETOPHENETIDIDE</u>	<u>74-89-5</u>	<u>METHYLAMINE</u>
<u>62-50-0</u>	<u>ETHYL METHANESULFONATE</u>	<u>74-90-8</u>	<u>HYDROGEN CYANIDE</u>
<u>62-53-3</u>	<u>ANILINE</u>	<u>74-93-1</u>	<u>METHYL MERCAPTAN</u>
<u>62-55-5</u>	<u>THIOACETAMIDE</u>	<u>74-96-4</u>	<u>ETHYL BROMIDE</u>
<u>62-56-6</u>	<u>THIOUREA</u>	<u>74-97-5</u>	<u>CHLOROBROMOMETHANE</u>
<u>62-73-7</u>	<u>DICHLORVOS</u>	<u>74-99-7</u>	<u>PROPYNE</u>
<u>62-74-8</u>	<u>SODIUM FLUOROACETATE</u>	<u>75-00-3</u>	<u>ETHYL CHLORIDE</u>
<u>62-75-9</u>	<u>N-NITROSODIMETHYLAMINE</u>	<u>75-01-4</u>	<u>VINYL CHLORIDE</u>
<u>63-25-2</u>	<u>CARBARYL</u>	<u>75-02-5</u>	<u>VINYL FLUORIDE</u>
<u>63-92-3</u>	<u>PHENOXYBENZAMINE HYDROCHLORIDE</u>	<u>75-04-7</u>	<u>ETHYLAMINE</u>
<u>64-00-6</u>	<u>PHENOL, 3-(1-METHYLETHYL)-, METHYLCARBAMATE</u>	<u>75-05-8</u>	<u>ACETONITRILE</u>
		<u>75-07-0</u>	<u>ACETALDEHYDE</u>
<u>64-17-5</u>	<u>ETHYL ALCOHOL</u>	<u>75-08-1</u>	<u>ETHYL MERCAPTAN</u>
<u>64-18-6</u>	<u>FORMIC ACID</u>	<u>75-09-2</u>	<u>METHYLENE CHLORIDE</u>

<u>75-12-7</u>	<u>FORMAMIDE</u>	<u>76-13-1</u>	<u>1,1,2-TRICHLORO-1,2,2-TRIFLUOROETHANE</u>
<u>75-15-0</u>	<u>CARBON DISULFIDE</u>	<u>76-14-2</u>	<u>DICHLOROTETRAFLUOROETHANE</u>
<u>75-18-3</u>	<u>DIMETHYL SULFIDE</u>	<u>76-15-3</u>	<u>CHLOROPENTAFLUOROETHANE</u>
<u>75-19-4</u>	<u>CYCLOPROPANE</u>	<u>76-22-2</u>	<u>CAMPHOR</u>
<u>75-20-7</u>	<u>CALCIUM CARBIDE</u>	<u>76-44-8</u>	<u>HEPTACHLOR</u>
<u>75-21-8</u>	<u>ETHYLENE OXIDE</u>	<u>77-47-4</u>	<u>HEXACHLOROCYCLOPENTADIENE</u>
<u>75-24-1</u>	<u>TRIMETHYLALUMINUM</u>	<u>77-73-6</u>	<u>DICYCLOPENTADIENE</u>
<u>75-25-2</u>	<u>BROMOFORM</u>	<u>77-78-1</u>	<u>SULFURIC ACID, DIMETHYL ESTER</u>
<u>75-29-6</u>	<u>ISOPROPYL CHLORIDE</u>	<u>77-81-6</u>	<u>TABUN</u>
<u>75-31-0</u>	<u>ISOPROPYLAMINE</u>	<u>78-00-2</u>	<u>TETRAETHYL LEAD</u>
<u>75-34-3</u>	<u>1,1-DICHLOROETHANE</u>	<u>78-10-4</u>	<u>TETRAETHYL ESTER SILICIC ACID (ETHYL SILICATE)</u>
<u>75-35-4</u>	<u>1,1-DICHLOROETHYLENE (VINYLIDENE CHLORIDE)</u>	<u>78-30-8</u>	<u>TRI-O-CRESYL PHOSPHATE</u>
<u>75-36-5</u>	<u>ACETYL CHLORIDE</u>	<u>78-34-2</u>	<u>DIOXATHION</u>
<u>75-38-7</u>	<u>VINYLIDENE FLUORIDE</u>	<u>78-53-5</u>	<u>AMITON</u>
<u>75-43-4</u>	<u>DICHLOROFLUOROMETHANE</u>	<u>78-59-1</u>	<u>3,5,5-TRIMETHYL-2-CYCLOHEXEN-1-ONE (ISOPHORONE)</u>
<u>75-44-5</u>	<u>PHOSGENE</u>	<u>78-67-1</u>	<u>2,2'-AZOBIS(2-METHYL PROPIONITRILE)</u>
<u>75-45-6</u>	<u>CHLORODIFLUOROMETHANE</u>	<u>78-71-7</u>	<u>OXETANE,3,3-BIS(CHLOROMETHYL)-</u>
<u>75-47-8</u>	<u>IODOFORM</u>	<u>78-78-4</u>	<u>2-METHYLBUTANE (ISOPENTANE)</u>
<u>75-50-3</u>	<u>TRIMETHYLAMINE</u>	<u>78-79-5</u>	<u>ISOPRENE</u>
<u>75-52-5</u>	<u>NITROMETHANE</u>	<u>78-81-9</u>	<u>ISOBUTYLAMINE</u>
<u>75-54-7</u>	<u>METHYLDICHLOROSILANE</u>	<u>78-82-0</u>	<u>2-METHYLPROPANENITRILE (ISOBUTYRONITRILE)</u>
<u>75-55-8</u>	<u>PROPYLENE IMINE</u>	<u>78-83-1</u>	<u>ISOBUTYL ALCOHOL</u>
<u>75-56-9</u>	<u>PROPYLENE OXIDE</u>	<u>78-84-2</u>	<u>ISOBUTYRALDEHYDE</u>
<u>75-61-6</u>	<u>DIFLUORODIBROMOMETHANE</u>	<u>78-85-3</u>	<u>METHACRYLALDEHYDE (2-METHYLPROPENAL)</u>
<u>75-63-8</u>	<u>TRIFLUOROBROMOMETHANE</u>	<u>78-86-4</u>	<u>2-CHLOROBUTANE (sec-BUTYL CHLORIDE)</u>
<u>75-63-9</u>	<u>tert-BUTYLAMINE</u>	<u>78-87-5</u>	<u>PROPYLENE DICHLORIDE</u>
<u>75-65-0</u>	<u>tert-BUTYL ALCOHOL</u>	<u>78-89-7</u>	<u>2-CHLORO-1-PROPANOL</u>
<u>75-66-1</u>	<u>2-METHYL-2-PROPANETHIOL</u>	<u>78-90-0</u>	<u>1,2-PROPANEDIAMINE</u>
<u>75-66-3</u>	<u>DIFLUORO-1-CHLOROETHANE</u>	<u>78-92-2</u>	<u>sec-BUTYL ALCOHOL</u>
<u>75-69-4</u>	<u>TRICHLOROFLUOROMETHANE</u>	<u>78-93-3</u>	<u>METHYL ETHYL KETONE (MEK)</u>
<u>75-71-8</u>	<u>DICHLORODIFLUOROMETHANE</u>	<u>78-94-4</u>	<u>3-BUTEN-2-ONE</u>
<u>75-74-1</u>	<u>TETRAMETHYL LEAD</u>	<u>78-95-5</u>	<u>CHLOROACETONE</u>
<u>75-77-4</u>	<u>TRIMETHYLCHLOROSILANE</u>	<u>78-96-6</u>	<u>1-AMINO-2-PROPANOL</u>
<u>75-78-5</u>	<u>DIMETHYLDICHLOROSILANE</u>	<u>78-97-7</u>	<u>LACTONITRILE</u>
<u>75-79-6</u>	<u>METHYLTRICHLOROSILANE</u>	<u>79-00-5</u>	<u>1,1,2-TRICHLOROETHANE</u>
<u>75-83-2</u>	<u>2,2-DIMETHYLBUTANE</u>	<u>79-01-6</u>	<u>ACETYLENE TRICHLORIDE</u>
<u>75-84-3</u>	<u>tert-BUTYL CARBINOL</u>	<u>79-03-8</u>	<u>PROPIONYL CHLORIDE</u>
<u>75-85-4</u>	<u>2-METHYL-2-BUTANOL</u>	<u>79-04-9</u>	<u>CHLOROACETYL CHLORIDE</u>
<u>75-86-5</u>	<u>ACETONE CYANOHYDRIN</u>	<u>79-06-1</u>	<u>ACRYLAMIDE</u>
<u>75-91-2</u>	<u>TERTBUTYL HYDROPEROXIDE</u>	<u>79-09-4</u>	<u>PROPIONIC ACID (SOLUTION)</u>
<u>75-94-5</u>	<u>VINYL TRICHLOROSILANE</u>	<u>79-10-7</u>	<u>ACRYLIC ACID</u>
<u>75-99-0</u>	<u>2,2-DICHLOROPROPIONIC ACID</u>	<u>79-11-8</u>	<u>CHLOROACETIC ACID</u>
<u>76-02-8</u>	<u>TRICHLOROACETYL CHLORIDE</u>	<u>79-19-6</u>	<u>THIOSEMICARBAZIDE</u>
<u>76-03-9</u>	<u>TRICHLOROACETIC ACID</u>	<u>79-20-9</u>	<u>METHYL ESTER ACETIC ACID</u>
<u>76-06-2</u>	<u>CHLOROPICRIN</u>		
<u>76-11-9</u>	<u>1,1,1,2-TETRACHLORO-2,2-DIFLUOROETHANE</u>		
<u>76-12-0</u>	<u>1,1,2,2-TETRACHLORO-1,2-DIFLUOROETHANE</u>		

<u>79-21-0</u>	<u>PEROXYACETIC ACID</u>	<u>90-41-5</u>	<u>2-BIPHENYLAMINE</u>
<u>79-22-1</u>	<u>METHYL CHLOROFORMATE</u>	<u>90-94-8</u>	<u>MICHLER'S KETONE</u>
<u>79-24-3</u>	<u>NITROETHANE</u>	<u>91-08-7</u>	<u>TOLUENE 2,6-DIISOCYANATE</u>
<u>79-27-6</u>	<u>1,1,2,2-TETRABROMOETHANE</u>	<u>91-17-8</u>	<u>DECAHYDRONAPHTHALENE</u>
<u>79-29-8</u>	<u>2,3-DIMETHYLBUTANE</u>	<u>91-20-3</u>	<u>NAPHTHALENE</u>
<u>79-34-5</u>	<u>ACETYLENE TETRACHLORIDE</u>	<u>91-22-5</u>	<u>QUINOLINE</u>
<u>79-36-7</u>	<u>DICHLOROACETYL CHLORIDE</u>	<u>91-49-6</u>	<u>N-BUTYLACETANILIDE</u>
<u>79-38-9</u>	<u>CHLOROTRIFLUOROETHYLENE</u>	<u>91-59-8</u>	<u>2-NAPHTHYLAMINE</u>
<u>79-41-4</u>	<u>METHACRYLIC ACID</u>	<u>91-66-7</u>	<u>N,N-DIETHYLANILINE</u>
<u>79-44-7</u>	<u>DIMETHYLCARBAMOYL CHLORIDE</u>	<u>91-80-5</u>	<u>METHAPYRILENE</u>
<u>79-46-9</u>	<u>2-NITROPROPANE</u>	<u>91-94-1</u>	<u>3,3'-DICHLORO BENZIDINE</u>
<u>80-10-4</u>	<u>DICHLORODIPHENYLSILANE</u>	<u>91-99-6</u>	<u>2-2'(m-TOLYLIMIDO) DIETHANOL</u>
<u>80-15-9</u>	<u>CUMENE HYDROPEROXIDE</u>	<u>92-04-6</u>	<u>3-CHLORO-4-BIPHENYLOL</u>
<u>80-46-6</u>	<u>p-(tert-PHENYL) PHENOL</u>	<u>92-15-9</u>	<u>ACETOACETYL-o-ANISIDINE</u>
<u>80-48-8</u>	<u>METHYL ESTER p-TOLUENE SULFONIC ACID</u>	<u>92-52-4</u>	<u>BIPHENYL</u>
<u>80-56-8</u>	<u>alpha-PINENE</u>	<u>92-53-5</u>	<u>4-PHENYLMORPHOLINE</u>
<u>80-62-6</u>	<u>METHYL METHACRYLATE</u>	<u>92-59-1</u>	<u>ETHYLBENZYLANILINE</u>
<u>80-63-7</u>	<u>METHYL 2-CHLOROACRYLATE</u>	<u>92-66-0</u>	<u>4-BROMODIPHENYL</u>
<u>81-07-2</u>	<u>SACCHARIN</u>	<u>92-67-1</u>	<u>4-AMINO BIPHENYL</u>
<u>81-81-2</u>	<u>3-(alpha-ACETONYLBENZYL)-4-HYDROXYCOUMARIN</u>	<u>92-84-2</u>	<u>PHENOTHIAZINE</u>
<u>82-28-0</u>	<u>1-AMINO-2-METHYLANTHRAQUINONE</u>	<u>92-87-5</u>	<u>BENZIDINE</u>
<u>82-66-6</u>	<u>DIPHACINONE</u>	<u>92-93-3</u>	<u>4-NITROBIPHENYL</u>
<u>82-68-8</u>	<u>PENTACHLORONITROBENZENE</u>	<u>92-94-4</u>	<u>p-TERPHENYL</u>
<u>83-26-1</u>	<u>2-PIVALOYL-1,3-INDANDIONE (PIVAL)</u>	<u>93-68-5</u>	<u>o-ACETOACETOTOLUIDIDE</u>
<u>83-79-4</u>	<u>ROTENONE (COMMERCIAL)</u>	<u>93-76-5</u>	<u>2,4,5-TRICHLOROPHENOXY ACETIC ACID</u>
<u>84-17-3</u>	<u>DEHYDROSTILBESTROL</u>	<u>93-90-3</u>	<u>2-(N-METHYLANILINO)-ETHANOL</u>
<u>84-66-2</u>	<u>DIETHYL PHTHALATE</u>	<u>93-96-9</u>	<u>BIS(alpha-METHYLBENZYL) ETHER</u>
<u>84-74-2</u>	<u>DIBUTYL PHTHALATE</u>	<u>94-04-2</u>	<u>2-ETHYLHEXANOIC ACID, VINYL ESTER</u>
<u>85-00-7</u>	<u>DIQUAT</u>	<u>94-36-0</u>	<u>BENZOYL PEROXIDE</u>
<u>85-44-9</u>	<u>PHTHALIC ANHYDRIDE</u>	<u>94-58-6</u>	<u>1,2-METHYLENEDIOXY-4-PROPYL BENZENE</u>
<u>85-71-2</u>	<u>METHYL PHTHALYL ETHYL GLYCOLATE</u>	<u>94-59-7</u>	<u>4-ALLYL-1,2-(METHYLENEDIOXY)-BENZENE</u>
<u>86-50-0</u>	<u>AZINPHOS-METHYL</u>	<u>94-70-2</u>	<u>2-EPOXYBENZAMINE</u>
<u>86-88-4</u>	<u>N-(1-NAPHTHYL)-2-THIOUREA (ANTU)</u>	<u>94-75-7</u>	<u>2,4-DICHLOROPHENOXYACETIC ACID</u>
<u>87-62-7</u>	<u>O-XYLIDINE</u>	<u>94-78-0</u>	<u>3-(PHENOAZO)-2,6-PYRADINEDIAMINE</u>
<u>87-68-3</u>	<u>HEXACHLOROBUTADIENE</u>	<u>95-06-7</u>	<u>DIETHYL-2-CHLORO-2-PROPANYL ESTER CARBAMODITHIOIC ACID</u>
<u>87-86-5</u>	<u>PENTACHLOROPHENOL</u>	<u>95-13-6</u>	<u>1H-INDENE</u>
<u>87-90-1</u>	<u>TRICHLORO-S-TRIAZINETRIONE</u>	<u>95-46-5</u>	<u>1-BROMO-2-METHYL BENZENE</u>
<u>88-05-1</u>	<u>ANILINE, 2,4,6-TRIMETHYL-</u>	<u>95-47-6</u>	<u>1,2-DIMETHYL BENZENE</u>
<u>88-06-2</u>	<u>2,4,6-TRICHLOROPHENOL</u>	<u>95-48-7</u>	<u>2-METHYL PHENOL</u>
<u>88-09-5</u>	<u>2-ETHYLBUTYRIC ACID</u>	<u>95-49-8</u>	<u>1-CHLORO-2-METHYL BENZENE</u>
<u>88-10-8</u>	<u>DIETHYL CARBAMOYL CHLORIDE</u>	<u>95-50-1</u>	<u>1,2-DICHLORO BENZENE</u>
<u>88-16-4</u>	<u>O-CHLOROBENZOTRIFLUORIDE</u>	<u>95-53-4</u>	<u>ortho-TOLUIDINE</u>
<u>88-72-2</u>	<u>O-NITROTOLUENE</u>	<u>95-57-8</u>	<u>2-CHLOROPHENOL</u>
<u>88-73-3</u>	<u>1-CHLORO-2-NITROBENZENE</u>	<u>95-76-1</u>	<u>3,4-DICHLORO BENZENAMINE</u>
<u>88-85-7</u>	<u>DINOSEB</u>	<u>95-80-7</u>	<u>4-METHYL-1,3-BENZENEDIAMINE</u>
<u>88-89-1</u>	<u>PICRIC ACID</u>	<u>95-83-0</u>	<u>4-CHLORO-1,2-BENZENEDIAMINE</u>
<u>89-72-5</u>	<u>O-sec-BUTYLPHENOL</u>	<u>96-09-3</u>	<u>PHENYL-OXIRANE</u>
<u>90-12-0</u>	<u>1-METHYLNAPHTHALENE</u>		

<u>96-10-6</u>	<u>DIETHYLALUMINUM CHLORIDE</u>	<u>99-35-4</u>	<u>TRINITROBENZENE</u>
<u>96-12-8</u>	<u>1,2-DIBROMO-3-CHLOROPROPANE</u>	<u>99-55-8</u>	<u>5-NITRO-O-TOLUIDINE</u>
<u>96-14-0</u>	<u>3-METHYLPENTANE</u>	<u>99-59-2</u>	<u>5-NITRO-O-ANISIDINE</u>
<u>96-17-3</u>	<u>2-METHYLBUTANAL</u>	<u>99-65-0</u>	<u>M-DINITROBENZENE</u>
<u>96-18-4</u>	<u>ALLYL TRICHLORIDE</u>	<u>99-87-6</u>	<u>P-CYMENE</u>
<u>96-20-8</u>	<u>2-AMINO-1-BUTANOL</u>	<u>99-98-9</u>	<u>DIMETHYL-P-PHENYLENEDIAMINE</u>
<u>96-22-0</u>	<u>DIETHYL KETONE</u>	<u>99-99-0</u>	<u>P-NITROTOLUENE</u>
<u>96-23-1</u>	<u>1,3-DICHLORO-2-PROPANOL</u>	<u>100-00-5</u>	<u>P-NITROCHLOROBENZENE</u>
<u>96-33-3</u>	<u>2-PROPANOIC ACID, METHYL ESTER</u>	<u>100-01-6</u>	<u>P-NITROANILINE</u>
<u>96-34-4</u>	<u>METHYL ESTER CHLOROACETIC ACID</u>	<u>100-02-7</u>	<u>P-NITROPHENOL</u>
<u>96-37-7</u>	<u>METHYLCYCLOPENTANE</u>	<u>100-14-1</u>	<u>BENZENE,1-(CHLOROMETHYL)-4-NITRO-</u>
<u>96-45-7</u>	<u>2-IMIDAZOLIDINETHIONE</u>	<u>100-20-9</u>	<u>TEREPHTHALOYL CHLORIDE</u>
<u>96-47-9</u>	<u>2-METHYLTETRAHYDROFURAN</u>	<u>100-25-4</u>	<u>P-DINITROBENZENE</u>
<u>96-49-1</u>	<u>ETHYLENE CARBONATE</u>	<u>100-36-7</u>	<u>N,N-DIETHYLETHYLENE-DIAMINE</u>
<u>96-54-8</u>	<u>METHYLPYRROLE</u>	<u>100-37-8</u>	<u>N,N-DIETHYLETHANOLAMINE</u>
<u>96-69-5</u>	<u>4,4'-THIOBIS(6-tert, BUTYL-M-CRESOL)</u>	<u>100-40-3</u>	<u>4-VINYL CYCLOHEXENE</u>
<u>97-00-7</u>	<u>1-CHLORO-2,4-DINITROBENZENE</u>	<u>100-41-4</u>	<u>ETHYL BENZENE</u>
<u>97-02-9</u>	<u>2,4-DINITROANILINE</u>	<u>100-42-5</u>	<u>STYRENE</u>
<u>97-36-9</u>	<u>M-ACETOACETXYLIDIDE</u>	<u>100-44-7</u>	<u>BENZYL CHLORIDE</u>
<u>97-56-3</u>	<u>O-AMINOAZOTOLUENE</u>	<u>100-50-5</u>	<u>1,2,3,6-TETRAHYDROBENZALDEHYDE</u>
<u>97-62-1</u>	<u>ETHYL ISOBUTYRATE</u>	<u>100-51-6</u>	<u>BENZYL ALCOHOL</u>
<u>97-63-2</u>	<u>ETHYL METHACRYLATE</u>	<u>100-52-7</u>	<u>BENZALDEHYDE</u>
<u>97-64-3</u>	<u>ETHYL LACTATE</u>	<u>100-53-8</u>	<u>BENZYL MERCAPTAN</u>
<u>97-77-8</u>	<u>DISULFIRAM</u>	<u>100-61-8</u>	<u>N-METHYL ANILINE</u>
<u>97-88-1</u>	<u>BUTYL METHACRYLATE</u>	<u>100-63-0</u>	<u>PHENYLHYDRAZINE</u>
<u>97-93-8</u>	<u>TRIETHYLALUMINUM</u>	<u>100-73-2</u>	<u>ACROLEIN DIMER</u>
<u>97-94-9</u>	<u>TRIETHYLBORANE</u>	<u>100-74-3</u>	<u>N-ETHYL MORPHOLINE</u>
<u>97-96-1</u>	<u>2-ETHYLBUTYRALDEHYDE</u>	<u>100-75-4</u>	<u>N-NITROSOPIPERIDINE</u>
<u>97-97-2</u>	<u>DIMETHYL CHLORACETAL</u>	<u>100-79-8</u>	<u>DIOXOLAN</u>
<u>97-99-4</u>	<u>TETRAHYDROFURFURYL ALCOHOL</u>	<u>100-99-2</u>	<u>TRIISOBUTYLALUMINUM</u>
<u>98-00-0</u>	<u>FURFURYL ALCOHOL</u>	<u>101-14-4</u>	<u>4,4'-METHYLENE BIS(2-CHLOROANILINE)</u>
<u>98-01-1</u>	<u>FURFURAL</u>	<u>101-61-1</u>	<u>4,4'-METHYLENE</u>
<u>98-05-5</u>	<u>BENZENEARSONIC ACID</u>		<u>BIS(N,N-DIMETHYL)BENZENAMINE</u>
<u>98-06-6</u>	<u>tert-BUTYLBENZENE</u>	<u>101-68-8</u>	<u>METHYLENE BISPHENYL ISOCYANATE</u>
<u>98-07-7</u>	<u>BENZOTRICHLORIDE</u>	<u>101-77-9</u>	<u>4,4-METHYLENE DIANILINE</u>
<u>98-08-8</u>	<u>BENZOTRIFLUORIDE</u>	<u>101-80-4</u>	<u>4,4-OXYDIANILINE</u>
<u>98-12-4</u>	<u>CYCLOHEXYLTRICHLOROSILANE</u>	<u>101-83-7</u>	<u>DICYCLOHEXYLAMINE</u>
<u>98-13-5</u>	<u>PHENYL TRICHLOROSILANE</u>	<u>101-84-8</u>	<u>PHENYL ETHER VAPOR</u>
<u>98-16-8</u>	<u>BENZENAMINE, 3-(TRIFLUOROMETHYL)-</u>	<u>101-90-6</u>	<u>DIGLYCIDYL RESORCINOL ETHER</u>
<u>98-27-1</u>	<u>P-tert-BUTYL-O-CRESOL</u>	<u>101-96-2</u>	<u>N,N'-DI-sec-BUTYL-P-</u>
<u>98-28-2</u>	<u>4-tert-BUTYL-2-CHLOROPHENOL</u>		<u>PHENYLENEDIAMINE</u>
<u>98-29-3</u>	<u>4-TERTBUTYL CATECHOL</u>	<u>102-01-2</u>	<u>ACETO ACETANILIDE</u>
<u>98-51-1</u>	<u>P-tert-BUTYLTOLUENE</u>	<u>102-36-3</u>	<u>ISOCYANIC ACID, 3,4-DICHLOROPHENYL</u>
<u>98-82-8</u>	<u>CUMENE</u>		<u>ESTER</u>
<u>98-83-9</u>	<u>alpha-METHYL STYRENE</u>	<u>102-54-5</u>	<u>DICYCLOPENTADIENYL IRON</u>
<u>98-84-0</u>	<u>alpha-METHYLBENZYLAMINE</u>	<u>102-56-7</u>	<u>2,5-DIMETHOXYANILINE</u>
<u>98-87-3</u>	<u>BENZAL CHLORIDE</u>	<u>102-67-0</u>	<u>TRIPROPYL ALUMINUM</u>
<u>98-88-4</u>	<u>BENZOYL CHLORIDE</u>	<u>102-69-2</u>	<u>TRIPROPYLAMINE</u>
<u>98-95-3</u>	<u>NITROBENZENE</u>	<u>102-71-6</u>	<u>TRIETHANOLAMINE</u>
<u>99-08-1</u>	<u>M-NITROTOLUENE</u>	<u>102-79-4</u>	<u>N-BUTYLDIETHANOLAMINE</u>

<u>102-81-8</u>	<u>2-N-DIBUTYLAMINOETHANOL</u>	<u>106-63-8</u>	<u>ISOBUTYL ACRYLATE</u>
<u>102-82-9</u>	<u>TRIBUTYLAMINE</u>	<u>106-71-8</u>	<u>2CYANOETHYL ACRYLATE</u>
<u>102-85-2</u>	<u>TRIBUTYL PHOSPHITE</u>	<u>106-87-6</u>	<u>VINYL CYCLOHEXENE DIOXIDE</u>
<u>103-09-3</u>	<u>2-ETHYLHEXYL ACETATE</u>	<u>106-88-7</u>	<u>1,2-BUTYLENE OXIDE</u>
<u>103-11-7</u>	<u>2-ETHYLHEXYL ACRYLATE</u>	<u>106-89-8</u>	<u>EPICHLOROHYDRIN</u>
<u>103-44-6</u>	<u>VINYL-2-ETHYLHEXYL ETHER</u>	<u>106-92-3</u>	<u>((2-PROPENYLOXY)METHYL)OXIRANE</u>
<u>103-65-1</u>	<u>PROPYLBENZENE</u>	<u>106-93-4</u>	<u>ETHYLENE DIBROMIDE</u>
<u>103-69-5</u>	<u>N-ETHYLANILINE</u>	<u>106-94-5</u>	<u>N-PROPYL BROMIDE</u>
<u>103-75-3</u>	<u>2-ETHOXY-3,4-DIHYDRO-2-PYRAN</u>	<u>106-95-6</u>	<u>ALLYL BROMIDE</u>
<u>103-84-4</u>	<u>ACETANILIDE</u>	<u>106-96-7</u>	<u>3-BROMOPROPYNE</u>
<u>103-85-5</u>	<u>PHENYLTHIOUREA</u>	<u>106-98-9</u>	<u>1-BUTENE</u>
<u>103-89-9</u>	<u>p-ACETOTOLUIDIDE</u>	<u>106-99-0</u>	<u>1,3-BUTADIENE</u>
<u>104-15-4</u>	<u>p-TOLUENESULFONIC ACID</u>	<u>107-02-8</u>	<u>ACROLEIN</u>
<u>104-51-8</u>	<u>BUTYLBENZENE</u>	<u>107-05-1</u>	<u>ALLYL CHLORIDE</u>
<u>104-72-3</u>	<u>DECYLBENZENE</u>	<u>107-06-2</u>	<u>1,2-DICHLOROETHANE</u>
<u>104-75-6</u>	<u>2-ETHYLHEXYLAMINE</u>	<u>107-07-3</u>	<u>ETHYLENE CHLOROHYDRIN</u>
<u>104-76-7</u>	<u>2-ETHYLHEXANOL</u>	<u>107-10-8</u>	<u>PROPYLAMINE</u>
<u>104-78-9</u>	<u>3-(D-IETHYLAMINO)PROPYLAMINE</u>	<u>107-11-9</u>	<u>ALLYLAMINE</u>
<u>104-88-1</u>	<u>P-CHLOROBENZALDEHYDE</u>	<u>107-12-0</u>	<u>PROPIONITRILE</u>
<u>104-89-2</u>	<u>2-METHYL-5-ETHYLPYRIDINE</u>	<u>107-13-1</u>	<u>ACRYLONITRILE</u>
<u>104-90-5</u>	<u>2-METHYL-5-ETHYLPYRIDINE</u>	<u>107-15-3</u>	<u>ETHYLENEDIAMINE</u>
<u>104-94-9</u>	<u>P-ANISIDINE</u>	<u>107-16-4</u>	<u>FORMALDEHYDE CYANOHYDRIN</u>
<u>105-05-5</u>	<u>P-DIETHYL BENZENE</u>	<u>107-18-6</u>	<u>ALLYL ALCOHOL</u>
<u>105-30-6</u>	<u>METHYL ISOBUTYL CARBINOL</u>	<u>107-19-7</u>	<u>PROPARGYL ALCOHOL</u>
<u>105-37-3</u>	<u>ETHYL PROPIONATE</u>	<u>107-20-0</u>	<u>CHLOROACETALDEHYDE</u>
<u>105-38-4</u>	<u>VINYL PROPIONATE</u>	<u>107-21-1</u>	<u>ETHYLENE GLYCOL PARTICULATE AND VAPOR</u>
<u>105-39-5</u>	<u>ETHYL CHLOROACETATE</u>	<u>107-25-5</u>	<u>VINYL METHYL ETHER</u>
<u>105-45-3</u>	<u>METHYL ACETOACETATE</u>	<u>107-27-7</u>	<u>CHLOROETHYLMERCURY</u>
<u>105-46-4</u>	<u>sec-BUTYL ACETATE</u>	<u>107-30-2</u>	<u>CHLOROMETHYL METHYL ETHER</u>
<u>105-54-4</u>	<u>ETHYL BUTYRATE</u>	<u>107-31-3</u>	<u>METHYL FORMATE</u>
<u>105-56-6</u>	<u>ETHYL CYANOACETATE</u>	<u>107-37-9</u>	<u>ALLYL TRICHLOROSILANE</u>
<u>105-57-7</u>	<u>ACETAL</u>	<u>107-39-1</u>	<u>2,4,4-TRIMETHYL-1-PENTENE</u>
<u>105-58-8</u>	<u>DIETHYL CARBONATE</u>	<u>107-40-4</u>	<u>2,4,4-TRIMETHYL-2-PENTENE</u>
<u>105-60-2</u>	<u>CAPROLACTAM DUST AND VAPOR</u>	<u>107-41-5</u>	<u>HEXYLENE GLYCOL</u>
<u>105-64-6</u>	<u>DIISOPROPYL PEROXYDICARBONATE</u>	<u>107-44-8</u>	<u>SARIN</u>
<u>105-66-8</u>	<u>N-PROPYL BUTYRATE</u>	<u>107-45-9</u>	<u>tert-OCTYLAMINE</u>
<u>105-74-8</u>	<u>DILAUROYL PEROXIDE</u>	<u>107-49-3</u>	<u>TEPP</u>
<u>106-20-7</u>	<u>BIS(2-ETHYLHEXYL)AMINE</u>	<u>107-66-4</u>	<u>DIBUTYL PHOSPHATE</u>
<u>106-32-1</u>	<u>ETHYL CAPRYLATE</u>	<u>107-71-1</u>	<u>tert-BUTYL PEROXYACETATE</u>
<u>106-35-4</u>	<u>ETHYL BUTYL KETONE</u>	<u>107-72-2</u>	<u>AMYL TRICHLOROSILANE</u>
<u>106-36-5</u>	<u>PROPYL PROPIONATE</u>	<u>107-83-5</u>	<u>ISOHEXANE</u>
<u>106-38-7</u>	<u>P-BROMOTOLUENE</u>	<u>107-84-6</u>	<u>ISOAMYL CHLORIDE</u>
<u>106-42-3</u>	<u>P-XYLENE</u>	<u>107-87-9</u>	<u>METHYL PROPYL KETONE</u>
<u>106-44-5</u>	<u>P-CRESOL</u>	<u>107-89-1</u>	<u>ACETALDOL</u>
<u>106-46-7</u>	<u>P-DICHLOROBENZENE</u>	<u>107-92-6</u>	<u>BUTYRIC ACID</u>
<u>106-48-9</u>	<u>P-CHLOROPHENOL</u>	<u>107-98-2</u>	<u>PROPYLENE GLYCOL METHYL ETHER</u>
<u>106-49-0</u>	<u>P-TOLUIDINE</u>	<u>108-01-0</u>	<u>2-(DIMETHYLAMINO) ETHANOL</u>
<u>106-50-3</u>	<u>P-PHENYLENE DIAMINE</u>	<u>108-03-2</u>	<u>1-NITROPROPANE</u>
<u>106-51-4</u>	<u>QUINONE</u>	<u>108-05-4</u>	<u>VINYL ACETATE</u>
<u>106-63-3</u>	<u>ETHYL AMYL KETONE</u>		

<u>108-08-7</u>	<u>2,4-DIMETHYLPENTANE</u>	<u>109-83-1</u>	<u>N-METHYLETHANOLAMINE</u>
<u>108-09-8</u>	<u>1,3-DIMETHYLBUTYLAMINE</u>	<u>109-86-4</u>	<u>METHYL CELLOSOLVE</u>
<u>108-10-1</u>	<u>METHYL ISOBUTYL KETONE</u>	<u>109-87-5</u>	<u>METHYLAL</u>
<u>108-16-7</u>	<u>N,N-DIMETHYLISOPROPANOLAMINE</u>	<u>109-89-7</u>	<u>DIETHYLAMINE</u>
<u>108-18-9</u>	<u>DIISOPROPYLAMINE</u>	<u>109-92-2</u>	<u>VINYL ETHYL ETHER</u>
<u>108-20-3</u>	<u>ISOPROPYL ETHER</u>	<u>109-93-3</u>	<u>DIVINYL ETHER</u>
<u>108-21-4</u>	<u>ISOPROPYL ACETATE</u>	<u>109-94-4</u>	<u>ETHYL FORMATE</u>
<u>108-22-5</u>	<u>ISOPROPENYL ACETATE</u>	<u>109-95-5</u>	<u>ETHYL NITRITE</u>
<u>108-23-6</u>	<u>ISOPROPYL CHLOROFORMATE</u>	<u>109-97-7</u>	<u>PYRROLE</u>
<u>108-24-7</u>	<u>ACETIC ANHYDRIDE</u>	<u>109-99-9</u>	<u>TETRAHYDROFURAN</u>
<u>108-31-6</u>	<u>MALEIC ANHYDRIDE</u>	<u>110-00-9</u>	<u>FURAN</u>
<u>108-38-3</u>	<u>m-XYLENE</u>	<u>110-02-1</u>	<u>THIOPHENE</u>
<u>108-39-4</u>	<u>M-CRESOL</u>	<u>110-05-4</u>	<u>DI-tert-BUTYL PEROXIDE</u>
<u>108-46-3</u>	<u>RESORCINOL</u>	<u>110-12-3</u>	<u>METHYL ISOAMYL KETONE</u>
<u>108-57-6</u>	<u>DIVINYL BENZENE</u>	<u>110-19-0</u>	<u>ISOBUTYL ACETATE</u>
<u>108-60-1</u>	<u>2,2-DICHLORO ISOPROPYL ETHER</u>	<u>110-22-5</u>	<u>DI-ACETYL PEROXIDE</u>
<u>108-62-3</u>	<u>METALDEHYDE</u>	<u>110-43-0</u>	<u>METHYL (N-AMYL) KETONE</u>
<u>108-83-8</u>	<u>DIISOBUTYL KETONE</u>	<u>110-49-6</u>	<u>2-METHOXYETHYL ACETATE</u>
<u>108-86-1</u>	<u>BROMOBENZENE</u>	<u>110-53-2</u>	<u>1-BROMOPENTANE</u>
<u>108-87-2</u>	<u>METHYLCYCLOHEXANE</u>	<u>110-54-3</u>	<u>HEXANE</u>
<u>108-88-3</u>	<u>TOLUENE</u>	<u>110-56-5</u>	<u>1,4-DICHLOROBUTANE</u>
<u>108-89-4</u>	<u>4-PICOLINE</u>	<u>110-57-6</u>	<u>TRANS-1,4-DICHLOROBUTENE</u>
<u>108-90-7</u>	<u>CHLOROBENZENE</u>	<u>110-58-7</u>	<u>AMYLAMINE</u>
<u>108-91-8</u>	<u>CYCLOHEXYLAMINE</u>	<u>110-62-3</u>	<u>VALERALDEHYDE</u>
<u>108-93-0</u>	<u>CYCLOHEXANOL</u>	<u>110-66-7</u>	<u>AMYL MERCAPTAN</u>
<u>108-94-1</u>	<u>CYCLOHEXENONE</u>	<u>110-67-8</u>	<u>3-METHOXYPROPIONITRILE</u>
<u>108-95-2</u>	<u>PHENOL</u>	<u>110-68-9</u>	<u>N-METHYLBUTYLAMINE</u>
<u>108-98-5</u>	<u>PHENYL MERCAPTAN</u>	<u>110-69-0</u>	<u>BUTYRALDOXIME</u>
<u>109-01-3</u>	<u>1-METHYL PIPERAZINE</u>	<u>110-71-4</u>	<u>ETHYLENE GLYCOL DIMETHYL ETHER</u>
<u>109-02-4</u>	<u>4-METHYLMORPHOLINE</u>	<u>110-74-7</u>	<u>PROPYL FORMATE</u>
<u>109-06-8</u>	<u>2-PICOLINE</u>	<u>110-75-8</u>	<u>VINYL-2-CHLOROETHYL ETHER</u>
<u>109-08-0</u>	<u>2-METHYLPYRAZINE</u>	<u>110-80-5</u>	<u>2-ETHOXYETHANOL</u>
<u>109-21-7</u>	<u>BUTYL BUTYRATE</u>	<u>110-82-7</u>	<u>CYCLOHEXANE</u>
<u>109-52-4</u>	<u>PENTANOIC ACID</u>	<u>110-83-8</u>	<u>CYCLOHEXENE</u>
<u>109-53-5</u>	<u>VINYL ISOBUTYL ETHER</u>	<u>110-85-0</u>	<u>PIPERAZINE</u>
<u>109-55-7</u>	<u>3-(DIMETHYLAMINO)-PROPYLAMINE</u>	<u>110-86-1</u>	<u>PYRIDINE</u>
<u>109-59-1</u>	<u>ETHYLENE GLYCOL ISOPROPYL ETHER</u>	<u>110-87-2</u>	<u>DIHYDROPYRAN</u>
<u>109-60-4</u>	<u>N-PROPYL ACETATE</u>	<u>110-88-3</u>	<u>TRIOXANE</u>
<u>109-61-5</u>	<u>PROPYL CHLOROFORMATE</u>	<u>110-89-4</u>	<u>PIPERIDINE</u>
<u>109-63-7</u>	<u>BORON TRIFLUORIDE ETHERATE</u>	<u>110-91-8</u>	<u>MORPHOLINE</u>
<u>109-65-9</u>	<u>BUTYL BROMIDE</u>	<u>110-96-3</u>	<u>DIISOBUTYLAMINE</u>
<u>109-66-0</u>	<u>PENTANE</u>	<u>110-97-4</u>	<u>DIISOPROPANOLAMINE</u>
<u>109-67-1</u>	<u>1-PENTENE</u>	<u>111-15-9</u>	<u>2-ETHOXYETHYL ACETATE</u>
<u>109-69-3</u>	<u>BUTYL CHLORIDE</u>	<u>111-26-2</u>	<u>HEXYLAMINE</u>
<u>109-73-9</u>	<u>BUTYLAMINE</u>	<u>111-30-8</u>	<u>GLUTARALDEHYDE</u>
<u>109-74-0</u>	<u>BUTYRONITRILE</u>	<u>111-34-2</u>	<u>VINYL BUTYL ETHER</u>
<u>109-76-2</u>	<u>1,3-PROPANEDIAMINE</u>	<u>111-36-4</u>	<u>N-BUTYL ISOCYANATE</u>
<u>109-77-3</u>	<u>MALONONITRILE</u>	<u>111-40-0</u>	<u>DIETHYLENE TRIAMINE</u>
<u>109-78-4</u>	<u>ETHYLENE CYANOHYDRIN</u>	<u>111-41-1</u>	<u>(2-AMINOETHYL) ETHANOLAMINE</u>
<u>109-79-5</u>	<u>BUTYL MERCAPTAN</u>	<u>111-42-2</u>	<u>DIETHANOLAMINE</u>

<u>111-43-3</u>	<u>PROPYL ETHER</u>	<u>119-93-7</u>	<u>3,3'-DIMETHYLBENZIDINE</u>
<u>111-44-4</u>	<u>DICHLOROETHYL ETHER</u>	<u>120-58-1</u>	<u>ISOSAFROLE</u>
<u>111-48-8</u>	<u>THIODIGLYCOL</u>	<u>120-71-8</u>	<u>P-CRESIDINE</u>
<u>111-50-2</u>	<u>ADIPOYL CHLORIDE</u>	<u>120-80-9</u>	<u>CATECHOL (PYROCATECHOL)</u>
<u>111-64-8</u>	<u>CAPRYLYL CHLORIDE</u>	<u>120-82-1</u>	<u>1,2,4-TRICHLOROENZENE</u>
<u>111-65-9</u>	<u>OCTANE</u>	<u>120-92-3</u>	<u>CYCLOPENTANONE</u>
<u>111-66-0</u>	<u>1-OCTENE</u>	<u>120-94-5</u>	<u>METHYLPYRROLIDINE</u>
<u>111-68-2</u>	<u>HEPTYLAMINE</u>	<u>121-14-2</u>	<u>DINITROTOLUENE</u>
<u>111-69-3</u>	<u>ADIPONITRILE</u>	<u>121-43-7</u>	<u>METHYL BORATE</u>
<u>111-76-2</u>	<u>2-BUTOXY ETHANOL</u>	<u>121-44-8</u>	<u>TRIETHYLAMINE</u>
<u>111-77-3</u>	<u>DIETHYLENE GLYCOL METHYL ETHER</u>	<u>121-45-9</u>	<u>TRIMETHYL PHOSPHITE</u>
<u>111-84-2</u>	<u>NONANE</u>	<u>121-46-0</u>	<u>NORBORNADIENE</u>
<u>111-86-4</u>	<u>OCTYLAMINE</u>	<u>121-69-7</u>	<u>DIMETHYLANILINE</u>
<u>111-88-6</u>	<u>1-OCTANETHIOL</u>	<u>121-73-3</u>	<u>M-CHLORONITROBENZENE</u>
<u>111-91-1</u>	<u>BIS(2-CHLOROETHYL) FORMAL</u>	<u>121-75-5</u>	<u>MALATHION</u>
<u>111-92-2</u>	<u>DIBUTYLAMINE</u>	<u>121-82-4</u>	<u>CYCLONITE</u>
<u>112-04-9</u>	<u>OCTADECYL TRICHLOROSILANE</u>	<u>122-14-5</u>	<u>FENITROTHION</u>
<u>112-24-3</u>	<u>TRIETHYLENETETRAMINE</u>	<u>122-20-3</u>	<u>TRIIISOPROPANOLAMINE</u>
<u>112-26-5</u>	<u>TRIGLYCOL DICHLORIDE</u>	<u>122-39-4</u>	<u>DIPHENYLAMINE</u>
<u>112-57-2</u>	<u>TETRAETHYLENE PENTAMINE</u>	<u>122-51-0</u>	<u>ETHYL ORTHOFORMATE</u>
<u>112-58-3</u>	<u>HEXYL ETHER</u>	<u>122-60-1</u>	<u>PHENYL GLYCIDYL ETHER (PGE)</u>
<u>112-98-1</u>	<u>DIBUTOXY TETRAGLYCOL</u>	<u>122-66-7</u>	<u>HYDRAZOBENZENE</u>
<u>114-26-1</u>	<u>DDVP</u>	<u>122-82-7</u>	<u>ACETOACET-p-PHENETIDIDE</u>
<u>115-02-6</u>	<u>AZASERINE</u>	<u>122-98-5</u>	<u>N-PHENYLETHANOLAMINE</u>
<u>115-07-1</u>	<u>PROPYLENE</u>	<u>123-00-2</u>	<u>4-AMINOPROPYL MORPHOLINE</u>
<u>115-09-3</u>	<u>MERCURY METHYLCHLORIDE</u>	<u>123-04-6</u>	<u>2-ETHYLHEXYL CHLORIDE</u>
<u>115-10-6</u>	<u>METHYL ETHER</u>	<u>123-05-7</u>	<u>2-ETHYLHEXANAL</u>
<u>115-11-7</u>	<u>2-METHYLPROPENE</u>	<u>123-07-9</u>	<u>P-ETHYLPHENOL</u>
<u>115-19-5</u>	<u>3-METHYL BUTYNOL</u>	<u>123-15-9</u>	<u>2-METHYLVALERALDEHYDE</u>
<u>115-21-9</u>	<u>TRICHLOROETHYLSILANE</u>	<u>123-17-1</u>	<u>2,6,8-TRIMETHYL-4-NONANOL</u>
<u>115-26-4</u>	<u>DIMEFOX</u>	<u>123-19-3</u>	<u>DIPROPYL KETONE</u>
<u>115-28-6</u>	<u>CHLORENDIC ACID</u>	<u>123-20-6</u>	<u>VINYL BUTYRATE</u>
<u>115-29-7</u>	<u>ENDOSULFAN</u>	<u>123-31-9</u>	<u>HYDROQUINONE</u>
<u>115-76-4</u>	<u>2,2-DIETHYL-1,3-PROPANEDIOL</u>	<u>123-38-6</u>	<u>PROPIONALDEHYDE</u>
<u>115-84-4</u>	<u>2-ETHYL-2-BUTYL-1,3-PROPANEDIOL</u>	<u>123-42-2</u>	<u>DIACETONE ALCOHOL</u>
<u>115-86-6</u>	<u>TRIPHENYL PHOSPHATE</u>	<u>123-54-6</u>	<u>ACETYL ACETONE</u>
<u>115-90-2</u>	<u>FENSULFOTHION</u>	<u>123-62-6</u>	<u>PROPIONIC ANHYDRIDE</u>
<u>116-02-9</u>	<u>3,3,5-TRIMETHYL-1-CYCLOHEXANOL</u>	<u>123-63-7</u>	<u>PARALDEHYDE</u>
<u>116-14-3</u>	<u>TETRAFLUROETHYLENE</u>	<u>123-66-0</u>	<u>ETHYL CAPROATE</u>
<u>116-60-3</u>	<u>ALDICARB</u>	<u>123-72-8</u>	<u>N-BUTYRALDEHYDE</u>
<u>117-79-3</u>	<u>2-AMINO-ANTHRAQUINONE</u>	<u>123-73-9</u>	<u>CROTONALDEHYDE</u>
<u>117-81-7</u>	<u>DI(2-ETHYLHEXYL) PHTHALATE</u>	<u>123-75-1</u>	<u>PYRROLIDINE</u>
<u>118-52-5</u>	<u>1,3-DICHLORO-5,5-DIMETHYL HYDANTOIN</u>	<u>123-81-9</u>	<u>GLYCOL DIMERCAPTOACETATE</u>
<u>118-74-1</u>	<u>HEXACHLOROENZENE</u>	<u>123-86-4</u>	<u>N-BUTYL ACETATE</u>
<u>118-96-7</u>	<u>TRINITROTOLUENE</u>	<u>123-91-1</u>	<u>1,4-DIOXANE</u>
<u>119-38-0</u>	<u>ISOPROPYLMETHYLPYRAZOLYL DIMETHYLCARBAMATE</u>	<u>123-92-2</u>	<u>ISOAMYL ACETATE</u>
<u>119-42-6</u>	<u>O-CYCLOHEXYLPHENOL</u>	<u>124-13-0</u>	<u>CAPRYLALDEHYDE</u>
<u>119-90-4</u>	<u>3,3'-DIMETHOXYBENZIDINE</u>	<u>124-16-3</u>	<u>1-(BUTOXYETHOXY)-2-PROPANOL</u>
		<u>124-38-9</u>	<u>CARBON DIOXIDE</u>
		<u>124-40-3</u>	<u>DIMETHYLAMINE</u>

<u>124-65-2</u>	<u>SODIUM CACODYLATE</u>	<u>141-78-6</u>	<u>ETHYL ACETATE</u>
<u>124-68-5</u>	<u>2-AMINO-2-METHYL-1-PROPANOL</u>	<u>141-79-7</u>	<u>MESITYL OXIDE</u>
<u>124-87-8</u>	<u>PICROTOXIN</u>	<u>141-91-3</u>	<u>2,6-DIMETHYLMORPHOLINE</u>
<u>126-33-0</u>	<u>SULFOLANE</u>	<u>141-93-5</u>	<u>M-DIETHYL BENZENE</u>
<u>126-39-6</u>	<u>2-METHYL-2-ETHYL-1,3-DIOXOLANE</u>	<u>141-97-9</u>	<u>ETHYL ACETOACETATE</u>
<u>126-72-7</u>	<u>TRIS(2,3-DIBROMOPROPYL)PHOSPHATE</u>	<u>142-04-1</u>	<u>ANILINE HYDROCHLORIDE</u>
<u>126-73-8</u>	<u>TRIBUTYL PHOSPHATE</u>	<u>142-29-0</u>	<u>CYCLOPENTENE</u>
<u>126-85-2</u>	<u>NITROGEN MUSTARD N-OXIDE</u>	<u>142-59-6</u>	<u>ETHYLENE BIS DITHIOCARBAMATE</u>
<u>126-98-7</u>	<u>METHYLACRYLONITRILE</u>	<u>142-62-1</u>	<u>CAPROIC ACID</u>
<u>126-99-8</u>	<u>CHLOPOPRENE</u>	<u>142-64-3</u>	<u>PIPERAZINE DIHYDROCHLORIDE</u>
<u>127-00-4</u>	<u>1-CHLORO-2-PROPANOL</u>	<u>142-68-7</u>	<u>PENTAMETHYLENE OXIDE</u>
<u>127-18-4</u>	<u>TETRACHLOROETHYLENE</u>	<u>142-82-5</u>	<u>HEPTANE (N-HEPTANE)</u>
<u>127-19-5</u>	<u>DIMETHYL ACETAMIDE</u>	<u>142-83-6</u>	<u>2,4-HEXADIENAL</u>
<u>128-37-0</u>	<u>BUTYLATED HYDROXYTOLUENE (BHT)</u>	<u>142-84-7</u>	<u>DIPROPYLAMINE</u>
<u>128-44-9</u>	<u>SODIUM SACCHARIN</u>	<u>142-92-7</u>	<u>sec-HEXYL ACETATE</u>
<u>129-06-6</u>	<u>WARFARIN SODIUM</u>	<u>142-96-1</u>	<u>DIBUTYL ETHER</u>
<u>129-15-7</u>	<u>2-METHYL-1-NITROANTHRAQUINONE</u>	<u>143-16-8</u>	<u>DIHEXYLAMINE</u>
<u>131-11-3</u>	<u>N,N-DIMETHYLPTHALATE</u>	<u>143-33-9</u>	<u>SODIUM CYANIDE</u>
<u>131-17-9</u>	<u>DIALLYL PHTHALATE</u>	<u>143-50-0</u>	<u>KEPONE</u>
<u>133-06-2</u>	<u>CAPTAN</u>	<u>144-49-0</u>	<u>FLUOROACETIC ACID</u>
<u>134-29-2</u>	<u>O-ANISIDINE HYDROCHLORIDE</u>	<u>144-62-7</u>	<u>OXALIC ACID</u>
<u>134-32-7</u>	<u>1-NAPHTHYLAMINE</u>	<u>148-01-6</u>	<u>DINITOLMIDE</u>
<u>135-01-3</u>	<u>O-DIETHYL BENZENE</u>	<u>148-82-3</u>	<u>MELPHALAN</u>
<u>135-02-4</u>	<u>O-METHOXYBENZALDEHYDE</u>	<u>149-31-5</u>	<u>2-METHYL-1,3-PENTANEDIOL</u>
<u>135-20-6</u>	<u>CUPFERRON</u>	<u>149-74-6</u>	<u>DICHLOROMETHYLPHENYLSILANE</u>
<u>135-88-6</u>	<u>N-PHENYL-beta-NAPHTHYLAMINE</u>	<u>150-76-5</u>	<u>4-METHOXYPHENOL</u>
<u>135-98-8</u>	<u>sec-BUTYLBENZENE</u>	<u>151-38-2</u>	<u>METHOXYETHYLMERCURIC ACETATE</u>
<u>136-40-3</u>	<u>PHENAZOPYRIDINE HYDROCHLORIDE</u>	<u>151-50-8</u>	<u>POTASSIUM CYANIDE</u>
<u>136-78-7</u>	<u>CRAG HERBICIDE</u>	<u>151-56-4</u>	<u>ETHYLENEIMINE</u>
<u>136-81-2</u>	<u>O-AMYL PHENOL</u>	<u>151-67-7</u>	<u>2-BROMO-2-CHLORO-1,1,1-TRIFLUOROETHANE</u>
<u>137-05-3</u>	<u>METHYL 2-CYANOACRYLATE</u>		
<u>137-26-8</u>	<u>THIRAM</u>	<u>152-16-9</u>	<u>DIPHOSPHORAMIDE, OCTAMETHYL-</u>
<u>137-32-6</u>	<u>2-METHYL-1-BUTANOL</u>	<u>154-93-8</u>	<u>N,N'-BIS(2-CHLOROETHYL)-N-NITROSOUREA</u>
<u>138-22-7</u>	<u>N-BUTYL LACTATE</u>		
<u>139-13-9</u>	<u>NITRILOTRIACETIC ACID (NTA)</u>	<u>156-10-5</u>	<u>P-NITROSODIPHENYLAMINE</u>
<u>139-65-1</u>	<u>4,4'-THIODIANILINE</u>	<u>156-43-4</u>	<u>P-PHENETIDINE</u>
<u>139-87-7</u>	<u>N-ETHYLDIETHANOLAMINE</u>	<u>156-59-2</u>	<u>DICHLOROETHYLENE-CIS</u>
<u>139-91-3</u>	<u>5-(MORPHOLINOMETHYL)-3-[(5-NITROFURFURYLIDENE)AMI</u>	<u>156-60-5</u>	<u>DICHLOROETHYLENE-TRANS</u>
	<u>NO]-2-OXAZOLIDINONE</u>	<u>156-62-7</u>	<u>CALCIUM CYANAMIDE</u>
<u>140-29-4</u>	<u>BENZYL CYANIDE</u>	<u>156-87-6</u>	<u>3-AMINOPROPANOL</u>
<u>140-31-8</u>	<u>1-(2-AMINOETHYL) PIPERAZINE</u>	<u>189-55-9</u>	<u>DIBENZO(A,I)PYRENE</u>
<u>140-57-8</u>	<u>ARAMITE</u>	<u>189-64-0</u>	<u>DIBENZO(A,H)PYRENE</u>
<u>140-76-1</u>	<u>PYRIDINE, 2-METHYL-5-VINYL</u>	<u>191-30-0</u>	<u>BENZO(A,L)PYRENE</u>
<u>140-88-5</u>	<u>ETHYL ACRYLATE</u>	<u>192-65-4</u>	<u>DIBENZO(A,E)PYRENE</u>
<u>140-89-6</u>	<u>POTASSIUM XANTHATE</u>	<u>193-39-5</u>	<u>INDENO(1,2,3-CD)PYRENE</u>
<u>141-32-2</u>	<u>BUTYL ACRYLATE</u>	<u>194-59-2</u>	<u>7H-DIEBENZO(C,G)CARBAZOLE</u>
<u>141-43-5</u>	<u>ETHANOLAMINE</u>	<u>205-82-3</u>	<u>BENZO(J)FLUORANTHENE</u>
<u>141-57-1</u>	<u>PROPYLTRICHLOROSILANE</u>	<u>205-99-2</u>	<u>BENZO(B)FLUORANTHENE</u>
<u>141-66-2</u>	<u>DICROTOPHOS</u>	<u>207-08-9</u>	<u>BENZO(K)FLUORANTHENE</u>
		<u>218-01-9</u>	<u>CHRYSENE</u>

<u>224-42-0</u>	<u>DIBENZ(A,J)ACRIDINE</u>	<u>463-51-4</u>	<u>KETENE</u>
<u>225-51-4</u>	<u>BENZ(C)ACRIDINE</u>	<u>463-58-1</u>	<u>CARBON OXYSULFIDE</u>
<u>226-36-8</u>	<u>DIBENZ(A,H)ACRIDINE</u>	<u>463-82-1</u>	<u>2,2-DIMETHYLPROPANE</u>
<u>287-23-0</u>	<u>CYCLOBUTANE</u>	<u>464-06-2</u>	<u>2,2,3-TRIMETHYLBUTANE</u>
<u>287-92-3</u>	<u>CYCLOPENTANE</u>	<u>465-73-6</u>	<u>ISODRIN</u>
<u>291-64-5</u>	<u>CYCLOHEPTANE</u>	<u>470-90-6</u>	<u>CHLOROFENVINPHOS</u>
<u>297-78-9</u>	<u>ISOBENZAN</u>	<u>479-45-8</u>	<u>TETRYL</u>
<u>297-97-2</u>	<u>THIONAZIN</u>	<u>492-80-8</u>	<u>AURAMINE</u>
<u>298-00-0</u>	<u>METHYL PARATHION</u>	<u>494-03-1</u>	<u>N,N-BIS(2-CHLOROETHYL)-2-NAPHTHYLAMINE</u>
<u>298-02-2</u>	<u>PHORATE</u>		
<u>298-04-4</u>	<u>DISULFOTON</u>	<u>496-03-7</u>	<u>BUTYRALDOL</u>
<u>299-75-2</u>	<u>TREOSOLPHAN</u>	<u>502-39-6</u>	<u>METHYLMERCURIC DICYANDIAMIDE</u>
<u>299-84-3</u>	<u>RONNEL</u>	<u>503-17-3</u>	<u>2-BUTYNE</u>
<u>299-86-5</u>	<u>CRUFOMATE</u>	<u>504-20-1</u>	<u>PHORONE</u>
<u>300-62-9</u>	<u>AMPHETAMINE</u>	<u>504-24-5</u>	<u>PYRIDINE, 4-AMINO</u>
<u>300-76-5</u>	<u>NALED</u>	<u>504-29-0</u>	<u>2-AMINOPYRIDINE</u>
<u>301-04-2</u>	<u>LEAD ACETATE</u>	<u>504-60-9</u>	<u>1,3-PENTADIENE (Mixed cis and trans Isomers)</u>
<u>302-01-2</u>	<u>HYDRAZINE</u>		
<u>302-70-5</u>	<u>NITROGEN MUSTARD N-OXIDE HYDROCHLORIDE</u>	<u>505-60-2</u>	<u>MUSTARD GAS</u>
		<u>506-61-6</u>	<u>POTASSIUM SILVER CYANIDE</u>
<u>303-34-4</u>	<u>LASIOCARPINE</u>	<u>506-68-3</u>	<u>CYANOGEN BROMIDE</u>
<u>305-03-3</u>	<u>CHLORAMBUCIL</u>	<u>506-77-4</u>	<u>CYANOGEN CHLORIDE</u>
<u>309-00-2</u>	<u>ALDRIN</u>	<u>506-78-5</u>	<u>CYANOGEN IODIDE</u>
<u>314-40-9</u>	<u>BROMACIL</u>	<u>507-20-0</u>	<u>tert-BUTYL CHLORIDE</u>
<u>315-18-4</u>	<u>MEXACARBAMATE</u>	<u>507-70-0</u>	<u>BORNEOL</u>
<u>315-22-0</u>	<u>MONOCROTALINE</u>	<u>509-14-8</u>	<u>TETRANITROMETHANE</u>
<u>316-42-7</u>	<u>EMETINE, DIHYDROCHLORIDE</u>	<u>510-15-6</u>	<u>CHLOROBENZILATE</u>
<u>319-84-6</u>	<u>alpha-HEXACHLOROCCYCLOHEXANE</u>	<u>513-35-9</u>	<u>2-METHYL-2-BUTENE</u>
<u>319-85-7</u>	<u>beta-HEXACHLOROCCYCLOHEXANE</u>	<u>513-36-0</u>	<u>ISOBUTYL CHLORIDE</u>
<u>327-98-0</u>	<u>TRICHLORONATE</u>	<u>513-37-1</u>	<u>DIMETHYL VINYL CHLORIDE</u>
<u>330-54-1</u>	<u>DIURON</u>	<u>513-42-8</u>	<u>METHALLYL ALCOHOL</u>
<u>333-41-5</u>	<u>DIAZINON</u>	<u>513-53-1</u>	<u>2-BUTANETHIOL</u>
<u>334-88-3</u>	<u>DIAZOMETHANE</u>	<u>514-73-8</u>	<u>DITHIAZANINE IODIDE</u>
<u>353-36-6</u>	<u>ETHYL FLUORIDE</u>	<u>528-29-0</u>	<u>0-DINITROBENZENE</u>
<u>353-42-4</u>	<u>BORON TRIFLUORIDE COMPOUND WITH METHYL ETHER (1:1)</u>	<u>531-76-0</u>	<u>MERPHALAN</u>
		<u>531-82-8</u>	<u>N-(4-(5 NITRO-2-FURYL)2-THIAZOLYL) ACETAMIDE</u>
<u>353-50-4</u>	<u>CARBONYL FLUORIDE</u>		
<u>359-06-8</u>	<u>FLUOROACETYL CHLORIDE</u>	<u>532-27-4</u>	<u>alpha-CHLOROACETOPHENONE</u>
<u>366-70-1</u>	<u>PROCARBAZINE HYDROCHLORIDE</u>	<u>534-07-6</u>	<u>BIS(CHLOROMETHYL) KETONE</u>
<u>371-62-0</u>	<u>ETHYLENE FLUOROHYDRIN</u>	<u>534-22-5</u>	<u>2-METHYL FURAN</u>
<u>372-09-8</u>	<u>CYANOACETIC ACID</u>	<u>534-52-1</u>	<u>DINITRO-0-CRESOL</u>
<u>373-02-4</u>	<u>NICKEL ACETATE</u>	<u>535-89-7</u>	<u>CRIMIDINE</u>
<u>379-79-3</u>	<u>ERGOTAMINE TARTRATE</u>	<u>538-07-8</u>	<u>ETHYLBIS(2-CHLOROETHYL) AMINE</u>
<u>420-04-2</u>	<u>CYANAMIDE</u>	<u>538-93-2</u>	<u>ISOBUTYLBENZENE</u>
<u>431-03-8</u>	<u>2,3-BUTANEDIONE</u>	<u>540-54-5</u>	<u>PROPYL CHLORIDE</u>
<u>434-07-1</u>	<u>OXYMETHOLONE</u>	<u>540-59-0</u>	<u>ACETYLENE DICHLORIDE</u>
<u>443-48-1</u>	<u>METRONIDAZOLE</u>	<u>540-67-0</u>	<u>METHYL ETHYL ETHER</u>
<u>446-86-6</u>	<u>AZATHIOPRINE</u>	<u>540-73-8</u>	<u>1,2-DIMETHYLHYDRAZINE</u>
<u>460-19-5</u>	<u>CYANOGEN</u>	<u>540-84-1</u>	<u>ISOCTANE</u>
<u>462-06-6</u>	<u>FLUOROBENZENE</u>	<u>540-88-5</u>	<u>tert-BUTYL ACETATE</u>

541-25-3	<u>LEWISITE</u>	590-18-1	<u>2-BUTENE-cis</u>
541-41-3	<u>ETHYL CHLOROFORMATE</u>	590-21-6	<u>1-CHLOROPROPYLENE</u>
541-53-7	<u>DITHIOBIURET</u>	590-86-3	<u>ISOPENTALDEHYDE</u>
541-85-5	<u>ETHYL sec-AMYL KETONE</u>	590-88-5	<u>1,3-BUTANEDIAMINE</u>
542-18-7	<u>CYCLOHEXYL CHLORIDE</u>	590-96-5	<u>METHYL AZOXYMETHANOL</u>
542-55-2	<u>ISOBUTYL FORMATE</u>	591-21-9	<u>1,3-DIMETHYL CYCLOHEXANE</u>
542-58-5	<u>2-CHLOROETHYL ACETATE</u>	591-47-9	<u>4-METHYCYCLOHEXENE</u>
542-75-6	<u>1,3-DICHLOROPROPENE</u>	591-76-4	<u>ISOHEPTANE</u>
542-76-7	<u>PROPIONITRITE, 3-CHLORO-</u>	591-78-6	<u>METHYL BUTYL KETONE</u>
542-88-1	<u>BIS(CHLOROMETHYL)ETHER</u>	591-87-7	<u>ALLYL ACETATE</u>
542-90-5	<u>ETHYLTHIOCYANATE</u>	591-97-9	<u>1-CROTYL CHLORIDE</u>
542-92-7	<u>1,3-CYCLOPENTADIENE</u>	592-01-8	<u>CALCIUM CYANIDE</u>
543-59-9	<u>1-CHLOROPENTANE</u>	592-04-1	<u>MERCURIC CYANIDE</u>
544-10-5	<u>1-CHLOROHEXANE</u>	592-41-6	<u>1-HEXENE</u>
552-30-7	<u>TRIMELLITIC ANHYDRIDE</u>	592-43-8	<u>2-HEXENE (Mixed cis & trans Isomers)</u>
554-12-1	<u>METHYL PROPIONATE</u>	592-45-0	<u>1,4-HEXADIENE</u>
555-77-1	<u>TRIS(2-CHLOROETHYL)AMINE</u>	592-62-1	<u>METHYL AZOXYMETHANOL ACETATE</u>
555-84-0	<u>1-(5-NITROFURFURYLIDENE)AMINO)-2- IMIDAZOLIDINONE</u>	592-84-7	<u>BUTYL FORMATE</u>
556-52-5	<u>GLYCIDOL</u>	592-87-0	<u>LEAD THIOCYANATE</u>
556-61-6	<u>METHYL ISOTHIOCYANATE</u>	593-60-2	<u>VINYL BROMIDE</u>
556-64-9	<u>METHYL THIOCYANATE</u>	594-27-4	<u>TETRAMETHYL TIN</u>
557-17-5	<u>METHYL-N-PROPYL ETHER</u>	594-36-5	<u>tert-AMYL CHLORIDE</u>
557-20-0	<u>DIETHYL ZINC</u>	594-42-3	<u>PERCHLOROMETHYL MERCAPTAN</u>
557-40-4	<u>ALLYL ETHER</u>	594-56-9	<u>2,3,3-TRIMETHYL-1-BUTENE</u>
557-98-2	<u>2-CHLOROPROPYLENE</u>	594-71-8	<u>2-CHLORO-2-NITROPROPANE</u>
558-13-4	<u>CARBON TETRABROMIDE</u>	594-72-9	<u>1,1-DICHLORO-1-NITROETHANE</u>
558-25-8	<u>METHANESULFONYL FLUORIDE</u>	595-44-8	<u>1,1-DICHLORO-1-NITROPROPANE</u>
560-21-4	<u>2,3,3-TRIMETHYLPENTANE</u>	595-90-4	<u>TETRAPHENYLTIN</u>
563-12-2	<u>ETHION</u>	597-64-8	<u>TETRAETHYLTIN</u>
563-41-7	<u>SEMICARBAZIDE HYDROCHLORIDE</u>	598-75-4	<u>3-METHYL-2-BUTANOL</u>
563-43-9	<u>ETHYLALUMINUM DICHLORIDE</u>	598-92-5	<u>1-CHLORO-1-NITROETHANE</u>
563-45-1	<u>3-METHYL-1-BUTENE</u>	598-96-9	<u>3,4,4-TRIMETHYL-2-PENTENE</u>
563-46-2	<u>2-METHYL-1-BUTENE (TECHNICAL)</u>	600-25-9	<u>1-CHLORO-1-NITROPROPANE</u>
563-47-3	<u>METHALLYL CHLORIDE</u>	602-87-9	<u>NITROACENAPHTHENE</u>
563-78-0	<u>2,3-DIMETHYL-1-BUTENE</u>	603-34-9	<u>TRIPHENYL AMINE</u>
563-79-1	<u>2,3-DIMETHYL-2-BUTENE</u>	608-73-1	<u>BENZEN HEXACHLORIDE (BHC)</u>
563-80-4	<u>METHYL ISOPROPYL KETONE</u>	609-26-7	<u>2-METHYL-3-ETHYLPENTANE</u>
564-02-3	<u>2,2,3-TRIMETHYLPENTANE</u>	613-29-6	<u>N,N-DIBUTYLANILINE</u>
565-59-3	<u>2,3-DIMETHYLPENTANE</u>	613-35-4	<u>N,N'-DIACETYL BENZIDINE</u>
565-76-4	<u>2,3,4-TRIMETHYL-1-PENTENE</u>	614-45-9	<u>tert-BUTYL PERBENZOATE</u>
569-61-9	<u>CI BASIC RED 9 MONOHYDROCHLORIDE</u>	614-78-8	<u>THIOUREA, (2-METHYL-PHENYL)-</u>
583-60-8	<u>O-METHYLCYCLOHEXANONE</u>	615-53-2	<u>N-NITROSO-N-METHYLURETHANE</u>
584-84-9	<u>TOLUENE-2,4-DIISOCYANATE (TDI)</u>	616-21-7	<u>1,2-DICHLOROBUTANE</u>
584-94-1	<u>2,3-DIMETHYLHEXANE</u>	616-29-5	<u>1,3-DIAMINO-2-PROPANOL</u>
589-34-4	<u>3-METHYLHEXANE</u>	616-38-6	<u>METHYL CARBONATE</u>
589-38-8	<u>3-HEXANONE</u>	616-45-5	<u>2-PYRROLIDINONE</u>
589-43-5	<u>2,4-DIMETHYLHEXANE</u>	617-51-6	<u>ISOPROPYL LACTATE</u>
589-90-2	<u>1,4-DIMETHYLCYCLOHEXANE</u>	617-89-0	<u>FURFURYLAMINE</u>
590-01-2	<u>BUTYL PROPIONATE</u>	621-64-7	<u>N-NITROSODI-N-PROPYLAMINE</u>
		621-77-2	<u>TRIPENTYLAMINE</u>

<u>622-08-2</u>	<u>ETHYLENE GLYCOL MONOBENZYL ETHER</u>	<u>688-74-4</u>	<u>TRI-N-BUTYL BORATE</u>
<u>622-40-2</u>	<u>4-(2-HYDROXYETHYL) MORPHOLINE</u>	<u>689-97-4</u>	<u>VINYL ACETYLENE</u>
<u>623-42-7</u>	<u>METHYL BUTYRATE</u>	<u>691-37-2</u>	<u>4-METHYL-1-PENTENE</u>
<u>623-70-1</u>	<u>ETHYL CROTONATE</u>	<u>696-28-6</u>	<u>PHENYL DICHLOROARSINE</u>
<u>624-29-3</u>	<u>1,4-DIMETHYLCYCLOHEXANE-cis</u>	<u>702-03-4</u>	<u>N-(2-CYANOETHYL)CYCLOHEXYLAMINE</u>
<u>624-64-6</u>	<u>2-BUTENE-(E)</u>	<u>712-68-5</u>	<u>2-AMINO-5(5-NITRO-2-FURYL)-1,3,4-THIADIAZOLE</u>
<u>624-83-9</u>	<u>METHYL ISOCYANATE</u>	<u>732-11-6</u>	<u>PHOSMET</u>
<u>625-27-4</u>	<u>2-METHYL-2-PENTENE</u>	<u>759-73-9</u>	<u>N-NITROSO-N-ETHYLUREA</u>
<u>625-30-9</u>	<u>sec-AMYLAMINE</u>	<u>760-21-4</u>	<u>2-ETHYL-1-BUTENE</u>
<u>625-55-8</u>	<u>ISOPROPYL FORMATE</u>	<u>760-93-0</u>	<u>METHACRYLIC ANHYDRIDE</u>
<u>625-58-1</u>	<u>ETHYL NITRATE</u>	<u>763-29-1</u>	<u>2-METHYL-1-PENTENE</u>
<u>625-86-5</u>	<u>2,5-DIMETHYLFURAN</u>	<u>764-35-2</u>	<u>METHYL PROPYL ACETYLENE</u>
<u>626-17-5</u>	<u>M-PHTHALODINITRILE</u>	<u>765-34-4</u>	<u>GLYCIDALDEHYDE</u>
<u>626-23-3</u>	<u>DI-sec-BUTYLAMINE</u>	<u>772-54-3</u>	<u>N-BENZYLDIETHYLAMINE</u>
<u>626-38-0</u>	<u>sec-AMYL ACETATE</u>	<u>777-37-7</u>	<u>2-CHLORO-5-NITROBENZOTRIFLUORIDE</u>
<u>627-11-2</u>	<u>CHLOROETHYL CHLOROFORMATE</u>	<u>786-19-6</u>	<u>CARBOPHENOTHION</u>
<u>627-13-4</u>	<u>N-PROPYL NITRATE</u>	<u>794-93-4</u>	<u>PANFURAN S</u>
<u>627-19-0</u>	<u>1-PENTYNE</u>	<u>814-49-3</u>	<u>DIETHYL CHLOROPHOSPHATE</u>
<u>627-20-3</u>	<u>beta-AMYLENE-cis</u>	<u>814-68-6</u>	<u>ACRYLYL CHLORIDE</u>
<u>627-53-2</u>	<u>DIETHYL SELENIDE</u>	<u>814-78-8</u>	<u>METHYL ISOPROPENYL KETONE</u>
<u>628-32-0</u>	<u>ETHYL PROPYL ETHER</u>	<u>818-61-1</u>	<u>ETHYLENE GLYCOL MONOACRYLATE</u>
<u>628-37-5</u>	<u>DIETHYL PEROXIDE</u>	<u>821-08-9</u>	<u>DIVINYL ACETYLENE</u>
<u>628-63-7</u>	<u>N-AMYL ACETATE</u>	<u>822-06-0</u>	<u>HEXAMETHYLENE DIISOCYANATE (HDI)</u>
<u>628-76-2</u>	<u>1,5-DICHLOROPENTANE</u>	<u>824-11-3</u>	<u>TRIMETHYLOLPROPANE PHOSPHITE</u>
<u>628-81-9</u>	<u>ETHYL BUTYL ETHER</u>	<u>827-52-1</u>	<u>CYCLOHEXYLBENZENE</u>
<u>628-96-6</u>	<u>ETHYLENE GLYCOL DINITRATE</u>	<u>838-88-0</u>	<u>4,4'-METHYLENE BIS(2-METHYLANILINE)</u>
<u>629-14-1</u>	<u>ETHYLENE GLYCOL DIETHYL ETHER</u>	<u>869-29-4</u>	<u>ALLYLIDENE DIACETATE</u>
<u>630-08-0</u>	<u>CARBON MONOXIDE</u>	<u>871-27-2</u>	<u>DIETHYLALUMINUM HYDRIDE</u>
<u>630-60-4</u>	<u>QUABAIN</u>	<u>872-10-6</u>	<u>DIAMYL SULFIDE</u>
<u>636-21-5</u>	<u>ortho-TOLUIDINE HYDROCHLORIDE</u>	<u>872-50-4</u>	<u>1-METHYL-2-PYRROLIDONE</u>
<u>638-17-5</u>	<u>THIALDINE</u>	<u>900-95-8</u>	<u>STANNANE, ACETOXYTRIPHENYL-</u>
<u>638-21-1</u>	<u>PHENYLPHOSPHINE</u>	<u>919-86-8</u>	<u>DEMETON-S-METHYL</u>
<u>638-49-3</u>	<u>AMYL FORMATE</u>	<u>920-46-7</u>	<u>METHACRYLOYL CHLORIDE</u>
<u>638-56-2</u>	<u>BIS (2-(2-CHLOROETHOXY)ETHYL) ETHER</u>	<u>924-16-3</u>	<u>N-NITROSODI-N-BUTYLAMINE</u>
<u>639-58-7</u>	<u>TRIPHENYL TIN CHLORIDE</u>	<u>926-56-7</u>	<u>4-METHYL-1,3-PENTADIENE</u>
<u>640-19-7</u>	<u>FLUOROACETAMIDE</u>	<u>926-57-8</u>	<u>1,3-DICHLOROBUTENE-2</u>
<u>643-28-7</u>	<u>N-ISOPROPYLANILINE</u>	<u>926-65-8</u>	<u>VINYL ISOPROPYL ETHER</u>
<u>643-58-3</u>	<u>2-METHYLBIPHENYL</u>	<u>927-07-1</u>	<u>tert-BUTYL PEROXYPIVALATE</u>
<u>644-64-4</u>	<u>DIMETILAN</u>	<u>927-80-0</u>	<u>ETHOXYACETYLENE</u>
<u>645-62-5</u>	<u>2-ETHYL-3-PROPYLACROLEIN</u>	<u>928-45-0</u>	<u>BUTYL NITRATE</u>
<u>646-04-8</u>	<u>2-PENTANE(E)</u>	<u>928-55-2</u>	<u>PROPENYL ETHYL ETHER</u>
<u>671-16-9</u>	<u>PROCARBAZINE</u>	<u>930-22-3</u>	<u>BUTADIENE MONOXIDE</u>
<u>674-82-8</u>	<u>DIKETEN</u>	<u>930-55-2</u>	<u>N-NITROSOPYRROLIDINE</u>
<u>675-14-9</u>	<u>CYANURIC FLUORIDE</u>	<u>944-22-9</u>	<u>FONOFOS</u>
<u>676-97-1</u>	<u>METHYL PHOSPHONIC DICHLORIDE</u>	<u>947-02-4</u>	<u>PHOSFOLAN</u>
<u>680-31-9</u>	<u>HEXAMETHYL PHOSPHORAMIDE</u>	<u>950-10-7</u>	<u>MEPHOSFOLAN</u>
<u>681-84-5</u>	<u>METHYL SILICATE</u>	<u>950-37-8</u>	<u>METHIDATHION</u>
<u>684-16-2</u>	<u>HEXAFLUOROACETONE</u>	<u>991-42-4</u>	<u>NORBORMIDE</u>
<u>684-93-5</u>	<u>N-NITROSO-N-METHYLUREA</u>	<u>998-30-1</u>	<u>TRIETHOXSILANE</u>

<u>999-61-1</u>	<u>2-HYDROXYPROPYL ACRYLATE</u>	<u>1314-62-1</u>	<u>VANADIUM PENTOXIDE, DUST AND FUME</u>
<u>999-81-5</u>	<u>CHLORMEQUAT CHLORIDE</u>	<u>1314-80-3</u>	<u>PHOSPHORUS PENTASULFIDE</u>
<u>1002-16-0</u>	<u>AMYL NITRATE</u>	<u>1314-84-7</u>	<u>ZINC PHOSPHIDE</u>
<u>1031-47-6</u>	<u>TRIAMPHOS</u>	<u>1314-85-8</u>	<u>PHOSPHORUS SESQUISULFIDE</u>
<u>1066-30-4</u>	<u>CHROMIUM ACETATE</u>	<u>1315-04-4</u>	<u>ANTIMONY PENTASULFIDE</u>
<u>1066-45-1</u>	<u>TRIMETHYLTIN CHLORIDE</u>	<u>1317-35-7</u>	<u>MANGANESE OXIDE</u>
<u>1067-20-5</u>	<u>3,3-DIETHYLPENTANE</u>	<u>1317-95-9</u>	<u>TRIPOLI DUST</u>
<u>1068-87-7</u>	<u>2,4-DIMETHYL-3-ETHYL PENTANE</u>	<u>1319-77-3</u>	<u>CRESOL</u>
<u>1103-86-9</u>	<u>ZINC POTASSIUM CHROMATE</u>	<u>1320-01-0</u>	<u>AMYL TOLUENE</u>
<u>1116-54-7</u>	<u>N-NITROSODIETHANOLAMINE</u>	<u>1320-21-4</u>	<u>PENTYL XYLYL ETHER</u>
<u>1116-70-7</u>	<u>TRIBUTYLALUMINUM</u>	<u>1321-60-4</u>	<u>TRIMETHYLCYCLOHEXANOL</u>
<u>1118-58-7</u>	<u>2-METHYL-1,3-PENTADIENE</u>	<u>1321-64-8</u>	<u>PENTACHLORONAPHTHALENE</u>
<u>1119-49-9</u>	<u>N-BUTYL ACETAMIDE</u>	<u>1321-65-9</u>	<u>TRICHLORONAPHTHALENE</u>
<u>1120-23-6</u>	<u>2, beta-BUTOXYETHOXYETHYL CHLORIDE</u>	<u>1327-53-3</u>	<u>ARSENOUS OXIDE</u>
<u>1120-71-4</u>	<u>1,3-PROPANE SULTONE</u>	<u>1330-20-7</u>	<u>XYLENE</u>
<u>1122-60-7</u>	<u>NITROCYCLOHEXANE</u>	<u>1330-43-4</u>	<u>BORATE, TETRA-ANHYDROUS</u>
<u>1124-33-0</u>	<u>PYRIDINE, 4-NITRO-, 1-OXIDE</u>	<u>1331-11-9</u>	<u>3-ETHOXYPROPIONIC ACID</u>
<u>1126-78-9</u>	<u>N-BUTYLANILINE</u>	<u>1331-28-8</u>	<u>CHLOROSTYRENE</u>
<u>1129-41-5</u>	<u>METOLCARB</u>	<u>1331-43-7</u>	<u>DIETHYLCYCLOHEXANE</u>
<u>1186-53-4</u>	<u>2,2,3,4-TETRAMETHYL PENTANE</u>	<u>1332-21-4</u>	<u>ASBESTOS DUST</u>
<u>1189-85-1</u>	<u>tert-BUTYL CHROMATE</u>	<u>1333-13-7</u>	<u>tert-BUTYL-M-CRESOL</u>
<u>1191-15-7</u>	<u>DIISOBUTYLALUMINUM HYDRIDE</u>	<u>1333-74-0</u>	<u>HYDROGEN</u>
<u>1195-42-2</u>	<u>ISOPROPYL CYCLOHEXYLAMINE</u>	<u>1333-82-0</u>	<u>CHROMIUM(VI) OXIDE (1:3)</u>
<u>1271-28-9</u>	<u>NICKELOCENE</u>	<u>1335-32-6</u>	<u>LEAD SUBACETATE</u>
<u>1300-73-8</u>	<u>XYLIDENE</u>	<u>1335-87-1</u>	<u>HEXACHLORONAPHTHALENE</u>
<u>1302-52-9</u>	<u>BERYL ORE</u>	<u>1335-88-2</u>	<u>TETRACHLORONAPHTHALENE</u>
<u>1303-28-2</u>	<u>ARSENIC PENTOXIDE</u>	<u>1336-36-3</u>	<u>POLYCHLORINATED BIPHENYLS</u>
<u>1303-33-9</u>	<u>ARSENIC TRISULFIDE</u>	<u>1338-23-4</u>	<u>METHYL ETHYL KETONE PEROXIDE</u>
<u>1303-86-2</u>	<u>BORON OXIDE</u>	<u>1341-24-8</u>	<u>CHLOROACETOPHENONE</u>
<u>1303-96-4</u>	<u>BORATE, TETRADECAHYDRATE</u>	<u>1344-95-2</u>	<u>CALCIUM SILICATE</u>
<u>1304-29-6</u>	<u>BARIUM PEROXIDE</u>	<u>1397-94-0</u>	<u>ANTIMYCIN A</u>
<u>1304-56-9</u>	<u>BERYLLIUM OXIDE</u>	<u>1420-04-8</u>	<u>CLONITRALID</u>
<u>1304-82-1</u>	<u>BISMUTH TELLURIDE</u>	<u>1420-07-1</u>	<u>DINOTERB</u>
<u>1305-62-0</u>	<u>CALCIUM HYDROXIDE</u>	<u>1464-53-5</u>	<u>DIEPOXYBUTANE</u>
<u>1305-78-8</u>	<u>CALCIUM OXIDE</u>	<u>1467-79-4</u>	<u>DIMETHYCYANAMIDE</u>
<u>1306-19-0</u>	<u>CADMIUM OXIDE</u>	<u>1477-55-0</u>	<u>M-XYLENE-ALPHA,ALPHA'-DIAMINE</u>
<u>1306-23-6</u>	<u>CADMIUM SULPHIDE</u>	<u>1552-12-1</u>	<u>1,5-CYCLOOCTADIENE</u>
<u>1308-38-9</u>	<u>CHROMIC OXIDE</u>	<u>1558-25-4</u>	<u>TRICHLORO(CHLOROMETHYL)SILANE</u>
<u>1309-37-1</u>	<u>IRON OXIDE FUME</u>	<u>1563-66-2</u>	<u>CARBOFURAN</u>
<u>1309-48-4</u>	<u>MAGNESIUM OXIDE FUME</u>	<u>1600-27-7</u>	<u>MERCURIC ACETATE</u>
<u>1309-64-4</u>	<u>ANTIMONY TRIOXIDE</u>	<u>1609-19-4</u>	<u>CHLORODIETHYLSILANE</u>
<u>1310-58-3</u>	<u>POTASSIUM HYDROXIDE</u>	<u>1615-80-1</u>	<u>1,2-DIETHYLHYDRAZINE</u>
<u>1310-73-2</u>	<u>SODIUM HYDROXIDE</u>	<u>1622-32-8</u>	<u>ETHANESULFONYL CHLORIDE, 2-CHLORO-</u>
<u>1312-73-8</u>	<u>POTASSIUM SULFIDE</u>	<u>1640-89-7</u>	<u>ETHYL CYCLOPENTANE</u>
<u>1313-60-6</u>	<u>SODIUM PEROXIDE</u>	<u>1642-54-2</u>	<u>DIETHYLCARBAMAZINE CITRATE</u>
<u>1313-99-1</u>	<u>NICKEL OXIDE</u>	<u>1653-19-6</u>	<u>2,3-DICHLOROBUTADIENE-1,3</u>
<u>1314-13-2</u>	<u>ZINC OXIDE FUME</u>	<u>1663-35-0</u>	<u>VINYL-2-METHOXYETHYL ETHER</u>
<u>1314-18-7</u>	<u>STRONTIUM PEROXIDE</u>	<u>1678-91-7</u>	<u>ETHYL CYCLOHEXANE</u>
<u>1314-20-1</u>	<u>THORIUM DIOXIDE</u>		

<u>1694-09-3</u>	<u>BENZYL VIOLET 3B</u>	<u>2540-82-1</u>	<u>FORMOTHION</u>
<u>1696-20-4</u>	<u>4-ACETYL MORPHOLINE</u>	<u>2551-62-4</u>	<u>SULFUR HEXAFLUORIDE</u>
<u>1746-01-6</u>	<u>2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN</u>	<u>2570-26-5</u>	<u>PENTADECYLAMINE</u>
<u>1752-30-3</u>	<u>ACETONE THIOSEMICARBAZIDE</u>	<u>2587-90-8</u>	<u>PHOSPHOROTHIOIC ACID, 0,0-DIMETHYL-S-(2-METHYLTHIO)ETHYL ESTER</u>
<u>1789-58-8</u>	<u>ETHYL DICHLOROSILANE</u>	<u>2602-46-2</u>	<u>DIRECT BLUE 6</u>
<u>1809-19-4</u>	<u>DIBUTYL PHOSPHITE</u>	<u>2631-37-0</u>	<u>PROMECARB</u>
<u>1836-75-5</u>	<u>NITROFEN</u>	<u>2636-26-2</u>	<u>CYANOPHOS</u>
<u>1910-42-5</u>	<u>PARAQUAT DICHLORIDE</u>	<u>2642-71-9</u>	<u>AZINPHOS-ETHYL</u>
<u>1912-24-9</u>	<u>ATRAZINE</u>	<u>2646-17-5</u>	<u>1-(o-TOLYL AZO)-2-NAPHTHOL</u>
<u>1918-02-1</u>	<u>PICLORAM</u>	<u>2665-30-7</u>	<u>PHOSPHONOTHIOIC ACID, METHYL-,O-(NITROPHENYL)O-PHENYL ESTER</u>
<u>1929-82-4</u>	<u>NITRAPYRIN</u>	<u>2698-41-1</u>	<u>O-CHLOROBENZYLIDENE MALONONITRILE (OCBM)</u>
<u>1937-37-7</u>	<u>DIRECT BLACK 38</u>	<u>2699-79-8</u>	<u>SULFURYL FLUORIDE</u>
<u>1982-47-4</u>	<u>CHLOROXURON</u>	<u>2703-13-1</u>	<u>PHOSPHONOTHIOIC ACID, ETHYL-,O-ETHYL-O(4-(METHYLTHIO) PHENYL)ESTER</u>
<u>2001-95-8</u>	<u>VALINOMYCIN</u>	<u>2757-18-8</u>	<u>THALLOUS MALONATE</u>
<u>2016-57-1</u>	<u>DECYLAMINE</u>	<u>2763-96-4</u>	<u>MUSCIMOL</u>
<u>2032-65-7</u>	<u>METHIOCARB</u>	<u>2778-04-3</u>	<u>ENDOTHION</u>
<u>2036-15-9</u>	<u>DIPROPYLALUMINUM HYDRIDE</u>	<u>2782-57-2</u>	<u>DICHLORO-S-TRIAZINETRIONE</u>
<u>2038-03-1</u>	<u>4-(2-AMINOETHYL)-MORPHOLINE</u>	<u>2806-85-1</u>	<u>3-ETHOXYPROPIONALDEHYDE</u>
<u>2049-92-5</u>	<u>P-tert-AMYLANILINE</u>	<u>2842-38-8</u>	<u>N-(2-HYDROXYETHYL) CYCLOHEXYLAMINE</u>
<u>2050-92-6</u>	<u>DIAMYLAMINE</u>	<u>2867-47-2</u>	<u>2-(DIMETHYLAMINO) ETHYL METHACRYLATE</u>
<u>2074-50-2</u>	<u>PARAQUAT METHOSULFATE</u>	<u>2893-78-9</u>	<u>SODIUM DICHLORO ISOCYANURATE</u>
<u>2084-18-6</u>	<u>3-METHYL-2-BUTANETHIOL</u>	<u>2921-88-2</u>	<u>CHLORPYRIFOS</u>
<u>2097-19-0</u>	<u>PHENYLSILATRANE</u>	<u>2935-44-6</u>	<u>2,5-HEXANEDIOL</u>
<u>2100-42-7</u>	<u>2,5-DIMETHOXYCHLOROBENZENE</u>	<u>2937-50-0</u>	<u>ALLYL CHLOROCARBONATE</u>
<u>2104-64-5</u>	<u>EPN</u>	<u>2971-90-6</u>	<u>CLOPIDOL</u>
<u>2109-64-0</u>	<u>DIBUTYLISOPROPANOLAMINE</u>	<u>3037-72-7</u>	<u>SILANE,(4-AMINO BUTYL) DIETHOXYMETHYL-</u>
<u>2156-96-9</u>	<u>DECYL ACRYLATE</u>	<u>3068-88-0</u>	<u>BETABUTYROLACTONE</u>
<u>2160-93-2</u>	<u>tert-BUTYLDIETHANOLAMINE</u>	<u>3074-75-7</u>	<u>2-METHYL-4-ETHYLHEXANE</u>
<u>2179-59-1</u>	<u>ALLYL PROPYL DISULFIDE</u>	<u>3074-77-9</u>	<u>3-METHYL-4-ETHYLHEXANE</u>
<u>2207-04-7</u>	<u>1,4-DIMETHYLCYCLOHEXANE-TRANS</u>	<u>3081-14-9</u>	<u>N,N'-BIS-(1,4-DIMETHYL-PENTYL)-P- HENYLENEDIAMINE</u>
<u>2216-33-3</u>	<u>3-METHYLOCTANE</u>	<u>3221-61-2</u>	<u>2-METHYLOCTANE</u>
<u>2216-34-4</u>	<u>4-METHYLOCTANE</u>	<u>3251-23-8</u>	<u>CUPRIC NITRATE</u>
<u>2223-93-0</u>	<u>CADMIUM STEARATE</u>	<u>3254-63-5</u>	<u>PHOSPHORIC ACID, DIMETHYL 4-(METHYLTHIO) PHENYL ESTER</u>
<u>2231-57-4</u>	<u>THIOCARBAZIDE</u>	<u>3312-60-5</u>	<u>N-(3-AMINOPROPYL) CYCLOHEXYLAMINE</u>
<u>2234-13-1</u>	<u>OCTACHLORONAPHTHALENE</u>	<u>3333-52-6</u>	<u>TETRAMETHYL SUCCINONITRILE</u>
<u>2238-07-5</u>	<u>DIGLYCIDYL ETHER</u>	<u>3333-67-3</u>	<u>NICKEL CARBONATE</u>
<u>2244-21-4</u>	<u>POTASSIUM DICHLORO-S- TRIAZINETRIONE</u>	<u>3383-96-8</u>	<u>TEMEPHOS</u>
<u>2275-18-5</u>	<u>PROTHOATE</u>	<u>3452-97-9</u>	<u>3,5,5-TRIMETHYLHEXANOL</u>
<u>2303-16-4</u>	<u>DIALATE</u>		
<u>2385-85-8</u>	<u>MIREX</u>		
<u>2425-06-1</u>	<u>CAPTAFOL</u>		
<u>2426-08-6</u>	<u>N-BUTYL GLYCIDYL ETHER (BGE)</u>		
<u>2426-54-2</u>	<u>2-(DIETHYLAMINO) ETHYL ACRYLATE</u>		
<u>2449-49-2</u>	<u>alpha-METHYLBENZYL DIMETHYLAMINE</u>		
<u>2454-37-7</u>	<u>(M-AMINOPHENYL) METHYL CARBINOL</u>		
<u>2497-07-6</u>	<u>OXYDISULFOTON</u>		
<u>2524-03-0</u>	<u>DIMETHYL PHOSPHOROCHLORIDOTHIOATE</u>		
<u>2528-36-1</u>	<u>DIBUTYL PHENYL PHOSPHATE</u>		

<u>3522-94-9</u>	<u>2,2,5-TRIMETHYLHEXANE</u>	<u>5836-29-3</u>	<u>COUMATETRALYL</u>
<u>3564-09-8</u>	<u>PONCEAU 3R</u>	<u>5894-60-0</u>	<u>HEXADECYLTRICHLOROSILANE</u>
<u>3569-57-1</u>	<u>SULFOXIDE, 3-CHLOROPROPYL OCTYL</u>	<u>6032-29-7</u>	<u>2-PENTANOLE</u>
<u>3570-75-0</u>	<u>2-(2-FORMYLHYDRAZINO)-4-(5-NITRO-2-FURYL)THIAZOLE</u>	<u>6117-91-5</u>	<u>CROTONYL ALCOHOL</u>
<u>3615-21-2</u>	<u>BENZIMIDAZOLE,4,5-DICHLORO-2-TRIFLUOROMETHYL)-</u>	<u>6358-53-8</u>	<u>CITRUS RED NO. 2</u>
<u>3689-24-5</u>	<u>SULFOTEPP</u>	<u>6423-43-4</u>	<u>PROPYLENE GLYCOL DINITRATE</u>
<u>3691-35-8</u>	<u>CHLOROPHACINONE</u>	<u>6484-52-2</u>	<u>AMMONIUM NITRATE</u>
<u>3697-24-3</u>	<u>5-METHYLCHRYSENE</u>	<u>6533-73-9</u>	<u>THALLOUS CARBONATE</u>
<u>3724-65-0</u>	<u>CROTONIC ACID</u>	<u>6607-45-0</u>	<u>alpha.beta-DICHLOROSTYRENE</u>
<u>3734-97-2</u>	<u>AMITON OXALATE</u>	<u>6806-86-6</u>	<u>CHLOROMETHYL</u>
<u>3761-53-3</u>	<u>PONCEAU MX</u>	<u>6923-22-4</u>	<u>MONOCROTOPHOS</u>
<u>3771-19-5</u>	<u>NAFENOPIN</u>	<u>7154-79-2</u>	<u>2,2,3,3-TETRAMETHYL PENTANE</u>
<u>3775-90-4</u>	<u>tert-BUTYLAMINOETHYL METHACRYLATE</u>	<u>7415-31-8</u>	<u>1,3-DICHLORO-2-BUTENE</u>
<u>3811-04-9</u>	<u>POTASSIUM CHLORATE</u>	<u>7429-90-5</u>	<u>ALUMINUM, METAL AND OXIDE AND WELDING FUMES</u>
<u>3825-26-1</u>	<u>AMMONIUM PERFLUORO-OCTANOATE</u>	<u>7439-92-1</u>	<u>LEAD, INORGANIC, DUST AND FUMES</u>
<u>3878-19-1</u>	<u>FUBERIDAZOLE</u>	<u>7439-93-2</u>	<u>LITHIUM</u>
<u>3917-15-5</u>	<u>VINYL ALLYL ETHER</u>	<u>7439-95-4</u>	<u>MAGNESIUM</u>
<u>3953-10-4</u>	<u>2-ETHYLBUTYL ACRYLATE</u>	<u>7439-96-5</u>	<u>MANGANESE</u>
<u>4016-14-2</u>	<u>ISOPROPYL GLYCIDYL ETHER (IGE)</u>	<u>7439-97-6</u>	<u>MERCURY</u>
<u>4032-86-4</u>	<u>3,3-DIMETHYLHEPTANE</u>	<u>7439-98-7</u>	<u>MOLYBDENUM</u>
<u>4044-65-9</u>	<u>BITOSCANATE</u>	<u>7440-01-9</u>	<u>NEON</u>
<u>4098-71-9</u>	<u>ISOPHORONE DIISOCYANATE</u>	<u>7440-02-0</u>	<u>NICKEL</u>
<u>4104-14-7</u>	<u>PHOSACETIM</u>	<u>7440-06-4</u>	<u>PLATINUM</u>
<u>4170-30-3</u>	<u>CROTONALDEHYDE</u>	<u>7440-09-7</u>	<u>POTASSIUM</u>
<u>4301-50-2</u>	<u>FLUENETIL</u>	<u>7440-16-6</u>	<u>RHODIUM, METAL FUME AND DUSTS</u>
<u>4342-03-4</u>	<u>DACARBAZINE</u>	<u>7440-22-4</u>	<u>SILVER</u>
<u>4418-66-0</u>	<u>PHENOL,2,2'THIOBIS(4-CHLORO-6-METHYL)-</u>	<u>7440-23-5</u>	<u>SODIUM</u>
<u>4439-24-1</u>	<u>ETHYLENE GLYCOL MONOISOBUTYL ETHER</u>	<u>7440-25-7</u>	<u>TANTALUM</u>
<u>4461-41-0</u>	<u>2-CHLOROBUTENE-2</u>	<u>7440-28-0</u>	<u>THALLIUM</u>
<u>4461-48-7</u>	<u>4-METHYL-2-PENTENE</u>	<u>7440-31-5</u>	<u>TIN</u>
<u>4549-40-0</u>	<u>N-NITROSOMETHYLVINYLAMINE</u>	<u>7440-33-7</u>	<u>TUNGSTEN</u>
<u>4784-77-4</u>	<u>1-CROTYL BROMIDE</u>	<u>7440-36-0</u>	<u>ANTIMONY</u>
<u>4806-61-5</u>	<u>ETHYL CYCLOBUTANE</u>	<u>7440-37-1</u>	<u>ARGON</u>
<u>4835-11-4</u>	<u>HEXAMETHYLENEDIAMINE,N,N'DIBUTYL-</u>	<u>7440-38-2</u>	<u>ARSENIC</u>
<u>5124-30-1</u>	<u>METHYLENE BIS(4-CYCLOHEXYLISOCYANATE)</u>	<u>7440-39-3</u>	<u>BARIUM</u>
<u>5309-52-4</u>	<u>2-ETHYL-3-PROPYLACRYLIC ACID</u>	<u>7440-41-7</u>	<u>BERYLLIUM</u>
<u>5332-73-0</u>	<u>3-METHOXYPROPYLAMINE</u>	<u>7440-43-9</u>	<u>CADMIUM</u>
<u>5344-82-1</u>	<u>THIOUREA, (2-CHLOROPHENYL)</u>	<u>7440-47-3</u>	<u>CHROMIUM</u>
<u>5408-74-2</u>	<u>2-VINYL-5-ETHYLPYRIDINE</u>	<u>7440-48-4</u>	<u>COBALT METAL, DUST, AND FUME</u>
<u>5419-55-6</u>	<u>TRIISOPROPYL BORATE</u>	<u>7440-50-8</u>	<u>COPPER FUME, DUST, AND MIST</u>
<u>5432-61-1</u>	<u>N-2-(ETHYLHEXYL)-CYCLOHEXYLAMINE</u>	<u>7440-58-6</u>	<u>HAFNIUM</u>
<u>5459-93-8</u>	<u>N-ETHYLCYCLOHEXYLAMINE</u>	<u>7440-59-7</u>	<u>HELIUM</u>
<u>5714-22-7</u>	<u>SULFUR PENTAFLUORIDE</u>	<u>7440-61-1</u>	<u>URANIUM (NATURAL)</u>
		<u>7440-65-5</u>	<u>YTTRIUM</u>
		<u>7440-66-6</u>	<u>ZINC</u>
		<u>7440-67-7</u>	<u>ZIRCONIUM</u>
		<u>7440-70-2</u>	<u>CALCIUM</u>
		<u>7440-74-6</u>	<u>INDIUM</u>
		<u>7446-09-5</u>	<u>SULFUR DIOXIDE</u>

<u>7446-27-7</u>	<u>LEAD PHOSPHATE</u>	<u>7775-11-3</u>	<u>SODIUM CHROMATE</u>
<u>7446-34-6</u>	<u>SELENIUM SULFIDE</u>	<u>7775-14-6</u>	<u>SODIUM HYDROSULFITE</u>
<u>7446-70-0</u>	<u>ALUMINUM CHLORIDE</u>	<u>7778-43-0</u>	<u>ARSENIC ACID, DISODIUM SALT</u>
<u>7487-94-7</u>	<u>MECURIC CHLORIDE</u>	<u>7778-44-1</u>	<u>CALCIUM ARSENATE</u>
<u>7521-80-4</u>	<u>BUTYL TRICHLOROSILANE</u>	<u>7778-50-9</u>	<u>POTASSIUM DICHROMATE</u>
<u>7550-45-0</u>	<u>TITANIUM CHLORIDE</u>	<u>7778-54-3</u>	<u>CALCIUM HYPOCHLORITE</u>
<u>7553-56-2</u>	<u>IODINE</u>	<u>7778-74-7</u>	<u>POTASSIUM PERCHLORATE</u>
<u>7572-29-4</u>	<u>DICHLOROACETYLENE</u>	<u>7782-39-0</u>	<u>DEUTERIUM</u>
<u>7580-67-8</u>	<u>LITHIUM HYDRIDE</u>	<u>7782-41-4</u>	<u>FLUORINE</u>
<u>7581-97-7</u>	<u>2,3-DICHLOROBUTANE</u>	<u>7782-42-5</u>	<u>GRAPHITE (NATURAL) DUST</u>
<u>7601-89-0</u>	<u>SODIUM PERCHLORATE</u>	<u>7782-44-7</u>	<u>OXYGEN(LIQUID)</u>
<u>7601-90-3</u>	<u>PERCHLORIC ACID</u>	<u>7782-49-2</u>	<u>SELENIUM</u>
<u>7616-94-6</u>	<u>PERCHLORYL FLUORIDE</u>	<u>7782-50-5</u>	<u>CHLORINE</u>
<u>7631-86-9</u>	<u>AMORPHOUS SILICA</u>	<u>7782-65-2</u>	<u>GERMANIUM TETRAHYDRIDE</u>
<u>7631-89-2</u>	<u>SODIUM ARSENATE</u>	<u>7783-00-8</u>	<u>SELENIOUS ACID</u>
<u>7631-90-5</u>	<u>SODIUM BISULFITE</u>	<u>7783-06-4</u>	<u>HYDROGEN SULFIDE</u>
<u>7631-99-4</u>	<u>SODIUM NITRATE</u>	<u>7783-07-5</u>	<u>HYDROGEN SELENIDE</u>
<u>7632-51-1</u>	<u>VANADIUM TETRACHLORIDE</u>	<u>7783-20-2</u>	<u>AMMONIUM SULFATE</u>
<u>7637-07-2</u>	<u>BORON TRIFLUORIDE</u>	<u>7783-41-7</u>	<u>OXYGEN DIFLUORIDE</u>
<u>7646-69-7</u>	<u>SODIUM HYDRIDE</u>	<u>7783-54-2</u>	<u>NITROGEN TRIFLUORIDE</u>
<u>7646-78-8</u>	<u>STANNIC CHLORIDE</u>	<u>7783-60-0</u>	<u>SULFUR TETRAFLUORIDE</u>
<u>7646-85-7</u>	<u>ZINC CHLORIDE FUME</u>	<u>7783-70-2</u>	<u>ANTIMONY PENTAFLUORIDE</u>
<u>7647-01-0</u>	<u>HYDROGEN CHLORIDE</u>	<u>7783-79-1</u>	<u>SELENIUM HEXAFLUORIDE</u>
<u>7647-18-9</u>	<u>ANTIMONY PENTACHLORIDE</u>	<u>7783-80-4</u>	<u>TELLURIUM HEXAFLUORIDE</u>
<u>7664-38-2</u>	<u>PHOSPHORIC ACID</u>	<u>7784-34-1</u>	<u>ARSENIC CHLORIDE</u>
<u>7664-39-3</u>	<u>HYDROGEN FLUORIDE</u>	<u>7784-41-0</u>	<u>POTASSIUM ARSENATE</u>
<u>7664-41-7</u>	<u>AMMONIA</u>	<u>7784-42-1</u>	<u>ARSINE</u>
<u>7664-93-9</u>	<u>SULFURIC ACID</u>	<u>7784-46-5</u>	<u>SODIUM ARSENITE</u>
<u>7681-49-4</u>	<u>SODIUM FLUORIDE</u>	<u>7786-34-7</u>	<u>MEVINPHOS</u>
<u>7681-57-4</u>	<u>SODIUM METABISULFITE</u>	<u>7786-81-4</u>	<u>NICKEL SULFATE</u>
<u>7688-21-3</u>	<u>2-HEXENE-CIS</u>	<u>7787-47-5</u>	<u>BERYLLIUM CHLORIDE</u>
<u>7697-37-2</u>	<u>NITRIC ACID</u>	<u>7787-49-7</u>	<u>BERYLLIUM FLUORIDE</u>
<u>7704-34-9</u>	<u>SULFUR</u>	<u>7787-71-5</u>	<u>BROMINE TRIFLUORIDE</u>
<u>7718-54-9</u>	<u>NICKEL CHLORIDE</u>	<u>7789-00-6</u>	<u>POTASSIUM CHROMATE</u>
<u>7719-09-7</u>	<u>THIONYL CHLORIDE</u>	<u>7789-00-6</u>	<u>CHROMIC ACID, DIPOTASSIUM SALT</u>
<u>7719-12-2</u>	<u>PHOSPHORUS TRICHLORIDE</u>	<u>7789-04-0</u>	<u>CHROMIUM PHOSPHATE</u>
<u>7722-64-7</u>	<u>POTASSIUM PERMANGANATE</u>	<u>7789-06-2</u>	<u>STRONTIUM CHROMATE</u>
<u>7722-84-1</u>	<u>HYDROGEN PEROXIDE</u>	<u>7789-09-5</u>	<u>AMMONIUM DICHROMATE</u>
<u>7722-88-5</u>	<u>TETRASODIUM PYROPHOSPHATE</u>	<u>7789-30-2</u>	<u>BROMINE PENTAFLUORIDE</u>
<u>7723-14-0</u>	<u>PHOSPHORUS(YELLOW)</u>	<u>7790-91-2</u>	<u>CHLORINE TRIFLUORIDE</u>
<u>7726-95-6</u>	<u>BROMINE</u>	<u>7790-94-5</u>	<u>CHLOROSULFURIC ACID</u>
<u>7727-21-1</u>	<u>POTASSIUM PERSULFATE</u>	<u>7790-98-9</u>	<u>AMMONIUM PERCHLORATE</u>
<u>7727-37-9</u>	<u>NITROGEN(LIQUEFIED)</u>	<u>7791-12-0</u>	<u>THALLOUS CHLORIDE</u>
<u>7738-94-5</u>	<u>CHROMIC ACID</u>	<u>7791-21-1</u>	<u>CHLORINE MONOXIDE</u>
<u>7757-79-1</u>	<u>POTASSIUM NITRATE</u>	<u>7791-23-3</u>	<u>SELENIUM OXYCHLORIDE</u>
<u>7758-01-2</u>	<u>POTASSIUM BROMATE</u>	<u>7791-25-5</u>	<u>SULFURYL CHLORIDE</u>
<u>7758-19-2</u>	<u>SODIUM CHLORITE</u>	<u>7803-49-8</u>	<u>HYDROXYLAMINE</u>
<u>7761-88-8</u>	<u>SILVER NITRATE</u>	<u>7803-51-2</u>	<u>PHOSPHINE</u>
<u>7773-06-0</u>	<u>AMMONIUM SULFAMATE (AMMATE)</u>	<u>7803-52-3</u>	<u>STIBINE</u>
<u>7775-09-9</u>	<u>SODIUM CHLORATE</u>	<u>7803-62-5</u>	<u>SILICON TETRAHYDRIDE</u>

<u>8001-35-2</u>	<u>TOXAPHENE</u>	<u>10108-64-2</u>	<u>CADMIUM CHLORIDE</u>
<u>8001-58-9</u>	<u>CREOSOTE</u>	<u>10124-36-4</u>	<u>CADMIUM SULPHATE</u>
<u>8001-86-3</u>	<u>ISANO OIL</u>	<u>10124-50-2</u>	<u>POTASSIUM ARSENITE</u>
<u>8002-05-9</u>	<u>PETROLEUM</u>	<u>10137-74-3</u>	<u>CALCIUM CHLORATE</u>
<u>8002-74-2</u>	<u>PARAFFIN WAX FUME</u>	<u>10137-80-1</u>	<u>N-2-(ETHYLHEXYL) ANILINE</u>
<u>8003-34-7</u>	<u>PYRETHRUM</u>	<u>10138-74-6</u>	<u>N-(2-HYDROXYETHYL) PROPYLENE DIAMINE</u>
<u>8004-13-5</u>	<u>PHENYL ETHER-BIPHENYL MIXTURE VAPOR</u>	<u>10140-87-1</u>	<u>ETHANOL, 1,2-DICHLORO-, ACETATE</u>
<u>8006-20-0</u>	<u>GAS.PRODUCER</u>	<u>10141-05-6</u>	<u>COBALTOUS NITRATE</u>
<u>8006-61-9</u>	<u>GASOLINE</u>	<u>10210-68-1</u>	<u>COBALT CARBONYL</u>
<u>8006-64-2</u>	<u>TURPENTINE</u>	<u>10213-74-8</u>	<u>3-(2-ETHYLBUTOXY) PROPIONIC ACID</u>
<u>8007-45-2</u>	<u>COAL TAR</u>	<u>10265-92-6</u>	<u>METHAMIDOPHOS</u>
<u>8008-20-6</u>	<u>KEROSINE</u>	<u>10294-33-4</u>	<u>BORON TRIBROMIDE</u>
<u>8008-51-3</u>	<u>CAMPHORE OIL (LIGHT)</u>	<u>10294-34-5</u>	<u>BORON TRICHLORIDE</u>
<u>8022-00-2</u>	<u>METHYL DEMETON</u>	<u>10294-40-3</u>	<u>BARIUM CHROMATE</u>
<u>8030-30-6</u>	<u>BENZIN</u>	<u>10311-84-9</u>	<u>DIALIFOR</u>
<u>8038-30-6</u>	<u>RUBBER SOLVENT (NAPHTHA)</u>	<u>10361-95-2</u>	<u>ZINC CHLORATE</u>
<u>8052-41-3</u>	<u>STODDARD SOLVENT</u>	<u>10377-60-3</u>	<u>MAGNESIUM NITRATE</u>
<u>8052-42-4</u>	<u>ASPHALT FUMES</u>	<u>10476-95-6</u>	<u>METHACROLEIN DIACETATE</u>
<u>8065-48-3</u>	<u>DEMETON</u>	<u>10544-72-6</u>	<u>NITROGEN TETROXIDE</u>
<u>9004-66-4</u>	<u>IRON DEXTRAN</u>	<u>10544-73-7</u>	<u>NITROGEN TRIOXIDE</u>
<u>9004-70-0</u>	<u>COLLODION</u>	<u>10588-01-9</u>	<u>CHROMIC ACID, DISODIUM SALT</u>
<u>9014-01-1</u>	<u>SUBTILISINS (PROTEOLYTIC ENZYMES)</u>	<u>10595-95-6</u>	<u>N-NITROSOMETHYLETHYLAMINE</u>
<u>10022-31-8</u>	<u>BARIUM NITRATE</u>	<u>11114-92-4</u>	<u>COBALT ALLOY, Co,Cr</u>
<u>10024-97-2</u>	<u>NITROUS OXIDE</u>	<u>11135-81-2</u>	<u>SODIUM POTASSIUM ALLOYS</u>
<u>10025-67-9</u>	<u>SULFUR MONOCHLORIDE</u>	<u>12001-26-2</u>	<u>MICA DUST</u>
<u>10025-73-7</u>	<u>CHROMIC CHLORIDE</u>	<u>12001-28-4</u>	<u>CROCIDOLITE DUST</u>
<u>10025-78-2</u>	<u>TRICHLOROSILANE</u>	<u>12001-29-5</u>	<u>CHRYSOTILE DUST</u>
<u>10025-87-3</u>	<u>PHOSPHORUS OXYCHLORIDE</u>	<u>12002-03-8</u>	<u>PARIS GREEN</u>
<u>10026-11-6</u>	<u>ZIRCONIUM TETRACHLORIDE</u>	<u>12035-72-2</u>	<u>NICKEL SUBSULPHIDE</u>
<u>10026-13-8</u>	<u>PHOSPHORUS PENTACHLORIDE</u>	<u>12054-48-7</u>	<u>NICKEL HYDROXIDE</u>
<u>10028-15-6</u>	<u>OZONE</u>	<u>12075-68-2</u>	<u>ETHYLALUMINUM SESQUICHLORIDE</u>
<u>10031-59-1</u>	<u>THALLIUM SULFATE</u>	<u>12079-65-1</u>	<u>MANGANESE CYCLOPENTADIENYL TRICARBONYL</u>
<u>10034-81-8</u>	<u>MAGNESIUM PERCHLORATE</u>	<u>12108-13-3</u>	<u>METHYLCYCLOPENTADIENYL MANGANESE TRICARBONYL</u>
<u>10034-85-2</u>	<u>HYDRIODIC ACID</u>	<u>12124-97-9</u>	<u>AMMONIA BROMIDE</u>
<u>10034-93-2</u>	<u>HYDRAZINE SULFATE</u>	<u>12125-01-8</u>	<u>AMMONIA FLUORIDE</u>
<u>10035-10-6</u>	<u>HYDROGEN BROMIDE</u>	<u>12125-02-9</u>	<u>AMMONIA CHLORIDE</u>
<u>10042-76-9</u>	<u>STRONTIUM NITRATE</u>	<u>12179-04-3</u>	<u>BORATE, TETRAPENTAHYDRATE</u>
<u>10048-13-2</u>	<u>STERIGMATOCYSTIN</u>	<u>12263-85-3</u>	<u>METHYLALUMINUM SESQUIBROMIDE</u>
<u>10049-04-4</u>	<u>CHLORINE DIOXIDE</u>	<u>12542-85-7</u>	<u>METHYLALUMINUM SESQUICHLORIDE</u>
<u>10061-01-5</u>	<u>CIS-1,3-DICHLOROPROPENE</u>	<u>12604-58-9</u>	<u>FERROVANADIUM DUST</u>
<u>10061-02-6</u>	<u>TRANS-1,3-DICHLOROPROPENE</u>	<u>12770-50-2</u>	<u>BERYLLIUM-ALUMINUM ALLOY</u>
<u>10099-74-8</u>	<u>LEAD NITRATE</u>	<u>13010-47-4</u>	<u>1-(2-CHLOROETHYL)-3-CYCLOHEXYL-1- NITROUREA</u>
<u>10102-06-4</u>	<u>URANYL NITRATE</u>	<u>13057-78-8</u>	<u>CHLOROISOCYANURIC ACID</u>
<u>10102-18-8</u>	<u>SODIUM SELENITE</u>	<u>13071-79-9</u>	<u>TERBUFOS</u>
<u>10102-20-2</u>	<u>SODIUM TELLURITE</u>	<u>13106-47-3</u>	<u>BERYLLIUM CARBONATE</u>
<u>10102-43-9</u>	<u>NITRIC OXIDE</u>	<u>13121-70-5</u>	<u>CYHEXATIN</u>
<u>10102-44-0</u>	<u>NITROGEN DIOXIDE</u>		
<u>10102-48-4</u>	<u>LEAD ARSENATE</u>		
<u>10108-56-2</u>	<u>N-BUTYLCYCLOHEXYLAMINE</u>		

<u>13138-45-9</u>	<u>NICKEL NITRATE</u>	<u>16752-77-5</u>	<u>METHOMYL</u>
<u>13171-21-6</u>	<u>PHOSPHAMIDON</u>	<u>16842-03-8</u>	<u>COBALT HYDROCARBONYL (as Co)</u>
<u>13194-48-4</u>	<u>ETHOPROPHOS</u>	<u>16853-85-3</u>	<u>LITHIUM TETRAHYDROALUMINATE</u>
<u>13195-76-1</u>	<u>TRISOBUTYL BORATE</u>	<u>17014-71-0</u>	<u>POTASSIUM PEROXIDE</u>
<u>13256-22-9</u>	<u>N-NITROSOSARCOSINE</u>	<u>17702-41-9</u>	<u>DECABORANE</u>
<u>13327-32-7</u>	<u>BERYLLIUM HYDROXIDE</u>	<u>17702-57-7</u>	<u>FORMPARANATE</u>
<u>13360-63-9</u>	<u>ETHYLBUTYLAMINE</u>	<u>17804-35-2</u>	<u>BENOMYL</u>
<u>13410-01-1</u>	<u>SODIUM SELENATE</u>	<u>18454-12-1</u>	<u>LEAD CHROMATE</u>
<u>13423-61-5</u>	<u>MAGNESIUM DICHROMATE</u>	<u>18883-66-4</u>	<u>STREPTOZOTOCIN</u>
<u>13446-10-1</u>	<u>AMMONIUM PERMANGANATE</u>	<u>19287-45-7</u>	<u>DIBORANE</u>
<u>13450-90-3</u>	<u>GALLIUM TRICHLORIDE</u>	<u>19624-22-7</u>	<u>PENTABORANE</u>
<u>13463-39-3</u>	<u>NICKEL CARBONYL</u>	<u>20816-12-0</u>	<u>OSMIUM TETROXIDE</u>
<u>13463-40-6</u>	<u>IRON PENTACARBONYL</u>	<u>20830-75-5</u>	<u>DIGOXIN</u>
<u>13477-00-4</u>	<u>BARIUM CHLORATE</u>	<u>20830-81-3</u>	<u>DAUNOMYCIN</u>
<u>13494-80-9</u>	<u>TELLURIUM</u>	<u>20859-73-8</u>	<u>ALUMINUM PHOSPHIDE</u>
<u>13510-49-1</u>	<u>BERYLLIUM PHOSPHATE</u>	<u>21087-64-9</u>	<u>METRIBUZIN</u>
<u>13765-19-0</u>	<u>CALCIUM CHROMATE</u>	<u>21351-79-1</u>	<u>CESIUM HYDROXIDE</u>
<u>13823-29-5</u>	<u>THORIUM NITRATE</u>	<u>21548-32-3</u>	<u>FOSTHIETAN</u>
<u>13838-16-9</u>	<u>2-CHLORO-1,1,2-TRIFLUOROETHYL DIFLUOROMETHYL ETHER</u>	<u>21609-90-5</u>	<u>LEPTOPHOS</u>
<u>13843-81-7</u>	<u>LITHIUM DICHROMATE</u>	<u>21908-53-2</u>	<u>MERCURIC OXIDE</u>
<u>13889-92-4</u>	<u>PROPYL CHLOROTHIOFORMATE</u>	<u>21923-23-9</u>	<u>CHLORTHIOPHOS</u>
<u>13952-84-6</u>	<u>SEC-BUTYLAMINE</u>	<u>22224-92-6</u>	<u>FENAMIPHOS</u>
<u>13987-01-4</u>	<u>TRIPROPYLENE</u>	<u>23135-22-0</u>	<u>OXAMYL</u>
<u>14018-95-2</u>	<u>ZINC BICHROMATE</u>	<u>23214-92-8</u>	<u>ADRIAMYCIN</u>
<u>14167-18-1</u>	<u>SALCOMINE</u>	<u>23505-41-1</u>	<u>PIRIMIFOS-ETHYL</u>
<u>14307-33-6</u>	<u>CALCIUM BICHROMATE</u>	<u>23950-58-5</u>	<u>PRONAMIDE</u>
<u>14464-46-1</u>	<u>CRISTOBALITE DUST</u>	<u>24017-47-8</u>	<u>TRIAZOFOS</u>
<u>14484-64-1</u>	<u>FERBAM</u>	<u>24934-91-6</u>	<u>CHLORMEPHOS</u>
<u>14807-96-6</u>	<u>SILICA, TALC, non-ASBESTOS form</u>	<u>25013-15-4</u>	<u>VINYL TOLUENE</u>
<u>14808-60-7</u>	<u>QUARTZ DUST</u>	<u>25103-58-6</u>	<u>tert-DODECYL MERCAPTAN</u>
<u>14686-13-6</u>	<u>HEPTYLENE-2-TRANS</u>	<u>25136-55-4</u>	<u>DIMETHYLDIOXANE</u>
<u>14861-06-4</u>	<u>VINYL CROTONATE</u>	<u>25154-52-3</u>	<u>NONYLPHENOL</u>
<u>14901-08-7</u>	<u>CYCASIN</u>	<u>25167-70-8</u>	<u>DIISOBUTYLENE</u>
<u>14977-61-8</u>	<u>CHROMYL CHLORIDE</u>	<u>25167-93-5</u>	<u>NITROCHLORCBENZENE</u>
<u>15191-85-2</u>	<u>BERYLLIUM SILICATE</u>	<u>25339-56-4</u>	<u>3-HEPTENE (MIXED ISOMERS)</u>
<u>15271-41-7</u>	<u>BICYCLO[2.2.1]HEPTANE-2- CARBONITRILE, 5-CHLORO-6- (((METHYLAMINO)CARBONYL) OXY)IMINO)-(1st-(1-alpha,2-bet a,4-alpha,5-alpha,6E))-</u>	<u>25360-10-5</u>	<u>tert-NONYL MERCAPTAN</u>
<u>15468-32-3</u>	<u>TRIDYMITE DUST</u>	<u>25377-83-7</u>	<u>OCTENE (MIXED ISOMERS)</u>
<u>15663-27-1</u>	<u>cis-PLATINOUS DIAMMINE DICHLORIDE</u>	<u>25551-13-7</u>	<u>TRIMETHYL BENEZENE</u>
<u>15699-18-0</u>	<u>NICKEL AMMONIUM SULFATE</u>	<u>25567-67-3</u>	<u>DINITROCHLORO BENZENE</u>
<u>15930-94-6</u>	<u>ZINC CHROMATE HYDROXIDE</u>	<u>25639-42-3</u>	<u>METHYLCYCLOHEXANOL</u>
<u>15980-15-1</u>	<u>1,4-THIOXANE</u>	<u>26094-13-3</u>	<u>BUTYLAMINE OLEATE</u>
<u>16071-85-6</u>	<u>DIRECT BROWN</u>	<u>26419-73-8</u>	<u>CARBAMIC ACID, METHYL-.0-(((2,4-(DIMETHYL-1,3- DITHIOLAN-2-YL)METHYLENE)AMINO-</u>
<u>16219-75-3</u>	<u>ETHYLIDENE NORBORNENE</u>	<u>26628-22-8</u>	<u>SODIUM AZIDE</u>
<u>16543-55-8</u>	<u>N-NITROSONORNICOTINE</u>	<u>26952-21-6</u>	<u>ISOCTYL ALCOHOL</u>
<u>16721-80-5</u>	<u>SODIUM SULFIDE</u>	<u>27137-85-5</u>	<u>TRICHLORO(DICHLOROPHENYL)SILANE</u>
		<u>27152-57-4</u>	<u>CALCIUM ARSENITE</u>
		<u>27215-95-8</u>	<u>NONENE</u>
		<u>28347-13-9</u>	<u>XYLYLENE DICHLORIDE</u>

28434-86-8 3,3'-DICHLORO-4-4'-DIAMINODIPHENYL ETHER
28772-56-7 BROMADIOLONE
28983-37-1 tert-TETRADECYL MERCAPTAN
28984-85-2 NITROBIPHENYL
29191-52-4 ANISIDINE
30030-25-2 VINYLBENZYL CHLORIDE
30174-58-4 tert-DECYLMERCAPTAN
30674-80-7 METHACYCLOYLOXYETHYL ISOCYANATE
30714-78-4 ETHYL BUTYL CARBONATE
32280-46-9 N,N-DIETHYL-1,3-BUTANEDIAMINE
32749-94-3 2,3-DIMETHYL PENTALDEHYDE
34099-73-5 ETHYL BORATE
34590-94-8 DIPROPYLENE GLYCOL MONOMETHYL ETHER
35400-43-2 SULPROFOS
37300-23-5 ZINC YELLOW
39156-41-7 2,4-DIAMINOANISOLE SULPHATE
39196-18-4 THIOFANOX
39413-47-3 ZINC BERYLLIUM SILICATE
42350-99-2 2-CHLORO-4,6-DI-tert-AMYLPHENOL
50782-69-9 PHOSPHONOTHIOIC ACID, METHYL-S-(2-(BIS(1-METHYLETHYL) AMINO)ETHYLO-ETHYL ESTER
53449-21-9 CHLORODIPHENYL (42% CHLORINE)
53558-25-1 PYRIMINIL
55720-99-5 CHLORINATED DIPHENYL OXIDE
55738-54-0 TRANS-2-(DIMETHYLAMINO) METHYLIMINO)-5-(2-(5-NITRO-2FURYL)VINYL)-1,3,4-OXADIAZOLE
58270-08-9 ZINC, DICHLORO(4,4-DIMETHYL-5 (((METHYL-AMINO)CARBONYL)OXY) IMINO)PENTAN E-NITRILE)-(T-4)-
59355-75-8 METHYL ACETYLENE-PROPADIENE MIXTURE (MAPP)
59536-65-1 POLYBROMINATED BIPHENYLS
60676-86-0 SILICA, FUSED, DUST
61788-32-7 HYDROGENATED TERPHENYLS
62207-76-5 COBALT,((2,2'-(1,2-ETHANEDIYLBIS (NITRILOMETHYLIDYNE))BIS(6-FLUOROPHENOLATO)) (2)-N,N',O,O')-
64037-54-3 3,4-DICHLOROBUTENE-1
65996-89-6 TAR, COAL, HIGH-TEMP
65996-90-9 TAR, COAL, HIGH-TEMP
65996-91-0 COAL TAR LIGHT OIL
73090-68-3 tert-BUTYL TETRALIN
73090-69-4 CHLORO-4-tert-AMYLPHENOL
73513-30-1 METHYLPENTALDEHYDE
77536-68-6 TREMOLITE

Specific Authority 633.01(1) FS. Law Implemented 633.45(1)(a) FS. History- New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles D. Clark, Division Director, State Fire Marshal, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2000

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Advertising Agencies
 RULE NO.: 12A-1.072

PURPOSE AND EFFECT: This proposed rule substantially revises Rule 12A-1.072, F.A.C., to implement Chapter 99-269, L.O.F., which created Section 212.08(7)(xx), F.S. The law defines the term "advertising agency" and provides an exemption for advertising agencies for sales of advertising services and advertising materials. It also provides that promotional goods produced or reproduced for distribution remain taxable. The proposed rule changes define the following terms which are used in the law or which help implement the law: advertising, advertising agency, advertising materials, advertising services, firm, acting as agent for its clients pursuant to contract, primarily engaged in the business of providing advertising materials and services, promotional goods, and raw materials. The proposed rule amendments provide guidelines to advertising agencies for sales of advertising materials and services, and promotional goods, as well as a suggested format for an exemption certificate for the advertising agency to purchase advertising materials exempt from its vendors. The effect of the rule will be to provide guidance to advertising agencies in determining whether their purchases and sales are taxable.

SUMMARY: These proposed rule changes define the following terms which are used in the law or which help implement the law: advertising, advertising agency, advertising materials, advertising services, firm, acting as agent for its clients pursuant to contract, primarily engaged in the business of providing advertising materials and services, promotional goods, and raw materials. These proposed rule amendments provide guidelines to advertising agencies for sales of advertising materials and services, and promotional goods, as well as a suggested format for an exemption certificate for the advertising agency to purchase advertising materials exempt from its vendors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed rule changes only implement statutory provisions, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 212.08(7)(xx), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(4),(12),(16), 212.05(1),(2), 212.06(1), 212.08(7)(v),(xx) FS.

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

TIME AND DATE: 10:00 a.m., December 19, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sara Faulkenberry, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-9838

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (850)488-0717. If you are hearing or speech-impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial Rewording of Rule 12A-1.072 follows. See Florida Administrative Code for present text.)

12A-1.072 Advertising Agencies.

(1) Definitions. The following terms and phrases when used in this rule shall have the meaning ascribed to them in this subsection, except where the context clearly indicates a different meaning.

(a) "Advertising" is the expression of an idea created and produced for reproduction and distribution through means such as television, radio, Internet, newspapers, newsletters, periodicals, trade journals, publications, books, magazines, standardized outdoor billboards, direct mail, point-of-sale displays, leaflets, brochures, fliers, or package design, and which is designed to promote sales of a particular product or service or to enhance the image of the advertiser. Advertising includes public service messages that are designed to affect the behavior of the public and messages that are political in nature.

(b)1. "Advertising agency" means any firm that is primarily engaged in the business of providing advertising materials and services to clients.

2. Examples.

a. Firms that are primarily engaged in consulting with their clients about marketing and advertising products or services, formulating a marketing plan intended to improve their image or increase their market share, and executing those plans, are considered to be advertising agencies.

b. Firms that are primarily engaged in the business of printing, imprinting, or reproducing tangible personal property and firms that are primarily engaged in the business of photography or broadcasting are not advertising agencies.

c. Firms that primarily specialize in providing pre-press service(s), such as graphic art, color separations, or velox providers are not advertising agencies.

d. Firms that primarily provide audio/visual production or recording services are not advertising agencies.

(c) "Firm" means corporation, sole proprietorship, partnership, or limited liability company.

(d)1. "Primarily engaged in the business of providing advertising materials and services" means more than 50 percent of its gross receipts in the firm's previous tax year were, or in the first tax year are budgeted to be, from receipts for the sale of advertising materials and services to clients. For purposes of determining whether the firm qualifies under this definition, there shall be deducted from gross receipts amounts paid by the agency on behalf of its client to a third party for charges such as printing, imprinting, reproduction, publishing of tangible personal property, broadcasting advertisements, media placement, or other out-sourced activities before applying the 50 percent test.

2. Example.

Gross Receipts	<u>\$2,754,217.00</u>
Deduct Outsourced Costs	
<u>Printing Costs</u>	<u>726,785.00</u>
<u>Media Costs</u>	<u>779,613.00</u>
<u>Photography</u>	<u>33,950.00</u>
Total Outsourced Costs	<u>\$1,540,348.00</u>
Difference to apply 50% test	<u>\$1,213,869.00</u>
	<u>50% \$ 606,934.50</u>

If more than \$606,934.50 is from advertising services, this company qualifies as an advertising agency.

3. Example.

Gross Receipts	<u>\$2,754,217.00</u>
Receipts from In-House Printing	<u>\$1,540,348.00</u>
(Cannot be deducted because not outsourced)	
Difference	<u>\$1,213,869.00</u>
Amount to apply 50% test	<u>\$2,754,217.00</u>
	<u>50% \$1,377,108.50</u>

If even the entire \$1,213,869.00 is from the provision of advertising services, it is less than 50% of gross receipts. Therefore, this company does not qualify as an advertising agency.

(e) "Advertising materials" means tangible personal property sold to an advertising agency, created by an advertising agency, or sold by an advertising agency during the course of providing advertising services. Examples of advertising materials include: photographs, videos containing images, films containing images, veloxes, galleys, mechanicals, artwork, illustrations, digital audio tapes, analog tapes, compact discs, sketches, layouts, engravings, mats, models, mockups, and digital equipment. "Advertising materials" does not include "raw materials."

(f) "Raw materials" means materials or media used to create advertising materials. "Raw materials" includes items such as: blank film; blank videotapes; art supplies, such as poster board, paper products, inks, letters, and paints; stock art; stock photography; prerecorded music and sound; stock props; stock costumes; and stock backdrops.

(g) "Advertising services" means services rendered by an advertising agency when designing and/or implementing an advertising campaign to promote a product, service, idea, concept, issue, or the image of a person. This includes services rendered to design and produce advertising materials such as: research; design, layout, preliminary and final art preparation; placing or arranging for advertising; creative consultation, coordination, direction, and supervision; script writing and copywriting; editing; and account management services. However, if an advertising campaign is planned and prepared, but the client elects not to proceed with the production or placement of the advertising, or the client elects to do its own placement of the advertising with the media, the agency will still be considered to have provided advertising services.

(h) "Promotional goods" means tangible personal property used for promotional purposes. Examples of promotional goods include displays, display containers, exhibits, newspaper inserts, brochures, catalogues, direct mail letters or flats, shirts, hats, pens, pencils, key chains, audio tapes, videotapes, compact discs, business cards, or other printed goods or materials.

(i)1. "Acting as agent for its clients pursuant to a contract." In order to purchase advertising materials exempt from tax, the advertising agency must make purchases on behalf of clients pursuant to a contract. A common law principal/agent relationship is not required. The existence of a contract to act as agent for a client may be evidenced in the advertising agency's book and records by:

a. A written contract clearly stating that the advertising agency will act on behalf of a client as agent; or

b. Documents, such as invoices and purchase orders, by which the agency discloses to its suppliers that it is acting on behalf of a client, regardless of whether the specific client(s) is identified; or

c. Proof of a course of dealing that would establish an agency relationship, such as being on a retainer paid by the client.

2. When the advertising agency is acting on behalf of its clients pursuant to contract, it may purchase advertising materials tax exempt. When tangible personal property purchased by the advertising agency is depreciated or capitalized for accounting or income tax purposes by the agency, or the advertising agency makes use of the property for its own account, the tangible personal property is subject to tax.

(2) Sales of Services. The sale of advertising services by an advertising agency is exempt from tax. The professional service fee charged by an advertising agency for services is exempt from tax. An advertising agency's professional fee includes agency time or hourly charges, retainer fees, agency mark-up on exempt advertising materials, and media commissions.

(3) Sales of Advertising Materials.

(a)1. The charge by an advertising agency to clients for advertising materials is exempt from sales tax. The exemption applies regardless of the advertising agency's method of billing, whether the contract reflects a lump sum or separately states the costs of exempt advertising materials and other services and professional fees.

2. When an advertising agency sells promotional goods along with exempt items or services, the taxable items must be separately stated in order for the exempt items to receive the exemption.

(b) Example: The advertising agency prepares and prints a brochure for its client. The preparation of the brochure includes the concept development, design and layout, preparation of advertising materials, including photographs, artwork, and mechanicals, and the printing of the copies of the brochure. The advertising agency pays sales tax on all raw materials used in creating advertising materials. The following are examples of the proper tax treatment for each method of contracting with the charges to the client:

1. The advertising agency contract separately itemizes the components of the brochure as: design, advertising materials, and printing. Sales tax is due only on the charge for printing, including any mark-up. The sales tax must be separately stated.

2. The advertising agency contract combines the charges for the design services and advertising materials into a single charge, but separately states the printing charge, including the mark-up. Sales tax is due only on the charge for printing, including the mark-up. The sales tax must be separately stated.

3. The advertising agency contract combines the charges for the design services, advertising materials, and printing in a single charge. Sales tax is due on the lump sum charge to the client. The sales tax must be separately stated.

(4) Purchases of Advertising Materials by the Advertising Agency.

(a) If an advertising agency is under contract to act on behalf of its clients, the advertising agency may purchase advertising materials or advertising services exempt from tax by extending an exemption certificate to the vendor. The exemption certificate does not entitle the advertising agency to purchase raw materials exempt from tax, even when those raw materials are used to produce advertising materials in-house. A suggested format of the exemption certificate to be issued to the vendor is provided in subsection (10).

(b) Any vendor providing advertising materials to an advertising agency pursuant to this exemption is relieved of the responsibility of collecting tax on the sale of any advertising materials if:

1. The advertising agency presents an exemption certificate certifying the agency's entitlement to the exemption to the vendor; and

2. The vendor retains a copy of a purchaser's exemption certificate from the advertising agency in its records until tax imposed under Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S.

(c) If it is determined that the advertising agency was not entitled to the exemption, the department shall look only to the advertising agency for any sales tax due on the purchase of advertising materials.

(5) Creation of Advertising Materials by the Advertising Agency. If an advertising agency produces, fabricates, manufactures, or otherwise creates advertising materials in-house for its clients, the sale of such advertising materials to its clients is exempt from sales tax. Further, the advertising agency does not pay use tax on the production, fabrication, or manufacture of such advertising materials used in the performance of advertising services for its clients.

(6) Raw Materials Used in Advertising.

(a) The purchase of raw materials, whether purchased by an advertising agency or by a person who creates advertising materials for sale to an advertising agency, is taxable.

(b) Example: When a photographer purchases film, the film is taxable when purchased by the photographer. However, when the photographer alters the film to create an image and sells or licenses the image to an advertising agency, the photographer does not collect tax if the advertising agency issues an exemption certificate to the photographer.

(7) Promotional Goods.

(a) When promotional goods are created by an advertising agency, the charge for development of sample promotional goods is exempt from sales tax, whether produced in-house or purchased from a vendor.

(b)1. When promotional goods are produced or reproduced for distribution, the charge for production or reproduction of the promotional goods is subject to sales tax whether or not the client takes physical possession of the promotional goods produced or reproduced for distribution. The advertising agency must register with the Department of Revenue, and collect and remit tax on the transaction. See Rule 12A-1.060, F.A.C.

2. Example: If an advertising agency uses a printer to produce or reproduce a promotional good, such as a brochure, the advertising agency would extend an exemption certificate to the printer, who would not charge sales tax on the invoice to the advertising agency. However, the advertising agency would be required to charge sales tax to a client for the production or reproduction costs of the promotional good, including the advertising agency's mark-up for printing. The advertising agency would remit the tax to the Department of Revenue.

(c) For newspaper inserts, see section 212.05(1)(h)2., F.S. For publications exempt from tax, see section 212.08(7)(w), F.S.

(8) Billboards. The advertising materials and services used in the creation of billboard concepts and mock-ups by an advertising agency are exempt under these provisions. However, the charge for the production of displays is taxable. See section 212.031, F.S., for the taxability of the lease or license to use billboards.

(9) Sales of tangible personal property by an advertising agency to persons other than its clients are taxable, unless specifically exempted by other sections of Chapter 212, F.S.

(10) The following is the suggested format of the exemption certificate to be issued to the vendor by the advertising agency when purchasing exempt advertising materials:

SUGGESTED PURCHASER'S EXEMPTION
CERTIFICATE

ITEMS SOLD TO ADVERTISING AGENCIES

_____ (Purchaser's Name)
certifies that the advertising materials, meaning materials created for the purpose of providing advertising services including, but not limited to, photographs, videos containing images, films containing images, veloxes, galleys, mechanicals, artwork, illustrations, digital audio tapes, analog tapes, compact discs, sketches, layouts, engravings, mats, models, mockups, and digital equipment services, purchased on or after _____ (date) are purchased by the advertising agency pursuant to a contract to act on behalf of a client or clients, and that the items are created to provide advertising services.

Purchaser further certifies that the items are not raw materials, and the items are not being purchased to produce advertising materials in-house by the advertising agency. "Raw materials" means materials or media used to create advertising materials.

“Raw materials” includes items such as: blank film; blank videotapes; art supplies, such as poster board, paper products, inks, letters, and paints; stock art; stock photography; prerecorded music and sound; stock props; stock costumes; and stock backdrops.

The undersigned understands that if such items do not qualify for exemption, the undersigned will be subject to sales and use tax, interest, and penalties. The undersigned further understands that when any person fraudulently, for the purpose of evading tax, issues to a vendor or to any agent of the state a certificate or statement in writing in which he or she claims exemption from the sales tax, such person, in addition to being liable for payment of the tax plus a mandatory penalty of 200% of the tax, shall be liable for fine and punishment provided by law for conviction of a felony of the third degree, as provided in sections 775.082, 775.083, or 775.084, F.S.

(Purchaser's Name – Florida Sales Tax Number
Print or Type) (if applicable)

Signature and Title Date

Federal Employer Identification Telephone Number
Number (F.E.I.) or Social Security
Number

(Form to be retained in vendor's records)

Specific Authority 212.08(7)(xx), 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4), ~~(12)~~, (16), 212.05(1),(2), 212.06(1), 212.08(7)(v), ~~(xx)~~, ~~212.18(2)~~ FS. History—Revised 10-7-68, 1-7-70, 6-16-72, Amended 7-20-82, Formerly 12A-1.72, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sara D. Faulkenberry, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone at (850)414-9838

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Strausser, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone number (850)922-4746

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: These proposed rule amendments were noticed for a Rule Development Workshop in the Florida Administrative Weekly on June 9, 2000 (Vol. 26, No. 23, pp. 2665-2669). A rule development workshop was held on June 29, 2000, in Room 116, 200 East Gaines Street, Tallahassee, Florida, regarding the substantial rewrite to Rule 12A-1.072, F.A.C.

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Youthful Offenders – Definitions	33-506.100
Designation of Institutions for Youthful Offenders	33-506.103
Youthful Offender Program Participation	33-506.106
Basic Training Program – Definitions	33-506.203
Basic Training Program Selection Process	33-506.204
Basic Training Program Operation	33-506.206
Basic Training Program – Inmate Privileges and Restrictions	33-506.207
Basic Training Program – Appearance and Hygiene	33-506.208
Basic Training Program – Discipline	33-506.211
Removal From Basic Training Program	33-506.212

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to provide relevant definitions and procedures relating to youthful offenders.

SUMMARY: The proposed rules provide definitions of terms used in conjunction with youthful offender provisions, revise the list of institutions designated to house youthful offenders, clarifies provisions related to the extended day program, revises and clarifies the process for recommendation for modification of sentence, and clarifies provisions related to the basic training program for youthful offenders.

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: 20.315, 944.09, 958.04, 958.045, 958.11 FS.

LAW IMPLEMENTED: 20.315, 944.09, 946.40, 958.04, 958.045, 958.11, 958.12 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Giselle Lylen Rivera, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULES IS:

33-506.100 Youthful Offenders – Definitions.

(1) Central Office Screening Team – refers to the team located in the central office, chaired by the Chief of Classification and Central Records and consisting of one additional representative from the Bureau of Classification and Central Records, an individual designated by the Director of the Office of Program Services, and an individual designated by the Director of the Office of Community Corrections. The

purpose of this team is to review recommendations for sentence modification and to submit their findings to the Deputy Director of Institutions for final approval or disapproval.

(2) Inmate Management Plan Team (IMPT) – refers to a team consisting of the inmate’s classification officer and a representative from security and programs. The team members develop the inmate’s management plan which must be approved by the Institutional Classification Team (ICT), monitor the inmate’s progress, determine the inmate’s eligibility for sentence modification and make recommendations to the ICT as necessary in accordance with the rules.

(3) Extended Day Program – refers to a 16 hour daytime program at youthful offender institutions that is designed to provide at least 12 hours of activities. The program is structured to include work assignments, educational (vocational and academic) programs, counseling, behavior modification, military style drills, systematic discipline and other programmatic opportunities that will reduce inmate idleness and enhance the young inmate’s chance at becoming a law abiding citizen upon re-entry into the community.

(4) Inmate Management Plan (IMP) – refers to the individualized plan developed for each inmate based upon information collected from various risk and needs assessments and ICT decisions. The plan is used to make priority program or work placement recommendations, develop objectives and set timelines for accomplishments.

(5) Release Management Plan – refers to a report prepared by the Office of Community Corrections field office staff outlining information relative to the inmate’s proposed employment, residence, family ties or support system, financial resources and other resources available to the inmate upon release.

(6) Sentence Modification – refers to an alteration or amendment by the court of the original sentence. The modification reduces the time to be served and imposes a term of probation, community control or other community sanctions, which, when added to the term of incarceration, will not exceed the length of the original sentence.

(7) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor, chief of security and other necessary staff when appointed by the warden or designated by rule, which is responsible for making classification decisions at a facility and for making recommendations to the State Classification Office (SCO).

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

Specific Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History–New _____.

33-506.103 Designation of Institutions for Youthful Offenders.

(1) through (5)(d) No change.

(e) Sumter Correctional Institution – male Basic Training Program;

(f) Lowell Florida Correctional Institution Women’s Unit – Basic Training Program ~~female youthful offenders.~~

(g) No change.

(h) Hendry Dade Correctional Institution – Main Unit.

(i) Hernando Correctional Institution.

Specific Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History–New 10-11-95, Amended 9-11-97, 4-14-98, Formerly 33-33.009, Amended _____.

33-506.106 Youthful Offender Program Participation.

(1) No change.

(2) The schedule of events shall be developed by each warden and approved by the regional director and the Office of Institutions Chief of the Bureau of Program Services.

(3) Successful participation in all phases of the youthful offender extended day program and successful completion of the offender management plan and reclassification to minimum or community custody by a youthful offender inmate will result in an evaluation by the ICT to determine the inmate’s eligibility for a recommendation to the court for a modification of sentence at any time prior to the scheduled expiration of sentence as provided in s. 958.04(2)(d), F.S.

(a) After the youthful offender has successfully participated in the youthful offender program and completed the IMP as developed, a complete evaluation of the case shall be initiated. The evaluations shall include a review and summary of the following areas:

1. through 6. No change.

7. Other programs and objectives specifically recommended for the youthful offender; and

8. Verified Release placement plan prepared by probation and parole office staff which will should include proposed residence, and employment, family ties or support systems, financial resources, other resources available to the inmate and any recommendation for continued treatment.

9. No change.

(b) The evaluation of the youthful offender's eligibility for a recommendation for a modification of sentence shall be coordinated by the institutional classification staff and incorporated into a complete progress assessment report. The completed progress assessment report shall be reviewed and signed by the ICT and a representative of the SCO warden who shall indicate his approval or disapproval of the recommendation based upon the evaluation prepared by the classification staff.

(c) Upon the approval of the ICT and SCO warden, the recommendation for sentence modification shall be forwarded to the Chief of the Bureau of Classification and Central

Records Program Services to for review by the central office screening team who shall review the recommendation. If approved by the central office screening team, the recommendation will be forwarded to the Deputy Director of the Office of Institutions (classification) for review. If the Deputy Director concurs with the recommendation for sentence modification, If the Office Chief of the Bureau of Classification Program Services approves the recommendation, he shall transmit forward a recommendation to the sentencing court for consideration. If the Deputy Director does not concur with the recommendation for sentence modification, the Chief of Classification will notify the ICT at the facility where the inmate is housed. The ICT will notify the inmate of the decision.

Specific Authority 958.11(1) FS. Law Implemented 958.11, 958.12 FS. History—New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended

33-506.203 Basic Training Program – Definitions.

(1) Alternative Training – authorized physical activities which are imposed by basic training program staff following an inmate's misconduct in order. Alternative training is intended to correct inmate behavior by imposing minor sanctions as set forth in subsection 33-506.211(4).

(2) Review Team – composed of a sergeant or above, drill instructor, and human services counselor, or alternates as designated by the warden. The purpose of the review team is to review inmate misconduct that may result in sanctions above the level of alternative training, or other such authority as defined in chapter 33-601.301-601.314. The authority of the review team to impose sanctions is specified in section 33-506.211(2).

(2)(3) Disciplinary Team – A team made up of at least two staff persons, one of whom shall be a correctional probation officer lieutenant or above, who will be responsible for hearing disciplinary reports.

(3) Drill Instructor – a basic training program staff member who provides instruction to inmates assigned to the basic training program in the areas of physical training, military drill and ceremony, and in completion of the obstacle course.

(4) Human Services Counselor – a staff member assigned to the basic training program to provide group and individual counseling and instruction in social adjustment skills to the inmates in the basic training program. Shock Incarceration – a training technique employed in the basic training program which utilizes intense physical training, military drill, verbally aggressive confrontation, and the immediate application of minor discipline. The intent of shock incarceration is to modify the behavior of youthful offenders and to avert long-term incarceration. The basic training program will be inclusive of the phases listed below:

(a) Phase I – will consist of an intensified military regimen not to exceed 60 days of active participation.

(b) Phase II – will consist of educational programming and personal development training provided within a quasi-military environment for a period not to exceed the length of sentence imposed by the sentencing court. Inmates will be required to participate successfully in Phase II of the Basic Training Program for a minimum of 60 days. The length of time that an inmate may participate in Phases I and II combined shall be no less than 120 days.

(c) Phase III – will consist of the offender's placement within a community residential facility to engage in gainful employment, pay restitution, participate in substance abuse programs, enroll in general education development or adult basic education classes as applicable.

(5) through (6) No change.

(7) Program Director – a basic training program staff member of the rank of correctional officer captain or above who is responsible for all aspects of the basic training program for program content, staff supervision, and inmate security and treatment.

(8)(7) No change.

(9) Review Team – refers to a team composed of a sergeant or above, drill instructor, and human services counselor. The purpose of the review team is to review inmate misconduct that may result in imposition of alternative training measures or referral for disciplinary action.

(10) Shock Incarceration – a training technique employed in the basic training program which utilizes intense physical training, military drill, verbally aggressive confrontation, and the immediate application of minor discipline. The intent of shock incarceration is to modify the behavior of youthful offenders and to avert long-term incarceration. The basic training program will be inclusive of the phases listed below:

(a) Phase I – will consist of an intensified military regimen not to exceed 60 days of active participation.

(b) Phase II – will consist of educational programming and personal development training provided within a quasi-military environment for a period not to exceed the length of sentence imposed by the sentencing court. Inmates will be required to participate successfully in Phase II of the Basic Training Program for a minimum of 60 days. The length of time that an inmate may participate in Phases I and II combined shall be no less than 120 days.

(c) Phase III – will consist of the offender's placement within a community residential facility to engage in gainful employment, pay restitution, participate in substance abuse programs, enroll in general education development or adult basic education classes as applicable.

(11)(8) No change.

(9) Program Director – a basic training program staff member of the rank of correctional officer captain or above who is responsible for all aspects of the basic training program, including but not limited to, program content, staff supervision, and inmate security and treatment.

~~(10) Drill Instructor — a basic training program staff member whose duties include, but are not limited to, the instruction of inmates in physical training, military drill and ceremony, and in completion of the obstacle course.~~

~~(11) Human Services Counselor — a staff member assigned to the basic training program to provide group and individual counseling and instruction in social adjustment skills to the inmates in the basic training program.~~

(12) Youthful Offender – refers to any person who is found guilty of or who has tendered a plea of nolo contendere or guilty to a crime that is a felony and such crime was committed before the inmate’s 21st birthday. The inmate must not have been previously classified as a youthful offender nor found guilty of a capital or life felony.

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 958.04, 958.045 FS. History—New 2-26-89, Amended 1-25-96, 10-23-97, Formerly 33-27.003, Amended.

33-506.204 Basic Training Program Selection Process.

(1) through (f) No change.

(g) Has no current or prior conviction for a sexual offense, including adjudication withheld;

(h) through (j) No change.

(2) After an inmate has met the above criteria, the classification officer at the time of reception will screen the youthful offender to determine if he or she meets the program eligibility criteria. If the inmate meets the criteria, the classification officer will advise the inmate and the Bureau of Classification and Central Records, Reception Services section, and if space is available in the program, The sentencing court shall be notified in writing by the Bureau of Classification and Central Records, Reception Program Services section of the Department of Corrections, requesting approval for the inmate to participate in the program. If the inmate is classified by the department as a youthful offender, the state attorney shall, at the same time, be notified that the inmate is being considered for placement in the basic training program. If the sentencing court disapproves the department's recommendation for the offender's placement in the basic training program, the offender shall be so notified and shall complete incarceration pursuant to the terms of the commitment order. If the sentencing court approves the department's recommendation for the offender's placement in the basic training program, the offender shall be notified of assignment to the basic training program. Failure of the court to notify the department of approval for placement in the program within 21 days after receipt of the department's request shall be considered an approval by the court for placing the inmate in the basic training program.

(3) Program Assessment. Each inmate shall be required to participate in a satisfactory manner for a minimum of 120 days in order to successfully complete the program. ~~The IMPT classification team shall continually assess the inmate’s participation in the program and recommend that the inmate~~

continue in the program for a specific number of days in order to repeat those days for which an overall unsatisfactory report was received. Failure to receive a satisfactory evaluation during the extended period will result in the removal of the inmate from the program pursuant to rule 33-506.211. Inmates who have successfully participated for the required time period, but who are awaiting release by the sentencing court or other releasing authority shall remain subject to the rules of the department and the basic training program. Failure to adhere to these rules may be grounds for removal from the program pursuant to rule 33-506.211. Documentation of successful program completion, recommendations for extension, or removal from the program shall be completed by the ~~IMPT classification team~~ and provided to the program director.

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 946.40, 958.04, 958.045 FS. History—New 2-26-89, Amended 11-2-90, 1-25-96, 10-23-97, Formerly 33-27.004, Amended.

33-506.206 Basic Training Program Operation.

(1) No change.

(2) Upon the approval of the ICT and SCO, the recommendation for sentence modification shall be forwarded to the Chief of the Bureau of Classification and Central Records for review by the central office screening team. If approved by the central office screening team, the recommendation will be forwarded to the Deputy Director of the Office of Institutions (classification) for review. If the Deputy Director concurs with the recommendation for sentence modification, the Chief of the Bureau of Classification shall transmit a recommendation to the sentencing court for consideration. If the Deputy Director does not concur with the recommendation for sentence modification, the Chief of Classification will notify the ICT at the facility where the inmate is housed. The ICT will notify the inmate of the decision. Inmates who have satisfactorily completed the requirements of Phase II shall be released to a term of probation as specified by the sentencing court. The term of probation shall include release to community supervision or placement in a community residential facility as recommended by the youthful offender classification team and approved by the program director. The program director will determine those inmates suitable for community residential placement based upon the inmate’s employment, residence, family circumstances, and probation or post release supervision obligations. The term of placement within a community residential facility shall be determined by the sentencing court.

~~(3) The IMPT classification team shall develop an alternative post release program or plan within 30 days prior to release for those inmates who will not be placed in a community residential facility. The post release plan shall include but not be limited to the following pursuant to Rule 33-601.504, F.A.C.:~~

(a) through (4)(g) No change.

Specific Authority 20.315, 944.09, 958.045 FS. Law Implemented 20.315, 944.09, 958.045 FS. History—New 2-26-89, Amended 1-25-96, Formerly 33-27.006, Amended.

33-506.207 Basic Training Program – Inmate Privileges and Restrictions.

Inmates in the basic training program shall have privileges normally afforded the general inmate population modified as set forth below:

(1) through (2)(d) No change.

(3) Visiting.

(a) Phase I – Inmates will not be allowed visitation privileges ~~on specified graduation days only.~~

(b) through (c) No change.

(4) Telephone.

(a) Telephone calls are not permitted during Phase I of the basic training program, except as follows:

1. Verified family emergencies;

2. Calls to attorneys when there is a deadline and time constraints will not permit contact by mail.

(b) Telephone calls shall be permitted during Phase II of the basic training program as specified in rule 33-602.205.

(5) Religious Practices.

(a) Every inmate will be afforded opportunities to participate in religious activities and programs that do not endanger the safe and secure operation of the institution.

(b) The human services counselor, the institutional chaplain and the program director will assess requests on a case by case basis for religious observances or practices not routinely available in the Basic Training Program.

Specific Authority 944.09, 958.045 FS. Law Implemented 944.09, 958.045 FS. History—New 2-26-89, Amended 1-25-96, Formerly 33-27.007, Amended.

33-506.208 Basic Training Program – Appearance and Hygiene.

(1) Hair.

(a) Male bBasic training program inmates will receive a military style haircut upon arrival in the program. Inmates will subsequently receive haircuts every two weeks for the duration of the program.

(b) Female basic training program inmates will be provided hair bands or hair clips to secure hair longer than collar length. Unsecured hair must be above collar length.

(2) Shaving. Male bBasic training program inmates shall be clean shaven. Inmates shall shave every day unless it is determined by the institutional physician that shaving would be detrimental to the inmate's health.

(3) Showers. Basic training program inmates shall shower at least once daily.

(4) No change.

Specific Authority 944.09, 958.045 FS. Law Implemented 944.09, 958.045 FS. History—New 2-26-89, Amended 1-25-96, Formerly 33-27.008, Amended.

33-506.211 Basic Training Program – Discipline.

(1) Alternative Training.

(a) Any staff member of the basic training program, with the approval of the supervisor, has the authority to implement any of the following alternative training measures to individual inmates or groups of inmates assigned to the basic training program:

(a) through (e) renumbered 1. through 5. No change.

6. Assignment of participation in motivational activities such as mandatory reading aloud of inmate rules and regulations before the other inmates in the basic training program or specially devised physical activities.

(b) If the inmate misconduct is of a nature that the officer believes cannot be corrected through use of alternative training measures, the officer shall, with approval of the supervisor, advise the review team of the misconduct.

(2) Review Team. The review team is responsible for reviewing incidents of inmate misconduct to determine whether possible disciplinary action is warranted. In addition to the responsibilities specified in rules 33-601.301-601.314, The review team is authorized to impose any alternative training measure described in (1) above procedures as well as any of the following disciplinary measures:

(a) Make program modification recommendations to the ~~IMPT classification team~~ for review and approval of the program director.

~~(b) Assignment of participation in motivational activities such as mandatory reading aloud of inmate rules and regulations before the other inmates in the basic training program or specially devised physical activities.~~

~~(b)(e) Direct that a formal disciplinary report be prepared by the staff member who observed the infraction. This report shall then be handled in accordance with the inmate discipline rules, 33-601.301-.314, F.A.C. forwarded to the assigned disciplinary team for consideration.~~

(3) ~~Disciplinary Team. The disciplinary team is authorized to impose any discipline, including alternative training, which does not exceed 30 days disciplinary confinement and loss of gain time as specified in 33-601.301-601.314. If disciplinary confinement is imposed by the hearing officer or disciplinary team, u~~Upon completion of the disciplinary confinement period, the inmates shall be returned to Phase I of the basic training program for completion. Inmates who have committed or threatened to commit violent acts shall be terminated from the program and returned to general population in order to complete the remainder of their sentences.

Specific Authority 944.09, 958.045 FS. Law Implemented 944.09, 958.045 FS. History—New 2-26-89, Amended 1-25-96, Formerly 33-27.012, Amended.

33-506.212 Removal from Basic Training Program.

(1) An inmate ~~can~~ shall be removed from the basic training program for health reasons, classification reassignment in accordance with chapter 33-601, F.A.C. modification or expiration of sentence or when such removal is in the best interest of the inmate or the security of the institution.

(2) Removal shall be recommended by the ICT who shall forward a teletype to the SCO. The inmate will be removed from the basic training program until the SCO has approved the removal.

(3) An inmate who has committed or threatened to commit violent acts will be terminated from the program and returned to general population in order to complete the remainder of his or her sentence.

(4) In all cases, the sentencing court or other releasing authority ~~and the Bureau of Program Services~~ shall be ~~immediately~~ promptly notified of the inmate's removal from the program.

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 944.09, 958.04, 958.045 FS. History--New 2-26-89, Amended 1-25-96, 10-23-97, Formerly 33-27.013, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Dugger

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLE: Care of Inmates RULE NO.: 33-602.101

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify procedures relating to the care of inmates.

SUMMARY: The proposed rule clarifies that: personal clothing may be provided to inmates prior to their release to be worn upon release; appropriate action may be taken to bring an inmate who refuses to adhere to grooming standards into compliance; and, inmates with medical conditions may not be assigned any activity until approval is given by authorized medical personnel.

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: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Giselle Lylen Rivera, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.101 Care of Inmates.

(1) through (3)(b) No change.

(c) A transferring inmate may, when transferred, take one issue of state clothing and all personal clothing. Transfers to contract work release facilities, contract drug facilities, and female community correctional centers via public transportation shall be made with personal clothing. An inmate's personal clothing, for purposes of transfer or upon release, may be supplied by the inmate, the inmate's family, or from available surplus clothing.

(d) No change.

(e) Civilian clothing, when available from family members or from surplus clothes closets, may be used by the inmate for court appearances, furloughs, funerals, and other circumstances, including release, as authorized by the warden.

(f) through (5) No change.

(6) If an inmate refuses to adhere to the grooming standards after having been given an opportunity and after having been found to be in violation through the formal disciplinary process (33-601.301-601.314), the officer in charge or a more senior official shall direct staff to shave the inmate or cut the inmate's hair, or take other necessary action to bring the inmate into compliance ~~comply~~ with the grooming standards. When it is necessary to use force to carry out this task, the use of force shall be documented pursuant to rule 33-602.210.

(7) through (8) No change.

(9) All inmates shall be furnished proper medical care and medicine. Inmates with specific medical holds, lay-ins, or medical restrictions shall not be assigned any activity until approval is given by the attending physician or clinical associate. Medically prescribed food shall be provided as ordered.

(10) through (11) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-8-76, Formerly 33-3.02, Amended 4-19-79, 4-24-80, 1-9-85, 11-3-87, 9-16-88, 7-23-89, 8-27-91, 3-30-94, 11-14-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Dugger

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2000

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 General and Procedural Rules 40B-1
 RULE TITLES: RULE NOS.:

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PURPOSE AND EFFECT: The purpose and effect of these proposed rules is to repeal the Suwannee River Water Management District’s procedural rules which are to be superseded by the Uniform Rules of Procedure, and to begin the process of adopting procedural rules for which the Administrative Commission has granted the District exceptions from the Uniform Rules of Procedure.

SUMMARY: The Uniform Rules of Procedure, Chapters 28-101 through 28-110, F.A.C., will apply to the District effective July 1, 1998. To avoid confusion, the District is proposing to repeal its procedural rules which will be superseded by the Uniform Rules of Procedure. The District has petitioned for, and the Administration Commission has granted, certain exceptions to the Uniform Rules of Procedure. The District is proposing to adopt the rules for these exceptions.

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

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

SPECIFIC AUTHORITY: 120.54(5), 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.53(1), 120.54(5), 120.569, 120.57, 120.60, 373.016, 373.084, 373.085, 373.086, 373.103, 373.106, 373.118, Ch. 373, Parts II, IV FS., 62-113.200, 62-532, 62-550 F.A.C.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Wynn A. McDonald, Suwannee River Water Management District Headquarters, 9225 County Road 49, Live Oak, Florida 32060, (904)362-1001

THE FULL TEXT OF THE PROPOSED RULES IS:

40B-1.100 Uniform Rules of Procedure and Statement of District Organization and Operation.

(1) Procedures governing the Suwannee River Water Management District’s proceedings under Chapter 120, F.S., including rulemaking, meetings and workshops, declaratory statements, decisions determining substantial interests, licensing, permits, and variances and waivers, are contained in Title 28, F.A.C., Uniform Rules of Procedure. Exceptions to the Uniform Rules of Procedure were granted by the Administration Commission and are set forth in Chapter 40B-1, F.A.C.

(2) General information about the District is contained in the SRWMD “Statement of District Organization and Operation,” a nonrule document published pursuant to Section 120.54(5), F.S., and Uniform Rules of Procedure, Section 28-101, F.A.C. The Statement of District Organization and Operation provides information on the District’s mission, statutory authority, delegation of authority and duties pursuant to Chapter 373, F.S.; governing board and internal organization and functions; public assistance programs and opportunities; identification of the agency clerk and the official reporter; procedure for obtaining District documents and publications, including district rules, permit applications and permit authorizations; and document filing procedures.

Specific Authority 120.54(5) FS. Law Implemented 120.54(5) FS. History–New _____.

PART I – GENERAL

40B-1.101 General.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 373.044, 373.113 FS. History–New 9-15-81, Amended 3-17-88, Repealed _____.

40B-1.103 The District.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1)(a), 373.079, 373.175 FS. History–New 9-15-81, Repealed _____.

40B-1.1031 Implementation.

Specific Authority 373.044 FS. Law Implemented 120.54 FS. History–New 9-15-81, Amended 3-17-88, Repealed _____.

40B-1.104 The Governing Board.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1)(a), 373.073, Chapter 373, Parts I, II, IV, V, and VI FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed _____.

40B-1.105 General Description of District Organization and Operation.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53, 373.103 FS. History–New 9-15-81, Amended 3-17-88, 2-1-89, Repealed _____.

40B-1.121 General Information Concerning the District.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1) FS. History–New 9-15-81, Amended 3-17-88, Repealed _____.

40B-1.125 Public Information and Inspection of Records.

Specific Authority 373.044, 373.113, 373.139 FS. Law Implemented 119.07(1), 120.53(1)(b), (2), 286.011(2) FS. History–New 9-15-81, Amended 3-17-88, 12-21-88, Repealed _____.

40B-1.132 District Clerk and Official Reporter.

Specific Authority 120.53(1)(f), 373.044, 373.113 FS. Law Implemented 120.52(9), 120.53(1), 120.53(2)(b), (c), 120.53(3), 120.53(4), 120.54(10), 120.59(1), 373.171 FS. History–New 9-15-81, Amended 9-16-93, Repealed _____.

40B-1.133 Public Access.

Specific Authority 373.044, 373.113 FS. Law Implemented 119.07, 119.08, 120.53(3) FS. History–New 9-15-81, Repealed _____.

40B-1.134 Administrative Enforcement Action.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1)(b), (c), 120.60(2), 120.68, 120.69, 373.119, 373.129, 373.136, 373.209, 373.433, 373.603 FS. History–New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.135 Delegations of Authority.

(1) The District is delegated authority by the Department of Environmental Protection Regulation to assume certain responsibilities of Chapter 373, Florida Statutes. This delegation, general to the Water Management Districts, is pursuant to authority contained in Sections 373.016 and 373.103, Florida Statutes, and is described in Section 62-113.200 47-101.040, Chapters 62-532 62-24 and 62-550 62-22, Florida Administrative Code.

(2) The exercise of delegated authority by the Board, or any person designated by the Board as its agent, includes all the jurisdiction, powers, and authority conferred by law upon the District.

Specific Authority 373.044 FS. Law Implemented 373.016, 373.103 FS., 62-113.200 47-101.040, 62-532 62-24, 62-550 62-22 FAC. History–New 9-15-81, Repromulgated 3-17-88, Amended.

40B-1.140 Final Order Index.

Specific Authority 120.53(1), 120.533 FS. Law Implemented 120.53(2), 120.533 FS. History–New 9-16-93, Repealed.

PART II MEETINGS AND WORKSHOPS

40B-1.201 Notice of Meeting or Workshop.

Specific Authority 120.54(1), (10) FS. Law Implemented 120.53(1)(d), 120.55(1)(c) FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.203 Agenda of Meetings and Workshops.

Specific Authority 120.54(10) FS. Law Implemented 120.53(1)(d) FS. History–New 9-15-81, Amended 3-17-88, Repealed.

40B-1.207 Emergency Meetings.

Specific Authority 120.54(10) FS. Law Implemented 120.53(1)(d) FS. History–New 9-15-81, Repealed.

PART III RULEMAKING PROCEEDINGS

40B-1.301 Commencement of Proceedings.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1) FS. History–New 9-15-81, Repealed.

40B-1.303 Notice of Proceedings and the Proposed Rules.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1) FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.307 Content of Notice.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.54(1) FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.311 Petitions to Initiate Rulemaking Proceedings.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.54(5) FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.313 District Action on Petitions to Initiate Rulemaking Proceedings.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.54(5) FS. History–New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.327 Rulemaking Materials.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.54 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.330 Rulemaking Proceedings – No Hearing.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.54(3) FS. History–New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.331 Rulemaking Proceedings – Hearing.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.54(3), (6) FS. History–New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.335 Incorporation by Reference.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53, 120.54 FS. History–New 9-15-81, Repealed.

40B-1.337 Emergency Rule Adoption.

Specific Authority 120.53(1), 120.54(10) FS. Law Implemented 120.53(1), 120.54(9) FS. History–New 9-15-81, Amended 3-17-88, Repealed.

PART IV DECLARATORY STATEMENTS

40B-1.401 General.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.565, 120.73 FS. History–New 9-15-81, Repealed.

40B-1.405 Purpose and Use of Declaratory Statement.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.565 FS. History–New 9-15-89, Repealed.

40B-1.407 District Disposition.

Specific Authority 120.53(1), 120.54(10) FS. Law Implemented 120.565 FS. History–New 9-15-81, Repealed.

PART V DECISIONS DETERMINING SUBSTANTIAL INTEREST

Subpart A General Provisions

40B-1.501 Scope of Part V.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.54(16), 120.57, 120.60(1) FS. History–New 9-15-81, Repealed.

40B-1.503 Computation of Time.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.504 Parties.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.57 FS. History–New 9-15-81, Repealed.

40B-1.505 Appearances; Criteria for Authorized Representation.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.62(2) FS. History–New 9-15-81, Repealed.

40B-1.506 Consolidation.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.57 FS. History–New 9-15-81, Repealed.

40B-1.507 Joinder of Parties.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.508 Disqualification.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.71 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.509 Filing and Service of Papers.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.510 District Investigations and Probable Cause Determinations.

~~(1) This chapter does not apply to District investigations or to determinations of probable cause preliminary to District action.~~

~~(1)(2)~~ Upon receipt of a complaint filed pursuant to Rule 40B-1.705, the District may conduct such investigations and make such probable cause determinations as are authorized or required by law.

~~(2)(3)~~ An investigation or determination of probable cause is a nonadversarial non-adversary executive function to discover or procure evidence as part of the fact-finding function of the District. The District need not have an administrative complaint pending to conduct an investigation and make such determination.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57(4), 120.569(2)(i) 420.64, 373.219(2) FS. History–New 9-15-81, Amended.

40B-1.511 Point of Entry into Proceedings.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

Subpart B Formal Proceedings

40B-1.521 Initiation of Formal Proceedings.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.522 Amendment of Petitions.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.523 Answer.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.524 Motions.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.525 Motions in Opposition to Petitions.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.526 Prehearing Conferences.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.527 Intervention.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.528 Discovery.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.529 Notice of Hearing.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.530 Continuances.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.531 Dismissal and Default.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.541 Subpoenas.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.58(1) FS. History–New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.542 Witness Fees.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.543 Witnesses.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.5435 Order of Presentation.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History–New 9-15-81, Repealed.

40B-1.544 Evidence.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.58 FS. History–New 9-15-81, Repealed.

40B-1.545 Burden of Proof.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.58 FS. History–New 9-15-81, Repealed.

40B-1.546 Recordation.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History—New 9-15-81, Repealed.

40B-1.547 Venue.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History—New 9-15-81, Repealed.

40B-1.561 Post-hearing Memoranda.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.562 Recommended Order.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.58(1) FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.564 Exceptions to Recommended Order.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57 FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.565 Final Orders.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.59, 120.60 FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

Subpart C Informal Proceedings

40B-1.571 Informal Proceedings.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57(2) FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.572 Submission of Evidence.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57(2) FS. History—New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, Repealed.

40B-1.573 Final Order.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57(2) FS. History—New 9-15-81, Repealed.

PART VI LICENSING

40B-1.601 General.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.57, 120.60 FS. History—New 9-15-81, Repealed.

40B-1.605 Application for License.

Specific Authority 373.044, 373.113, 120.60 FS. Law Implemented 120.60 FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.608 Denial of License.

Specific Authority 373.044, 373.113, 120.60 FS. Law Implemented 120.60 FS. History—New 9-15-81, Repealed.

40B-1.609 Suspension, Revocation, Annulment, or Withdrawal.

Specific Authority 373.044, 373.113, 120.60 FS. Law Implemented 120.57, 120.60 FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.611 Emergency Action.

Specific Authority 120.53(1), 120.54(1) FS. Law Implemented 120.57, 120.60(6) FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

PART VII PERMITS

40B-1.701 General.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.60, 373.085, 373.116, 373.119, 373.175, 373.229, 373.239, 373.243, 373.246, 373.413, 373.416, 373.429, 373.433, 373.436, 373.439 FS. History—New 9-15-81, Repromulgated 3-17-88, Repealed.

40B-1.702 Permits Required.

Unless expressly exempt by law or District rule, the following permits must be obtained from the District prior to the commencement of the permitted activity:

(1) A water use permit under Chapter 40B-2, F.A.C., must be obtained prior to use or withdrawal of water. A water well construction permit under Chapter 40B-3, must be obtained prior to construction, abandonment, or repair of a water well.

(2) A water well construction permit under Chapter 40B-3, F.A.C., must be obtained prior to construction, abandonment, or repair of a water well. An artificial recharge permit under Chapter 40B-5 must be obtained prior to construction of any project involving artificial recharge or the intentional introduction of water into any underground formation.

(3) An environmental resource permit under Chapters 40B-4 and 40B-400, F.A.C., must be obtained prior to initiating any project which involves draining, developing, or subdividing property, construction of roads or bridges, commercial or industrial developments, and agricultural or forestry activities, including dredging or filling, as specified in the referenced rules. A water use permit under Chapter 40B-2 must be obtained prior to use or withdrawal of water.

(4) A works of the district permit under Chapter 40B-4, F.A.C., must be obtained prior to initiating any project as outlined in (3) above within a regulatory floodway as defined by the District. An environmental resource permit under Chapter 40B-4 and 40B-400, F.A.C., must be obtained prior to initiating any project which involves draining, developing, or subdividing property, construction of roads or bridges, commercial or industrial developments, and agricultural or forestry activities, including dredging or filling, as specified in the referenced rules.

(5) An artificial recharge permit under Chapter 40B-5, F.A.C., must be obtained prior to construction of any project involving artificial recharge or the intentional introduction of water into any underground formation. A works of the district permit under Chapter 40B-4 must be obtained prior to initiating any project as outlined in (4) above within a regulatory floodway as defined by the District.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.60, 373.085, 373.106, Ch. 373, Parts II, IV FS. History—New 9-15-81, Amended 3-17-88, 10-3-95.

40B-1.703 Procedures for Consideration of Permit Applications.

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

(c) General permits are reviewed, and agency action is initiated within 30 days of receipt of a completed and properly executed application, including any permit fees. Following investigation and review by district staff to insure the proposed activity qualifies for the specific general permit authorized by district rule and conforms to all conditions for issuance of the specific general permit, the general permit is issued by rule. In lieu of issuance of the general permit, the district will issue a notice of proposed agency action to deny the application and follow the procedures in Section 120.57, Florida Statutes, and Chapter 28, 40B-1, Part V, Florida Administrative Code, when investigation and review of the application by district staff reveals that the proposed activity does not qualify or conform to the conditions for issuance of the specific general permit authorized by district rule. If an application is received in an incomplete state, not properly executed or if additional information is required, the applicant shall be notified pursuant to the procedures in Section 120.60, Florida Statutes, and Chapter 28, 40B-1, Part V, Florida Administrative Code.

(2) Individual Permits

(a) Individual permits are issued under the standard permitting and licensing procedures described in Section 120.60, Florida Statutes. Unless a general permit is specifically authorized by district rule or unless an applicant chooses to request a conceptual approval permit for an activity, the individual permit procedures described in this section and Chapter 120 govern all district permitting and licensing activities. Within 30 days of receipt of an application for an individual permit, the district will notify the applicant of any apparent errors or omissions and request any additional information that the district is authorized to request. A request for additional information shall include a reference to the specific rule or law which authorizes the district to make the request. If apparent errors or omissions are not corrected or additional information requested is not supplied within 90 days of the date of the district notice, the district shall issue a notice of proposed agency action to deny the application and follow the procedures in Section 120.57, Florida Statutes, and Chapter 28, 40B-1, Part V, Florida Administrative Code. The applicant may request an extension of time in writing necessary to correct apparent errors or omissions or supply additional information requested by the district.

(b) Upon receipt of an application for an individual permit, the district will cause to be published and distributed the notices of application required by Sections 373.116, 373.413(3), and 373.413(4), Florida Statutes. The notice of application shall specify a date not less than 14 days from the date of publication and distribution by which comments or objections to the application may be filed with the district. A notice of proposed agency action on an individual permit

application will be prepared whenever possible. The notice of proposed agency action will be sent to the applicant or any other person requesting such notice. If no substantial objection to the application or notice of proposed agency action is received, the governing board may, at its discretion, consider the application at its next regularly scheduled meeting, which is at least 14 days after issuance of a notice of proposed agency action. If a substantial objection is received, the board shall proceed under the procedures in Chapter 28, Chapter 40B-1, Part V, and, if appropriate, set a time for a hearing in accordance with the provisions of Chapter 120, Florida Statutes. When there is not a reasonable opportunity for the district to issue a notice of proposed agency action, the governing board may, at its discretion, consider the application and advise the applicant and all other persons requesting notice of the governing board's action and providing an opportunity to request an administrative hearing on the action pursuant to Section 120.60(3), Florida Statutes, and Chapter 28, 40B-1, Part V, Florida Administrative Code.

(3) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 120.57, ~~120.569~~ ~~120.59~~, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS. History—New 6-16-88, Amended 12-22-92, 10-3-95, _____.

40B-1.708 Denial of Permit.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.60 FS. History—New 9-15-81, Repealed.

PART VIII ACQUISITION OF PROFESSIONAL SERVICES, CONTRACTUAL SERVICES AND PROCUREMENT OF COMMODITIES

40B-1.813 Contract Bidding – Resolution of Protests.

(1) The District shall give notice of its decision or intended decision concerning a bid solicitation by United States mail or by hand delivery to all bidders. Notice of other decisions or intended decisions concerning a contract award shall be given by posting the bid tabulation at the location of the bid opening or by Certified United States mail, return receipt requested. All notices pursuant to this rule shall include the following statement: Failure to file a protest within the time prescribed in subsection 120.57(3)(b) ~~120.53(5)~~, Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The formal written protest shall state with particularity the facts and law upon which the protest is based.

(2) through (4) No change.

(5) If the subject of the protest is not resolved by mutual agreement within seven days, excluding Saturdays, Sundays, and legal holidays, of the filing of a formal protest, the following shall occur:

(a) If there is a disputed issue of material fact, the District shall refer the protest to the Division of Administrative Hearings for proceedings under subsection 120.57(1), Florida Statutes.

(b) If there is no disputed issue of material fact, an informal proceeding pursuant to subsection ~~section~~ 120.57(2), Florida Statutes, and the District's rules shall be conducted before a person eligible under the Florida Administrative Code or Chapter 120, Florida Statutes.

Specific Authority 373.044 FS. Law Implemented 120.57(3) ~~120.57(5)~~ FS. History--New 3-17-88, Amended 8-19-92, _____.

PART IX – FORMS AND INSTRUCTIONS

40B-1.901 General.

The District maintains a list of forms which is updated annually and is available upon request. All district forms and instructions may be obtained at the District Headquarters or requested by mail or telephone ~~as provided in subsection 40B-1.121(4)~~ and are hereby incorporated by reference as follows:

- (1) 40B-2-1 Application for General Water Use Permit – Agricultural Irrigation and Livestock Uses, Effective _____ October 1, 1982;
- (2) 40B-2-2 Application for General Water Use Permit – Commercial/Industrial, Water Utility, and Other Uses, Effective _____ October 1, 1982;
- (3) 40B-2-3 Application for General Water Use Permit – Nursery, Landscape Irrigation, and Other Uses, Effective _____ October 1, 1982;
- (4) through (8) No change.
- (9) 40B-2-9 Water Use Permit, Effective _____ October 1, 1982;
- (10) Notice of Intent to Construct a Minor Surface Water Management System Pursuant to ss. 40B-4.2010(1) or (2)(a), F.A.C., Effective _____;
- (11) Application for General Work of the District Development Permit, Effective _____;
- (12) Petition for a Formal Wetland and Surface Water Determination, Effective _____;
- (13) Joint Application for Environmental Resource Permit/Authorization To Use State Owned Submerged Lands/Federal Dredge and Fill Permit, Effective _____;
- (14) Construction Commencement Notice, Effective _____;
- (15) Annual Status Report, Effective _____;
- (16) As-Built Certification by a Registered Professional, Effective _____; and
- (17) Notice of Intent to Construct a Minor Silvicultural Surface Water Management System Pursuant to s. 40B-400.500, F.A.C., Effective _____;

[Illustrations Not Included]

Specific Authority 373.044, 373.113 FS. Law Implemented 373 FS. History--New 9-15-81, Amended 3-17-88, 12-21-88, 10-8-89, 6-17-93, 10-3-95, 1-3-96, 6-22-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Still, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (904)362-1001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2000

DATE NOTICE PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: November 3, 2000

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

RULE NO.: 40C-8.031

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to establish minimum water levels on certain waterbodies in accordance with the District's priority list and schedule, pursuant to the mandates of sections 373.042 and 373.0421, Florida Statutes.

SUMMARY: Minimum water levels will be established for the following lakes and wetlands: Boggy Marsh (wetland) and Pine Island Lake in Lake County; Lake Brantley and Lake Howell in Seminole County; Davis Lake and Upper Lake Louise in Volusia County; and Lake Swan in Putnam County. Each surface water, except for Swan Lake in Putnam County, will have a minimum frequent high level, a minimum average level, and a minimum frequent low level. Swan Lake will have a minimum frequent high level and a minimum average level. Each of the proposed water levels will have an associated hydroperiod category. The terms referenced herein are already defined in Chapter 40C-8, F.A.C. As with all minimum levels established by the District, this rule amendment will require an applicant for a permit pursuant to Chapters 40C-2, 40C-20, 40C-4, or 40C-40, F.A.C., to provide reasonable assurance that the activity for which the permit is sought would not violate these minimum levels.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

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

TIME AND DATE: 9:00 a.m., January 10, 2001 (following the regularly scheduled Governing Board meeting)

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32178

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459, Suncom 860-4459

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT HIGH	MINIMUM FREQUENT HIGH	MINIMUM AVERAGE	MINIMUM FREQUENT LOW	INFREQUENT LOW
Boggy Marsh	Lake	Seasonally Flooded		117.3			
		Typically Saturated			115.9		
		Semipermanently Flooded				114.5	
Brantley	Seminole	Seasonally Flooded		46.3			
		Typically Saturated			45.6		
		Semipermanently Flooded				44.1	
Davis	Volusia	Seasonally Flooded		36.2			
		Typically Saturated			35.4		
		Semipermanently Flooded				34.0	
Howell	Seminole	Seasonally Flooded		53.7			
		Typically Saturated			52.9		
		Semipermanently Flooded				51.5	
Pine Island	Lake	Seasonally Flooded		107.7			
		Typically Saturated			106.8		
		Semipermanently Flooded				105.4	
Swan	Putnam	Temporarily Flooded		93.0			
		Typically Saturated			90.3		
Upper Louise	Volusia	Seasonally Flooded		35.3			
		Typically Saturated			34.6		
		Semipermanently Flooded				33.2	

(1) No change.

(2) The following minimum surface water levels are established:

Specific Authority: 373.044, 373.113 FS. Law Implemented: 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sonny Hall, Technical Program Manager, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429, (904)329-4368

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: October 20, 2000

If any person decides to appeal any decision with respect to any matter considered at the above listed hearing, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Anyone requiring a special accommodation to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Ann Freeman at (904)329-4101 or (904)329-4450(TDD).

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Medical Foster Care RULE NO.: 59G-4.197

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Medical Foster Care Coverage and Limitations Handbook, September 2000. The effect will be to incorporate by reference the current Florida Medicaid Medical Foster Care Coverage and Limitations Handbook.

SUMMARY: This rule amendment will incorporate by reference the Medical Foster Care Coverage and Limitations Handbook, September 2000. This updated version will replace the December 1997 version, which is currently in use.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905(2), 409.908 FS.

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

TIME AND DATE: 9:30 a.m., December 19, 2000

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kenn Jones, Registered Nursing Consultant, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, Telephone (850)922-7310

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.197 Medical Foster Care.

(1) This rule applies to all Medical Foster Care (MFC) providers enrolled in the Medicaid program.

(2) All Medicaid-enrolled Medical Foster Care (MFC) providers must be in compliance with the Florida Medicaid Medical Foster Care Coverage and Limitations Handbook, September 2000 ~~December 1997~~, incorporated by reference, and the Florida Medicaid Reimbursement Handbook HCFA-1500 ~~HCFA-1500~~, and Child Health Check-Up 221, which is incorporated in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905(2), 409.908 FS. History-New 2-22-00, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenn Jones, Registered Nursing Consultant, Medicaid Program Development

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Secretary DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 31, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE CHAPTER TITLE: The Association RULE CHAPTER NO.: 61B-23

RULE TITLES: Regular Elections; Vacancies Caused by

Expiration of Term, Resignations, Death Recall of One or Members of a Board of

Administration at a Unit Owner Meeting; Board Certification; Filling Vacancies 61B-23.0027

Recall by Written Agreement of the Voting Interests; Board Certification;

Filling Vacancies 61B-23.0028

PURPOSE AND EFFECT: The purpose of the rule amendment to 61B-23.0021 is to bring the rule into compliance with amendments to Chapter 718. The effect of the rule amendment is to conform the election procedures to the statute as amended. The purpose of the rule amendment to 61B-23.0027 is to clarify recall procedures regarding appointments and elections to the board to fill vacancies caused by recall at a unit owner's meeting. The effect of the rule amendment is that appointments and elections to the board to fill vacancies caused by recall are effective for the unexpired term of the seat being filled, without regard to whether an election has been noticed. Further, votes received by the board or votes revoked after adjournment of the recall meeting are

ineffective. Appointments to the board during the pendency of an arbitration are temporary pending the arbitration decision. The purpose of the rule amendment to 61B-23.0028 is to clarify recall procedures, regarding appointments and elections to the board to fill vacancies caused by recall by written agreement of the voting interests. The effect of the rule amendment is that appointments and elections to the board to fill vacancies caused by recall are effective for the unexpired term of the seat being filled, without regard to whether an election has been noticed. Further, votes received or revoked after the written agreement for recall has been served on the board are ineffective. Appointments to the board during the pendency of an arbitration are temporary pending the arbitration decision.

SUMMARY: This rule amendment addresses certain election issues in condominium associations related to vacancies created by expiration of term, resignation, or death. The amendment addresses how an association may adopt different voting procedures in its bylaws. The amendment deletes the thirty-day requirement for the second notice of election, thereby conforming the rule provision with the statute. This rule amendment also addresses the procedures to be followed for a recall by vote at a meeting of the unit owners and the appointment and election procedures to be followed for a recall by written agreement of the voting interests.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 718.112 (2)(d)3., 718.112(2)(j) FS.

LAW IMPLEMENTED: 718.112, 718.301 FS.

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

TIME AND DATE: 9:00 a.m., January 2, 2001

PLACE: Warren Building Meeting Room #B03, 202 Blount Street, Tallahassee, Florida 32399-1030

Those persons who cannot attend in person may submit their comments in writing to Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, within 21 days of this notice. Written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Sharon A. Elzie, Senior Management

Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-23.0021 Regular Elections; Vacancies Caused by Expiration of Term, Resignations, Death.

(1)(a) Unless otherwise provided herein, the provisions of this rule apply to all regular and runoff elections conducted by a condominium association, regardless of any provision to the contrary contained in the declaration, articles of incorporation, or bylaws of the association. ~~Except as otherwise provided by rules 61B-23.0027 and 61B-23.0028, Florida Administrative Code, the provisions of this rule do not apply to vacancies created by the recall of a board member or members. The method of removing board members by recall and the procedures for filling such vacancies are set forth in rules 61B-23.0026 through 61B-23.0028, Florida Administrative Code. An association consisting of fewer than 25 units may, by a two-thirds vote of the total voting interests taken on or after April 1, 1992, provide for different voting and election procedures in its bylaws, and may thereafter follow these procedures unless the bylaws are subsequently amended to remove or nullify them.~~

(b) Except as otherwise provided by rules 61B-23.0027 and 61B-23.0028, Florida Administrative Code, the provisions of this rule do not apply to vacancies created by the recall of a board member or members. The method of removing board members by recall and the procedures for filling such vacancies are set forth in rules 61B-23.0026 through 61B-23.0028, Florida Administrative Code.

(c) In order to adopt different voting and election procedures in its bylaws pursuant to section 718.112(2)(d)7., Florida Statutes, an association must obtain the affirmative vote of a majority of the total voting interests even if different amendatory procedures are contained in an association's bylaws. Such vote must be taken on or after June 14, 1995. The phrase "different voting and election procedures" as used in this rule and as used in Section 718.112(2)(d), Florida Statutes, refers to procedures used only for the election of board members.

~~(d)(b)~~ Balloting is not necessary to fill any vacancy unless there are two or more eligible candidates for that vacancy. In such a case, not later than the date of the scheduled election:

1. For a regular election the association shall call and hold a meeting of the membership to announce the names of the new board members, or shall notify the unit owners of the names of the new board members or that one or more board positions remain unfilled, as appropriate under the circumstances. In the alternative, the announcement may be made at the annual meeting.

2. For an election pursuant to section 718.112(2)(d)8., Florida Statutes ~~subsection 13 of this rule~~, to fill a vacancy, the association shall call and hold a meeting of the membership to announce the names of the new board members or, in the alternative, shall notify the unit owners of the names of the new board members or that one or more board positions remain unfilled, as appropriate under the circumstances.

(2) through (3) No change.

(4) The first notice of the date of the election, which is required to be mailed or delivered not less than 60 days before a scheduled election, must contain the name and correct mailing address of the association. ~~The failure to mail or deliver to the eligible voters at the addresses indicated in the official records the first notice of the date of the election not less than 60 days before a scheduled election shall render any election so held null and void.~~

(5) ~~A~~ Unless nominated at a board meeting as authorized by section 718.112(2)(d)3., Florida Statutes (1992 Supp.), any unit owner or other eligible person desiring to be a candidate for the board of administration shall give written notice to the association not less than 40 days before a scheduled election. Written notice shall be effective when received by the association. Written notice shall be accomplished in accordance with one or more of the following methods:

(a) By certified mail, return receipt requested, directed to the association; or

(b) By personal delivery to the association; or

(c) By regular U.S. mail, facsimile, telegram, or other method of delivery to the association.

(6) No change.

(7) Upon the timely request of a candidate as set forth in this paragraph, the association shall include, with the second notice of election described in subsection (8) below, a copy of an information sheet which may describe the candidate's background, education, and qualifications as well as other factors deemed relevant by the candidate. The information contained therein shall not exceed one side of the sheet which shall be no larger than 8 1/2 inches by 11 inches. Any candidate desiring the association to mail or personally deliver copies of an information sheet to the eligible voters must furnish the information sheet to the association not less than 35 days before the election. If two or more candidates consent in writing, the association may consolidate into a single side of a page the candidate information sheets submitted by those candidates. ~~If consented to in writing by the candidates involved, two or more candidate information sheets may be consolidated into a single page. The failure of an association to mail or personally deliver a copy of a timely delivered information sheet of each eligible candidate to the eligible voters shall render any election held null and void.~~ No association shall edit, alter, or otherwise modify the content of

the information sheet. The original copy provided by the candidate shall become part of the official records of the association.

(8) In accordance with the requirements of Section 718.112(2)(d), Florida Statutes ~~Not less than 30 days before the scheduled election~~, the association shall mail or deliver to the eligible voters at the addresses listed in the official records a second notice of the election, together with a ballot and any information sheets timely submitted by the candidates. The second notice and accompanying documents shall not contain any communication by the board which endorses, disapproves, or otherwise comments on any candidate. Accompanying the ballot shall be an outer envelope addressed to the person or entity authorized to receive the ballots and a smaller inner envelope in which the ballot shall be placed. The exterior of the outer envelope shall indicate the name of the voter, and the unit or unit numbers being voted, and shall contain a signature space for the voter. Once the ballot is filled out, the voter shall place the completed ballot in the inner smaller envelope and seal the envelope. The inner envelope shall be placed within the outer larger envelope, and the outer envelope shall then be sealed. Each inner envelope shall contain only one ballot, but if a person is entitled to cast more than one ballot, the separate inner envelopes required may be enclosed within a single outer envelope. The voter shall sign the exterior of the outer envelope in the space provided for such signature. The envelope shall either be mailed or hand delivered to the association. Upon receipt by the association, no ballot may be rescinded or changed.

(9) The written ballot shall indicate in alphabetical order by surname, each and every unit owner or other eligible person who desires to be a candidate for the board of administration and who gave written notice to the association not less than 40 days before a scheduled election, ~~or who was nominated at a board meeting as permitted under section 718.112(2)(d)3., Florida Statutes~~, unless such person has, prior to the mailing of the ballot, withdrawn his candidacy in writing. ~~The failure of the written ballot to indicate the name of each eligible person shall render any election so held null and void.~~ No ballot shall indicate which candidates are incumbents on the board. No write-in candidates shall be permitted. No ballot shall provide a space for the signature of or any other means of identifying a voter. Except where all voting interests in a condominium are not entitled to one whole vote (fractional voting), or where all voting interests are not entitled to vote for every candidate (class voting), all ballot forms utilized by a condominium association, whether those mailed to voters or those cast at a meeting, shall be uniform in color and appearance. In the case of fractional voting, all ballot forms utilized for each fractional vote shall be uniform in color and appearance. And in class voting situations, within each separate class of voting interests all ballot forms shall be uniform in color and appearance.

(10) through (13) No change.

Specific Authority 718.112(2)(d)3., 718.501(1)(f) FS. Law Implemented 718.112, 718.301 FS. History--New 1-23-92, Amended 12-20-92, Formerly 7D-23.0021, Amended 8-24-94, 12-20-95, 1-19-97, _____.

61B-23.0027 Recall of One or More Members of a Board of Administration at a Unit Owner Meeting; Board Certification; Filling Vacancies.

(1) through (3)(f) No change.

(g) After adjournment of the meeting to recall one or more members of the board of administration:

1. Any rescission of an individual unit owner vote or any additional unit owner votes received in regard to the recall shall be ineffective.

2. Where the board determines not to certify the recall of a director and that director resigns, any appointment to fill the resulting vacancy shall be temporary pending the arbitration decision.

(4) through (5)(a)1. No change.

2. If less than a majority of the existing board is recalled in a certified recall, a vacancy or vacancies on the board may be filled by the affirmative vote of a majority of the remaining board members, subject to the provisions of section 718.301, Florida Statutes, and rules 61B-23.003 and 61B-23.0026, Florida Administrative Code, regardless of whether the authority to fill vacancies in this manner is provided in the condominium documents. No recalled board member shall be appointed by the board to fill any vacancy on the board. A board member appointed pursuant to this rule shall fill the vacancy for the unexpired term of the seat being filled until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was appointed is scheduled to be filled at that election. If, however, upon appointment, the association has already mailed or delivered the first notice of election pursuant to section 718.112(2)(d)3., Florida Statutes, the board member appointed as provided in this rule shall serve until the next election scheduled in the future for any board position. If the term of office formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall be elected for a full term. If the board determines not to fill vacancies by vote of the remaining board members or if it is unable to fill vacancies in this manner (e.g., if there is a tie vote, as defined by rule 61B-23.0021, Florida Administrative Code, on the proposed replacement member; if a quorum is not obtained, or otherwise), the board may, in its discretion, call and hold an election in the manner provided by

section 718.112(2)(d)3., Florida Statutes, and rule 61B-23.0021, Florida Administrative Code, in which case any person elected shall fill the entire remaining term.

3. If a majority or more of the board is recalled in a certified recall, those replacement board members elected at the recall meeting shall take office upon adjournment of the board meeting at which it was determined to certify the recall. A board member who is elected to fill a vacancy caused by recall shall fill the vacancy for the unexpired term of the seat being filled only until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was appointed is scheduled to be filled at that election. If, however, upon the election, the association has already mailed or delivered the first notice of election pursuant to section 718.112(2)(d)3., Florida Statutes, the board member elected as provided in this rule shall serve until the next election scheduled in the future for any board position. If the term of office formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall be elected for a full term.

(b) through (8) No change.

Specific Authority 718.112(2)(d)5., 718.501(1)(f) FS. Law Implemented 718.112(2)(j) FS. History--New 12-20-92, Formerly 7D-23.0027, Amended 8-24-94, 12-20-95, _____.

61B-23.0028 Recall by Written Agreement of the Voting Interests; Board Certification; Filling Vacancies.

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

(d) Provide a space for the person signing the written agreement to state his name, and identify his unit and indicate the date the written agreement is signed;

(e) through (h) No change.

(2) through (3)(a)1. No change.

2. If less than a majority of the existing board is recalled in a certified recall, a vacancy or vacancies on the board may be filled by the affirmative vote of a majority of the remaining board members, subject to the provisions of section 718.301, Florida Statutes, and rules 61B-23.003 and 61B-23.0026, Florida Administrative Code, regardless of whether the authority to fill vacancies in this manner is provided in the condominium documents. As utilized in this rule, the phrase "condominium documents" means the recorded declaration of condominium and all recorded exhibits and amendments thereto, and the articles of incorporation and bylaws of the condominium association in effect, and any amendments to each which are in effect. No recalled board member shall be appointed by the board to fill any vacancy on the board. A

board member appointed pursuant to this rule shall fill the vacancy for the unexpired term of the seat being filled until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was appointed is scheduled to be filled in that election. If, however, upon appointment, the association has already mailed or delivered the first notice of election pursuant to section 718.112(2)(d)3., Florida Statutes, the board member appointed as provided in this rule shall serve until the next election scheduled in the future for any board position. If the term of a board position formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to fill that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to fill that board position at the next regularly scheduled election shall be elected for a full term. If the board determines not to fill vacancies by vote of the remaining board members or if it is unable to fill vacancies in this manner (e.g., if there is a tie vote, as defined by rule 61B-23.0021, Florida Administrative Code, on the proposed replacement member; if a quorum is not obtained, or otherwise) the board may, in its discretion, call and hold an election in the manner provided by section 718.112(2)(d)3., Florida Statutes, and rule 61B-23.0021, Florida Administrative Code, in which case any person elected shall fill the entire remaining term.

3. If a majority or more of the board is recalled in a certified recall, those replacement board members elected by the written agreement pursuant to the procedure referenced in subsection (1)(c) of this rule shall take office upon adjournment of the board meeting at which it was determined to certify the recall. A board member who is elected to fill a vacancy caused by recall shall fill the vacancy for the unexpired term of the seat being filled only until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was elected is scheduled to be filled at that election. If, however, upon the election, the association has already mailed or delivered the first notice of election pursuant to section 718.112(2)(d)3., Florida Statutes, the board member elected as provided in this rule shall serve until the next election scheduled in the future for any board position. If the term of a board position formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to fill that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to fill that board position at the next regularly scheduled election shall be elected for a full term.

- (b) No change.
- (4) No change.
- (5) After service of a written agreement on the board:
 - (a) Any rescission of an individual unit owner vote or any additional unit owner votes received in regard to the recall shall be ineffective.
 - (b) Where the board determines not to certify the recall of a director and that director resigns, any appointment to fill the resulting vacancy shall be temporary pending the arbitration decision.
- (6)(5) Taking office. When a majority or more of the board is recalled by written agreement, replacement board members shall take office:
 - (a) through (d) No change.
- (7)(6) No change.

Specific Authority 718.112(2)(d)5., 718.501(1)(f) FS. Law Implemented 718.112(2)(d)1) FS. History--New 12-20-92, Formerly 61B-23.0028, Amended 12-20-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kathryn E. Price, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202
 NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Kim Binkley-Seyer, Secretary, Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 12, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 30, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
The Association	61B-75
RULE TITLES:	RULE NOS.:
Regular Elections; Vacancies Caused by	
Expiration of Terms; Resignations, Death	61B-75.005
Recall of one or Members of a Board of Administration At a Unit Owner Meeting; Board Certification;	
Filling Vacancies	61B-75.007
Recall by Written Agreement of the Voting Interests; Board Certification;	
Filling Vacancies	61B-75.008

PURPOSE AND EFFECT: The purpose of the rule amendment to 61B-75.005 is to bring the rule into compliance with amendments to Chapter 719. The effect of the rule amendment is to conform the election procedures to the statute as amended. The purpose of the rule amendment to 61B-75.007 is to clarify recall procedures, regarding

appointments and elections to the board to fill vacancies caused by recall at a unit owner's meeting. The effect of the rule amendment is that appointments and elections to the board to fill vacancies caused by recall are effective for the unexpired term of the seat being filled, without regard to whether an election has been noticed. Further, votes received or revoked after adjournment of the recall meeting are ineffective. Appointments to the board during the pendency of an arbitration are temporary pending the arbitration decision. The purpose of the rule amendment to 61B-75.008 is to clarify recall procedures regarding appointments and elections to the board to fill vacancies caused by recall by written agreement of the voting interests. The effect of the rule amendment is that appointments and elections to the board to fill vacancies caused by recall are effective for the unexpired term of the seat being filled, regardless of whether an election has been noticed. Further, votes received or revoked after the written agreement for recall has been served on the board are ineffective. Appointments to the board during the pendency of an arbitration are temporary pending the arbitration decision.

SUMMARY: This rule amendment addresses certain election issues in cooperative associations related to vacancies created by expiration of term, resignation, or death. The amendment addresses how an association may adopt different voting procedures in its bylaws. The amendment deletes the thirty-day requirement for the second notice of election, thereby conforming the rule provision with the statute. This rule amendment also addresses the procedures to be followed for a recall by vote at a meeting of the unit owners and by written agreement of the voting interests.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 719.106(1)(d), 719.106(1)(f) FS.

LAW IMPLEMENTED: 719.106, 719.112 FS.

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

TIME AND DATE: 9:00 a.m., January 2, 2001

PLACE: Warren Building Meeting Room #B03, 202 Blount Street, Tallahassee, Florida 32399-1030

Those persons who cannot attend in person may submit their comments in writing to: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1033 within 21 days of this notice. Written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE FULL TEXT OF THE PROPOSED RULES IS:

61B-75.005 Regular Elections; Vacancies Caused by Expiration of Term, Resignations, Death.

(1)(a) Unless otherwise provided herein, the provisions of this rule apply to all regular and runoff elections conducted by a cooperative association, regardless of any provision to the contrary contained in the cooperative documents. ~~Except as otherwise provided by rules 61B-75.007 and 61B-75.008, Florida Administrative Code, the provisions of this rule do not apply to vacancies created by the recall of a board member or members. The method of removing board members by recall and the procedures for filling such vacancies are set forth in rules 61B-75.006 through 61B-75.008, Florida Administrative Code. An association consisting of fewer than 25 units may, by a two-thirds vote of the total voting interests taken on or after April 1, 1992, provide for different voting and election procedures in its bylaws, and may thereafter follow these procedures unless the bylaws are subsequently amended to remove or nullify them.~~

(b) Except as otherwise provided by rules 61B-75.007 and 61B-75.008, Florida Administrative Code, the provisions of this rule do not apply to vacancies created by the recall of a board member or members. The method of removing board members by recall and the procedures for filling such vacancies are set forth in rules 61B-75.006 through 61B-75.008, Florida Administrative Code.

(c) In order to adopt different voting and election procedures in its bylaws pursuant to section 719.106(1)(f)5., F.S., an association must obtain the affirmative vote of a majority of the total voting interests even if different amendatory procedures are contained in an association's bylaws. Such vote must be taken on or after June 14, 1995. The phrase "different voting and election procedures" as used in this rule and as used in section 719.106(1)(f)5., Florida Statutes, refers to procedures used only for the election of board members.

~~(d)(b)~~ Balloting is not necessary to fill any vacancy unless there are two or more eligible candidates for that vacancy. In such a case, not later than the date of the scheduled election:

1. For a regular election the association shall call and hold a meeting of the membership to announce the names of the new board members, or shall notify the unit owners of the names of the new board members or that one or more board

positions remain unfilled, as appropriate under the circumstances. In the alternative, the announcement may be made at the annual meeting.

2. For an election pursuant to subsection (13) of this rule to fill a vacancy, the association shall call and hold a meeting of the membership to announce the names of the new board members or, in the alternative, shall notify the unit owners of the names of the new board members or that one or more board positions remain unfilled, as appropriate under the circumstances.

(2) through (3) No change.

(4) The first notice of the date of the election, which is required to be mailed or delivered not less than 60 days before a scheduled election, must contain the name and correct mailing address of the association. ~~The failure to mail or deliver to the eligible voters at the addresses indicated in the official records the first notice of the date of the election not less than 60 days before a scheduled election shall render any election so held null and void.~~

(5) ~~Unless nominated at a board meeting as authorized by section 719.106(1)(d)1., Florida Statutes, any~~ unit owner or other eligible person desiring to be a candidate for the board of administration shall give written notice to the association not less than 40 days before a scheduled election. Written notice shall be effective when received by the association. Written notice shall be accomplished in accordance with one or more of the following methods:

(a) By certified mail, return receipt requested, directed to the association; or

(b) By personal delivery to the association; or

(c) By regular U.S. mail, facsimile, telegram, or other method of delivery to the association.

(6) No change.

(7) Upon the timely request of a candidate as set forth in this paragraph, the association shall include, with the second notice of election described in subsection (8) below, a copy of an information sheet which may describe the candidate's background, education, and qualifications as well as other factors deemed relevant by the candidate. The information contained therein shall not exceed one side of the sheet which shall be no larger than 8 1/2 inches by 11 inches. Any candidate desiring the association to mail or personally deliver copies of an information sheet to the eligible voters must furnish the information sheet to the association not less than 35 days before the election. If two or more candidates consent in writing, the association may consolidate into a single side of a page the candidate information sheets submitted by those candidates. If consented to in writing by the candidates involved, two or more candidate information sheets may be consolidated into a single page. The failure of an association to mail or personally deliver a copy of a timely delivered information sheet of each eligible candidate to the eligible voters shall render any election held null and void. No

association shall edit, alter, or otherwise modify the content of the information sheet. The original copy provided by the candidate shall become part of the official records of the association.

(8) In accordance with the requirements of Section 719.106(1)(d), Florida Statutes, Not less than 30 days before the scheduled election, the association shall mail or deliver to the eligible voters at the addresses listed in the official records a second notice of the election, together with a ballot and any information sheets timely submitted by the candidates. The second notice and accompanying documents shall not contain any communication by the board which endorses, disapproves, or otherwise comments on any candidate. Accompanying the ballot shall be an outer envelope addressed to the person or entity authorized to receive the ballots and a smaller inner envelope in which the ballot shall be placed. The exterior of the outer envelope shall indicate the name of the voter, and the unit or unit numbers being voted, and shall contain a signature space for the voter. Once the ballot is filled out, the voter shall place the completed ballot in the inner smaller envelope and seal the envelope. The inner envelope shall be placed within the outer larger envelope, and the outer envelope shall then be sealed. Each inner envelope shall contain only one ballot, but if a person is entitled to cast more than one ballot, the separate inner envelopes required may be enclosed within a single outer envelope. The voter shall sign the exterior of the outer envelope in the space provided for such signature. The envelope shall either be mailed or hand delivered to the association. Upon receipt by the association, no ballot may be rescinded or changed.

(9) The written ballot shall indicate in alphabetical order by surname, each and every unit owner or other eligible person who desires to be a candidate for the board of administration and who gave written notice to the association not less than 40 days before a scheduled election, ~~or who was nominated at a board meeting as permitted under section 719.106(1)(d)1., Florida Statutes,~~ unless such person has, prior to the mailing of the ballot, withdrawn his candidacy in writing. ~~The failure of the written ballot to indicate the name of each eligible person shall render any election so held null and void.~~ No ballot shall indicate which candidate or candidates are incumbents on the board. No write-in candidates shall be permitted. No ballot shall provide a space for the signature of or any other means of identifying a voter. Except where all voting interests in a cooperative are not entitled to one whole vote (fractional voting), or where all voting interests are not entitled to vote for every candidate (class voting), all ballot forms utilized by a cooperative association, whether those mailed to voters or those cast at a meeting, shall be uniform in color and appearance. In the case of fractional voting, all ballot forms utilized for each fractional vote shall be uniform in color and appearance. And in class voting situations, within each separate class of voting interests all ballot forms shall be uniform in color and appearance.

(10) through (12) No change.

(13) Unless otherwise provided in the cooperative documents, any vacancy occurring on the board prior to the expiration of a term, except in the case of a vacancy caused by recall, may be filled by the affirmative vote of the majority of the remaining directors, even if the remaining directors constitute less than a quorum, or by the sole remaining director. In the alternative, a board may in its discretion hold an election to fill the vacancy, in which case the election procedures must conform to the requirements of section 719.106(1)(d)1., Florida Statutes, and this rule. A board member appointed or elected pursuant to this rule shall fill the vacancy for the unexpired term of the seat being filled until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was appointed or elected is scheduled to be filled at that election. If, however, upon appointment, the association has already mailed or delivered the first notice of election pursuant to section 719.106(1)(d)1., Florida Statutes, the board member appointed or elected as provided in this rule shall serve until the next election scheduled in the future for any board position.

Specific Authority 719.106(1)(d)1., ~~719.501(1)(f)~~ FS. Law Implemented 719.106(1)(d)1. FS. History—New 12-29-92, Formerly 7D-75.005, Amended 8-24-94, 11-15-95, _____.

61B-75.007 Recall of One or More Members of a Board of Administration at a Unit Owner Meeting; Board Certification; Filling Vacancies.

(1) through (3)(f) No change.

(g) After adjournment of the meeting to recall one or more members of the board of administration:

1. Any rescission of an individual unit owner vote or any additional unit owner votes received in regard to the recall shall be ineffective.

2. Where the board determines not to certify the recall of a director and that director resigns, any appointment to fill the resulting vacancy shall be temporary pending the arbitration decision.

(4) through (5)(a)1. No change.

2. If less than a majority of the existing board is recalled in a certified recall, a vacancy or vacancies on the board may be filled by the affirmative vote of a majority of the remaining board members, subject to the provisions of section 719.301, Florida Statutes, and Rule 61B-75.006, Florida Administrative Code, regardless of whether the authority to fill vacancies in this manner is provided in the cooperative documents. No recalled board member shall be appointed by the board to fill any vacancy on the board. A board member appointed pursuant to this rule shall fill the vacancy for the unexpired term of the seat being filled until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was appointed is scheduled to be filled at that election. If, however, upon appointment, the association has already mailed or delivered the first notice of election

~~pursuant to section 719.106(1)(d)1., Florida Statutes, the board member appointed as provided in this rule shall serve until the next election scheduled in the future for any board position. If the term of office formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall be elected for a full term.~~ If the board determines not to fill vacancies by vote of the remaining board members or if it is unable to fill vacancies in this manner (e.g., if there is a tie vote on the proposed replacement member; if a quorum is not obtained, or otherwise), the board may, in its discretion, call and hold an election in the manner provided by section 719.106(1)(d)1., Florida Statutes, and rule 61B-75.005, Florida Administrative Code, in which case any person elected shall fill the entire remaining term.

3. If a majority or more of the board is recalled in a certified recall, those replacement board members elected at the recall meeting shall take office upon adjournment of the board meeting at which it was determined to certify the recall. A board member who is elected to fill a vacancy caused by recall shall fill the vacancy for the unexpired term of the seat being filled only until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was appointed is scheduled to be filled at that election. If, however, upon the election, the association has already mailed or delivered the first notice of election pursuant to section 719.106(1)(d)1., Florida Statutes, the board member elected as provided in this rule shall serve until the next election scheduled in the future for any board position. ~~If the term of office formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to that board position in the next regularly scheduled election shall be elected for a full term.~~

(b) No change.

Specific Authority 719.501(1)(f) FS. Law Implemented 719.106(1)(f) FS. History—New 12-29-92, Formerly 7D-75.007, Amended 8-24-94, 11-15-95, _____.

61B-75.008 Recall by Written Agreement of the Voting Interests; Board Certification; Filling Vacancies.

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

(d) Provide a space for the person executing the written agreement to state his name, and identify his unit, and indicate the date the written agreement is signed;

(e) through (h) No change.

(2) through (3)(a)1. No change.

2. If less than a majority of the existing board is recalled in a certified recall, a vacancy or vacancies on the board may be filled by the affirmative vote of a majority of the remaining board members, subject to the provisions of section 719.301, Florida Statutes, and Rule 61B-75.006, Florida Administrative Code, regardless of whether the authority to fill the vacancies in this manner is provided in the cooperative documents. No recalled board member shall be appointed by the board to fill any vacancy on the board. A board member appointed pursuant to this rule shall fill the vacancy for the unexpired term of the seat being filled until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was appointed is scheduled to be filled in that election. If, however, upon appointment, the association has already mailed or delivered the first notice of election pursuant to section 719.106(1)(d)1., Florida Statutes, the board member appointed as provided in this rule shall serve until the next election scheduled in the future for any position. If the term of a board position formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to fill that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to fill that board position at the next regularly scheduled election shall be elected for a full term. If the board determines not to fill vacancies by vote of the remaining board members or if it is unable to fill vacancies in this manner (e.g., if there is a tie vote on the proposed replacement member; if a quorum is not obtained, or otherwise), the board may, in its discretion, call and hold an election in the manner provided by section 719.301, Florida Statutes, and rule 61B-75.005, Florida Administrative Code, in which case any person elected shall fill the entire remaining term.

3. If a majority or more of the board is recalled in a certified recall, those replacement board members elected by the written agreement pursuant to the procedure referenced in paragraph (1)(c) of this rule shall take office upon adjournment of the board meeting at which it was determined to certify the recall. A board member who is elected to fill a vacancy caused by recall shall fill the vacancy for the unexpired term of the seat being filled only until the next regularly scheduled election for any board position, regardless of whether the board position to which the member was elected is scheduled to be filled at that election. If, however, upon the election, the association has already mailed or delivered the first notice of

~~election pursuant to section 719.106(1)(d)1., Florida Statutes, the board member elected as provided in this rule shall serve until the next election scheduled in the future for any board position. If the term of a board position formerly held by a recalled board member has not expired on or before the date of the next regularly scheduled election, the person who is elected to fill that board position in the next regularly scheduled election shall fill the remainder of the recalled board member's term. If the term of a board position formerly held by a recalled board member expires on or before the date of the next regularly scheduled election, the person who is elected to fill that board position at the next regularly scheduled election shall be elected for a full term.~~

(b) No change.

(4) No change.

(5) After service of a written agreement on the board:

(a) Any rescission of an individual unit owner vote or any additional unit owner votes received in regard to the recall shall be ineffective.

(b) Where the board determines not to certify the recall of a director and that director resigns, any appointment to fill the resulting vacancy shall be temporary pending the arbitration decision.

~~(6)(5)~~ Taking office. When a majority or more of the board is recalled by written agreement, replacement board members shall take office:

(a) through (d) No change.

(6) through (7) renumbered (7) through (8) No change.

Specific Authority 719.501(1)(f) FS. Law Implemented 719.106(1)(f) FS. History--New 12-29-92, Formerly 7D-75.008, Amended 11-15-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kathryn E. Price, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Kim Binkley-Seyer, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 12, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 30, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Euthanasia of Dogs and Cats; Technician RULE NO.:

Certification Course 61G18-16.005

PURPOSE AND EFFECT: The purpose of the amendments is to delete rule text that is no longer desired by the Board and to add new rule text to further clarify the requirements for a certified veterinary technician.

SUMMARY: The Board has determined that amendments are necessary to update the rule text with regard the requirements necessary for an individual to be certified as a veterinary technician and to delete rule text that is no longer necessary.

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: 474.206, 828.058 FS.

LAW IMPLEMENTED: 828.058 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: Sherry Landrum, Executive Director, Board of Veterinary Medicine, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-16.005 Euthanasia of Dogs and Cats; Technician Certification Course.

(1) through (3) No change.

(4) A certified veterinary technician ~~who is an employee or agent of a licensed veterinarian and~~ who is acting under the immediate supervision of a veterinarian as defined by subsection 474.202(5), F.S., may perform euthanasia without completion of the certification course. For purposes of this rule, a certified veterinary technician is an individual who has graduated from a veterinary technology training program that is accredited by the American Veterinary Medical Association Committee on Veterinary Technicians Education and Activities (CVTEA) and has successfully completed the examinations required by the Florida Veterinary Medical Association's Technician Committee.

(5) No change.

Specific Authority 474.206, 828.058 FS. Law Implemented 828.058 FS. History--New 4-18-94, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: October 13, 2000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO: 00-39R

RULE CHAPTER TITLE: Air Pollution Control – RULE CHAPTER NO.:

General Provisions 62-204

RULE TITLE: Federal Regulations Adopted by Reference RULE NO.: 62-204.800

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments update through July 1, 2000, the adoptions by reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 CFR Parts 72, 73, 75, 76, 77, and 78.

SPECIFIC AUTHORITY: 403.8055 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.8055 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, FS.

SUBSTANTIALLY AFFECTED PERSONS MAY FILE OBJECTIONS WITH THE ENVIRONMENTAL REGULATION COMMISSION AT THE FOLLOWING ADDRESS: 3900 Commonwealth Boulevard, Mail Station 18, Tallahassee, Florida 32399-3000, Attention: Jacki McGorty. Objections must be received within 14 days of publication of this notice and must specify the portions of the proposed rule to which the person objects and the reason for the objection. Objections which are frivolous will not be considered sufficient to prohibit adoption of the rule as published.

WRITTEN COMMENTS: The Secretary of the Department of Environmental Protection will consider written comments received within 21 days of publication of this notice. Comments should be submitted to Ms. Sandy Ladner, Division of Air Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

(1) through (13) No change.

(14) Chapter 40, Code of Federal Regulations, Part 72, Permits Regulation.

(a) The following subparts of 40 CFR Part 72, revised as of July 1, ~~1996~~ 2000, are adopted and incorporated by reference:

~~1.(a)~~ 40 CFR 72, Subpart A, Acid Rain Program General Provisions.

~~2.(b)~~ 40 CFR 72, Subpart B, Designated Representative.

~~3.(c)~~ 40 CFR 72, Subpart C, Acid Rain Permit Applications.

~~4.(d)~~ 40 CFR 72, Subpart D, Acid Rain Compliance Plan and Compliance Options.

~~5.(e)~~ 40 CFR 72, Subpart E, Acid Rain Permit Contents.

~~6.(f)~~ 40 CFR 72, Subpart F, Federal Acid Rain Permit Issuance Procedures.

~~7.(g)~~ 40 CFR 72, Subpart G, Acid Rain Phase II Implementation.

~~8.(h)~~ 40 CFR 72, Subpart H, Permit Revisions.

~~9.(i)~~ 40 CFR 72, Subpart I, Compliance Certification.

(b) The following appendices of 40 CFR Part 72, revised as of July 1, 2000, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Methodology for Annualization of Emissions Limits.

2. Appendix B, Methodology for Conversion of Emissions Limits.

3. Appendix C, Actual 1985 Yearly SO₂ Emissions Calculation.

4. Appendix D, Calculation of Potential Electric Output Capacity.

(15) Chapter 40 Code of Federal Regulations, Part 73, Sulfur Dioxide Allowance System. The following subparts of 40 CFR Part 73, revised as of July 1, ~~2000~~ 1996, are adopted and incorporated by reference:

(a) 40 CFR 73, Subpart A, Background and Summary.

(b) 40 CFR 73, Subpart B, Allowance Allocations.

(c) 40 CFR 73, Subpart C, Allowance Tracking System.

(d) 40 CFR 73, Subpart D, Allowance Transfers.

(e) 40 CFR 73, Subpart E, Auctions, Direct Sales, and Independent Power Producers Written Guarantee.

(f) 40 CFR 73, Subpart F, Energy Conservation and Renewable Energy Reserve.

(g) 40 CFR 73, Subpart G, Small Diesel Refineries.

(16) Chapter 40, Code of Federal Regulations, Part 75, Continuous Emission Monitoring.

(a) The following subparts of 40 CFR Part 75, revised as of July 1, ~~2000~~ 1996, are adopted and incorporated by reference:

1. 40 CFR 75, Subpart A, General.

2. 40 CFR 75, Subpart B, Monitoring Provisions.

3. 40 CFR 75, Subpart C, Operation and Maintenance Requirements.

4. 40 CFR 75, Subpart D, Missing Data Substitution Procedures.

5. 40 CFR 75, Subpart E, Alternative Monitoring Systems.

6. 40 CFR 75, Subpart F, Recordkeeping Requirements.

7. 40 CFR 75, Subpart G, Reporting Requirements.

8. 40 CFR 75, Subpart H, NO_x Mass Emissions Provisions.

(b) The following appendices of 40 CFR Part 75, revised as of July 1, ~~2000~~ 1996, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Specifications and Test Procedure.

2. Appendix B, Quality Assurance and Quality Control Procedures.

3. Appendix C, Missing Data Estimation Procedures.

4. Appendix D, Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units.

5. Appendix E, Optional NO_x Emissions Estimation Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units.

6. Appendix F, Conversion Procedures, ~~amended November 20, 1996, 61 FR 59142.~~

7. Appendix G, Determination of CO₂ Emissions.

8. Appendix H, Revised Traceability Protocol No. 1.

9. Appendix I, Optional F-Factor/Fuel Flow Method.

10. Appendix J, Compliance Dates for Revised Recordkeeping Requirements and Missing Data Procedures.

(17) Chapter 40, Code of Federal Regulations, Part 76, Acid Rain Nitrogen Oxides Emission Reduction Program.

(a) The provisions of 40 CFR Part 76, Sections 76.1 through ~~76.15, 76.16, revised as of December 19, 1996, 61 FR 67112, and amended January 23, 1997, 62 FR 3463; June 12, 1997, 62 FR 32038,~~ are adopted and incorporated by reference.

(b) The following appendices of 40 CFR Part 76, revised as of July 1, ~~2000~~ 1996, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Phase I Affected Coal-Fired Utility Units with Group 1 or Cell Burner Boilers.

2. Appendix B, Procedures and Methods for Estimating Costs of Nitrogen Oxides Controls Applied to Group 1, Phase I Boilers.

(18) Chapter 40, Code of Federal Regulations, Part 77, Excess Emissions. The provisions of 40 CFR Part 77, Sections 77.1 through 77.6, revised as of July 1, ~~2000~~ 1996, are adopted and incorporated by reference.

(19) Chapter 40, Code of Federal Regulations, Part 78, Appeal Procedures for Acid Rain Program. The provisions of 40 CFR Part 78, Sections 78.1 through 78.20, revised as of July 1, ~~2000~~ 1996, are adopted and incorporated by reference.

(20) through (22) No change.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 04-07-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 8-1-00, ~~1-1-01.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Howard L. Rhodes, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kirby B. Green, Deputy Secretary, Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO: 00-57R

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Air Pollution Control – 62-204
 General Provisions

RULE TITLE: RULE NO.:
 Federal Regulations Adopted by Reference 62-204.800

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments update through September 30, 2000, the adoptions by reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 CFR Parts 60, 61, and 63.

SPECIFIC AUTHORITY: 403.8055 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.8055 FS.

This rulemaking is undertaken pursuant to Section 403.8055, F.S. substantially affected persons may file objections with the Environmental Regulation Commission at the following address: 3900 Commonwealth Boulevard, Mail Station 18, Tallahassee, Florida 32399-3000, Attention: Jacki McGorty. Objections must be received within 14 days of publication of this notice and must specify the portions of the proposed rule to which the person objects and the reason for the objection. Objections which are frivolous will not be considered sufficient to prohibit adoption of the rule as published.

WRITTEN COMMENTS: The Secretary of the Department of Environmental Protection will consider written comments received within 21 days of publication of this notice. Comments should be submitted to Ms. Sandy Ladner, Division of Air Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

(1) through (6) No change.

(7) Chapter 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) through (c) No change.

(d) General Provisions Adopted. The general provisions of 40 CFR Part 60, Subpart A, revised as of July 1, 1996, and amended February 24, 1997, 62 FR 8314; January 6, 1998, 63 FR 414; and May 4, 1998, 63 FR 24436; amended February 12, 1999, 64 FR 7458 (effective July 1, 1999); amended August 10, 2000, 65 FR 48914 (effective January 1, 2001); are adopted and incorporated by reference except 40 CFR 60.4, 40 CFR 60.8(b)(2) and (3), 40 CFR 60.11(e)(7) and (8), 40 CFR 60.13(g),(i) and (j)(2), 40 CFR 60.16, and 40 CFR 60.17.

(e) Appendices Adopted. The following appendices of 40 CFR Part 60, revised as of July 1, 1996, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 60, Appendix A, Test Methods, amended October 7, 1997, 62 FR 52384; February 9, 1998, 63 FR 6493; and February 12, 1998, 63 FR 7199; July 9, 1999, 64 FR 37196; July 15, 1999, 64 FR 38241; and September 30, 1999, 64 FR 53027 (effective April 1, 2000), July 10, 2000, 65 FR 42292 (effective January 1, 2001).

2. 40 CFR 60 Appendix B, Performance Specifications, amended September 30, 1999, 64 FR 53032 (effective April 1, 2000); amended August 10, 2000, 65 FR 48914 (effective January 1, 2001).

3. through 5. No change.

(8) through (9) No change.

(10) Chapter 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 CFR Part 63, revised as of July 1, 1996, or later as specifically indicated, are adopted and incorporated by reference:

1. through 39. No change.

40. 40 CFR 63, Subpart EEE, Hazardous Waste Combustors, promulgated June 19, 1998, 63 FR 33782; amended September 30, 1999, 64 FR 53038; and amended November 19, 1999, 64 FR 63209 (effective April 1, 2000); amended July 10, 2000, 65 FR 42292 (effective January 1, 2001).

41. 40 CFR 63, Subpart GGG, Pharmaceuticals Production, promulgated September 21, 1998, 63 FR 50280 (effective April 1, 1999); amended August 29, 2000, 65 FR 52588 (effective January 1, 2001).

42. through 53. No change.

(c) through (e) No change.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 3-13-96. Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 04-07-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 8-1-00, 10-1-00, 1-1-01.

NAME OF PERSON ORIGINATING PROPOSED RULE: Howard L. Rhodes, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kirby B. Green, Deputy Secretary, Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2000

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLES: RULE NOS.:

Acupuncture Program Requirements 64B1-4.001

Supervised Clinical Experience Defined 64B1-4.0015

PURPOSE AND EFFECT: Proposed Rule 64B1-4.001 will set forth the requirement for acupuncture education programs to include courses in western biomedical and diagnostic terminology which include training to use laboratory test and imaging findings; and, for applicants after July 31, 2001 to have completed a program that incorporates instruction in safe and beneficial use of laboratory tests and imaging findings. Proposed rule 64B1-4.0015 will set forth the requirement that supervised clinical experience must include use of findings of laboratory test and imaging findings.

SUMMARY: The proposed changes to Rule 64B1-4.001 will add a requirement for all applicants for licensure as an acupuncturist to have completed courses in western biomedical terminology and diagnostic terminology, in addition to the various specific subjects and program minimums already specified in the Rule 64B1-4.001. The proposed changes to Rule 64B1-4.001 will also require applicants after July 31, 2001 to have completed a program that incorporates the safe and beneficial use of laboratory test and imaging findings in the practice of acupuncture and oriental medicine. The proposed changes to Rule 64B1-4.0015 will state that the supervised clinical experience of applicants after July 31, 2001 must include observation and usage of findings of laboratory test and imaging findings.

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: 457.102, 457.104, 457.105 FS.

LAW IMPLEMENTED: 457.102, 457.105 FS.

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

TIME AND DATE: 9:00 a.m., December 1, 2000

PLACE: Holiday Inn, 1355 Apalachee Parkway, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: William Buckhalt, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B1-4.001 Acupuncture Program Requirements.

In order to be certified to take the licensure examination, the applicant must establish that he/she has met the following minimal requirements. For persons who enrolled on or after July 1, 1997, the applicant must complete the program in which they have enrolled.

(1) No change.

(2) For applicants who enroll on or after August 1, 1997, applicants must have completed a program that meets the following minimum requirements:

(a) through (f) No change.

(g) Courses in western biomedical terminology or western biomedical and diagnostic terminology, which shall include the subject matter presented in biomedical clinical science academic courses, and includes training to use laboratory test and imaging findings in the course of treatment rendered to patients by acupuncture physicians.

(3) Applicants who apply for licensure on or after August 1, 2001 must have completed the core curriculum comparable to that of the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) master's level program in oriental medicine with a minimum of 2700 hours of supervised instruction; and

(a) through (b) No change.

(c) Courses in western biomedical terminology or western biomedical and diagnostic terminology, which shall include the subject matter presented in biomedical clinical science academic courses, and includes training to use laboratory test and imaging findings in the course of treatment rendered to patients by acupuncture physicians.

(4) Applicants who apply for licensure on or after October 1, 2003 must have graduated from an ACAOM candidate or accredited 4-year master's level program or ~~foreign~~ equivalent in oriental medicine with a minimum of 2700 hours of supervised instruction; and

(a) through (b) No change.

(c) Courses in western biomedical terminology or western biomedical and diagnostic terminology, which shall include the subject matter presented in biomedical clinical science academic courses, and includes training to use laboratory test and imaging findings in the course of treatment rendered to patients by acupuncture physicians.

(5) For applicants who enroll on or after July 31, 2001, applicants must have completed a program that incorporates the safe and beneficial use of laboratory test and imaging findings in the practice of acupuncture and oriental medicine.

Specific Authority 457.102, 457.104, 457.105 FS. Law Implemented 457.102, 457.105 FS. History—New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92, Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97, 11-1-99, 6-21-00,

64B1-4.0015 Supervised Clinical Experience Defined.

For the purposes of Rule 64B1-4.001, the Board defines "supervised clinical experience" as follows:

(1) through (5) No change.

(6) For applicants who enroll on or after July 31, 2001, during supervised clinical experience, the student must observe and use the findings of laboratory test and imaging findings in the course of patient treatment.

Specific Authority 457.104 FS. Law Implemented 457.105 FS. History--New 11-21-95, Amended 2-19-96, Formerly 59M-4.0015, Amended 6-21-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 29, 2000

DEPARTMENT OF HEALTH
Board of Acupuncture

RULE TITLE: Content and Retention of Medical Records
RULE NO.: 64B1-10.001

PURPOSE AND EFFECT: The proposed rule will require that medical records maintained by acupuncturist must include laboratory test and imaging films, reports, and tests findings when appropriate and medically necessary.

SUMMARY: The proposed rule will add laboratory test results and imaging films, reports or test results when appropriate and medically necessary to the specified minimum medical records which acupuncturists are required to maintain to justify a course of treatment.

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: 457.104 FS.

LAW IMPLEMENTED: 457.109(1)(m) FS.

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

TIME AND DATE: 9:00 a.m., December 1, 2000

PLACE: Holiday Inn, 1355 Apalachee Parkway, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-10.001 Content and Retention of Medical Records.

(1) Acupuncturists are required to maintain written medical records justifying the course of treatment of each patient. These records must include for each patient at least the following:

(a) through (e) No change.

(f) Laboratory test results when appropriate and medically necessary:

(g) Imaging films, reports or test results when appropriate and medically necessary.

(2) No change.

Specific Authority 457.104, 457.109(1)(m) FS. Law Implemented 457.109(1)(m) FS. History--New 5-24-87, Amended 12-21-87, Formerly 21AA-10.001, Amended 12-26-93, Formerly 61F1-10.001, 59M-10.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 29, 2000

DEPARTMENT OF HEALTH
Board of Medicine

RULE TITLE: Application, Certification, Registration, and
RULE NO.: 64B8-3.002

Licensure Fees
PURPOSE AND EFFECT: The proposed rule amendment is intended to address a fee for a temporary certificate to practice in an approved cancer center.

SUMMARY: The proposed rule amendment implements a fee of \$300 for a temporary certificate to practice in an approved cancer center.

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: 455.564, 455.587, 458.309, 458.311, 458.313, 458.3135, as created by section 36, Ch. 2000-318, Laws of Florida., 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

LAW IMPLEMENTED: 455.564, 455.587, 458.311, 458.3115, 458.3124, 458.313, 458.3135, as created by section 36, Ch. 2000-318, Laws of Florida., 458.3145, 458.315, 458.316, 458.317, 458.345, 458.347 FS.

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

TIME AND DATE: 10:00 a.m., December 19, 2000
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-3.002 Application, Certification, Registration, and Licensure Fees.

The following fees are prescribed by the Board:

- (1) No change.
- (2) An application fee in the amount of \$300.00 for a person desiring to obtain a temporary certificate to practice in areas of critical need, as provided in Section 458.315, F.S., and a temporary certificate to practice in an approved cancer center, as provided in Section 458.3135, F.S.
- (3) through (8) No change.

Specific Authority ~~456.013, 456.025, 455.564, 455.587~~, 458.309, 458.311, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS. Law Implemented ~~456.013, 456.025, 455.564, 455.587~~, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.317, 458.345, 458.347 FS. History—New 12-5-79, Amended 11-10-82, 8-11-85, 10-24-85, Formerly 21M-19.02, Amended 12-4-86, 11-3-87, 7-4-88, 10-23-89, 11-12-89, 11-11-90, 1-16-91, 1-9-92, 2-10-92, 9-7-92, Formerly 21M-19.002, Amended 9-21-93, Formerly 61F6-19.002, Amended 2-13-95, 2-20-96, 6-24-96, Formerly 59R-3.002, Amended 6-7-98, 8-11-98, 11-22-98, 12-14-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Temporary Certificate for Visiting Physician to Practice in Approved Cancer Center
PURPOSE AND EFFECT: The proposed rule is intended to set forth criteria in order to be eligible as a visiting physician practicing in an approved cancer center.
SUMMARY: The proposed rule requires those desiring a temporary certificate to practice in an approved cancer center to meet specific criteria as outlined in the rule.

RULE NO.: 64B8-4.028

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: 458.3135 FS.

LAW IMPLEMENTED: 458.3135 FS.

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

TIME AND DATE: 10:00 a.m., December 19, 2000
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.028 Temporary Certificate for Visiting Physician to Practice in Approved Cancer Center.

(1) The qualifications necessary for a facility to be an “approved cancer center.” pursuant to Section 458.3135, Florida Statutes, shall be that the facility is licensed under Chapter 395, F.S., has met the standards to be a National Cancer Institute-designated cancer center, and has submitted documentation to the Board that those requirements have been met.

(2) The term “direct supervision” as used in Section 458.3135, Florida Statutes, shall require the physical presence of the supervising physician on the premises so that the supervising physician is immediately available when needed.

Specific Authority 458.3135 FS. Law Implemented 458.3135 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B8-8.001

PURPOSE AND EFFECT: The proposed rule amendments are intended to address disciplinary guidelines with regard to second and subsequent offenses, and to make other changes with regard to violations and penalties.

SUMMARY: The proposed rule amendments set forth penalties for second and subsequent violations and make other clarifications with regard to violations and penalties.

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: 458.331(5), 458.309, 456.079 FS.

LAW IMPLEMENTED: 458.331(5), 456.072, 456.079 FS.

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

TIME AND DATE: 10:00 a.m., December 19, 2000

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section ~~456.079, F.S., 2, Chapter 86-90, Laws of Florida,~~ the Board provides within this rule disciplinary guidelines which shall be imposed upon applicants or licensees whom it regulates under Chapter 458, F.S. The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of penalties provided below are based upon a single count violation of each provision listed; multiple counts of the violated provisions or a combination of the violations may result in a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Section 120.57(1) and 120.57(2), Florida Statutes, the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION	RECOMMENDED RANGE OF PENALTY	
	FIRST OFFENSE	SECOND OFFENSE
(a) Attempting to obtain a license or certificate by bribery, fraud or through an error of the Department or the Board. (458.331(1)(a), F.S.) (456.072 455.624(1)(h), F.S.)	(a) From denial or revocation of license with ability to reapply upon payment of \$5,000.00 fine to denial of license without ability to reapply, or permanent revocation.	<u>(a) From denial or revocation without the ability to reapply and payment of a \$10,000 fine, to denial or revocation without the ability to reapply and a \$10,000.00 fine.</u>
(b) Action taken against license by another jurisdiction. (458.331(1)(b), F.S.) (456.072 455.624(1)(f)(h), F.S.)	(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to suspension or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	<u>(b) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to revocation or denial of the license, and an administrative fine ranging from \$5,000.00 to \$10,000.00.</u>
1. Action taken against license by another jurisdiction <u>relating to healthcare involving Medicare or Medicaid</u> fraud in dollar amounts in excess of \$5,000.00.	1. Revocation or in the case of application for licensure, denial of licensure.	<u>1. Revocation or denial without the ability to reapply and payment of a \$10,000.00 fine.</u>
2. Action taken against license by another jurisdiction <u>relating to healthcare involving Medicare or Medicaid</u> fraud in dollar amounts of \$5,000.00 or less.	2. A \$10,000.00 administrative fine, and suspension of the license, followed by a period of probation.	<u>2. Revocation or denial.</u>
(c) Guilty of crime directly relating to practice or ability to practice. (458.331(1)(c), F.S.) (456.072 455.624(1)(c), F.S.)	(c) From probation to revocation or denial of the license and an administrative fine ranging from \$1,000.00 to \$10,000.00.	<u>(c) From suspension to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</u>
1. Involving a crime directly related to <u>healthcare Medicare or Medicaid</u> fraud in dollar amounts in excess of \$5,000.00.	1. Revocation or in the case of application for licensure, denial of licensure.	<u>1. Revocation without the ability to reapply or in the case of application for licensure, denial of licensure, and payment of a \$10,000.00 fine.</u>
2. Involving a crime directly related to <u>healthcare Medicare or Medicaid</u> fraud in dollar amounts of \$5,000.00 or less.	2. A \$10,000.00 administrative fine, compliance with any criminal probation, a reprimand and suspension of the license, followed by a period of probation.	<u>2. Revocation</u>
(d) False, deceptive, or misleading advertising. (458.331(1)(d), F.S.)	(d) From <u>a letter of concern reprimand</u> to one (1) year suspension or denial, and an administrative fine from \$1,000.00 to \$5,000.00.	<u>(d) From reprimand to up to one (1) year suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u>

(e) Failure to report another licensee in violation.
 (458.331(1)(e), F.S.)
 (456.072 ~~455.624~~(1)(i), F.S.)

(f) Aiding unlicensed practice.
 (458.331(1)(f), F.S.)
 (456.072 ~~455.624~~(1)(j), F.S.)

(g) Failure to perform legal obligation.
 (458.331(1)(g), F.S.)
 (456.072 ~~455.624~~(1)(k), F.S.)

(e) From a letter of concern ~~reprimand~~ to probation or denial, and an administrative fine from \$1,000.00 to \$5,000.00.

(f) From probation to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a letter of concern ~~reprimand~~ to revocation or denial and an administrative fine from \$1,000.00 to \$10,000.00.

(e) From probation to suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(f) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

1. Failing to register a laser device.
 (456.072 ~~455.624~~(1)(d), F.S.)

1. If the device is an approved device, from an administrative fine of \$1,000.00 to \$5,000.00; if the device is not approved, from an administrative fine from \$5,000.00 to a suspension or denial and an administrative fine of \$10,000.00.

1. If the device is an approved device, from a reprimand to probation or restriction of practice and an administrative fine of \$5,000.00 to \$10,000.00; if the device is not approved, from suspension to revocation and an administrative fine of \$10,000.00.

2. Continuing medical education (CME) violations.
 (456.072 ~~455.624~~(1)(e), F.S.)
 (456.072 ~~455.624~~(1)(s), F.S.)

2. Within twelve months of the date of the filing of the final order, the licensee must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND:

2. Within twelve months of the date of the filing of the final order, the licensee must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND:

a. Failure to document required HIV/AIDS and related infections of TB CME, or substituted end-of-life care CME.

a. An administrative fine of \$500.00 to \$1,000.00.

a. A reprimand and an administrative fine of \$1,000.00 to \$5,000.00.

b. Failure to document required domestic violence CME, or substituted end-of-life care CME.

b. An administrative fine of \$500.00 to \$1,000.00.

b. A reprimand and an administrative fine of \$1,000.00 to \$5,000.00.

c. Failure to document required HIV/AIDS and related infections of TB and failure to document domestic violence CME.

c. An administrative fine of \$1000.00 to \$2,000.00.

c. A reprimand and an administrative fine of \$5,000.00 to \$10,000.00.

d. Failure to document some, but not all CME hours.

d. An administrative fine of \$100.00 per hour not documented.

d. A reprimand and an administrative fine of \$500.00 per hour not documented.

e. Failure to document any CME hours.

e. A reprimand and an administrative fine from \$5,000.00 to \$10,000.

e. Suspension until documentation of completion, a reprimand and an administrative fine of \$10,000.00.

3. Failure to comply with the requirements of ss. 381.026 and 381.0261, F.S., to provide patients with information about patient rights. (456.072 ~~455.624~~(1)(t), F.S.)

~~3. Corrective action for nonwillful violations. Administrative fine of up to \$100.00 for the second and subsequent nonwillful violations; and an administrative fine from \$250.00 to \$500.00 for the second and subsequent willful violations with each intentional and willful violation a separate violation subject to said fine.~~

3. Administrative fine of up to \$100.00 for the second and subsequent nonwillful violations; and an administrative fine from \$250.00 to \$500.00 for the second and subsequent willful violations with each intentional and willful violation a separate violation subject to said fine.

4. Failing to comply with the requirements for profiling and credentialing. (456.072 ~~455.624~~(1)(v), F.S.); (458.319, F.S.); (458.565, F.S.)

a. Involving a violation of any provision of Chapter ~~456 455, Part II~~, F.S., for failing to comply with the requirements for profiling and credentialing, by failing to timely provide updated information, on a profile, credentialing, or initial or renewal licensure application.

~~a. If the licensee complies within six (6) months of the violation, then an administrative fine of up to \$2,000.00; if compliance after six (6) months, an administrative fine of up to \$5,000.00 and a reprimand.~~

a. If the licensee complies within six (6) months of the violation, then a reprimand and an administrative fine from \$5,000.00 to \$10,000.00; if compliance after six (6) months, from suspension to revocation and an administrative fine of \$10,000.00.

b. Involving violations of any provision of Chapter ~~456 455, Part II~~, Part II, F.S., for making misleading, untrue, deceptive or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

~~b. Referral to State Attorney for prosecution pursuant to Sections ~~456.067 455.634~~ and ~~456.066 455.634~~, F.S., and from suspension and a reprimand and a \$5,000.00 administrative fine to revocation or denial.~~

b. Referral to State Attorney for prosecution and from suspension and a reprimand and a \$10,000.00 fine to revocation or denial.

5. Failing to report to the board within 30 days after the licensee has been convicted of a crime in any jurisdiction. Convictions prior to the enactment of this section ~~not must be~~ reported in writing to the board, on or before October 1, 1999. (456.072 ~~455.624~~(1)(w), F.S.)

~~5. From an administrative fine of \$2,000.00 to a fine of \$5,000.00 and a reprimand or denial without the ability to reapply.~~

5. From suspension to revocation without the ability to reapply and an administrative fine from \$5,000.00 to \$10,000.00.

6. Failing to comply with obligations regarding ownership and control of medical records, patient records; report or copies of records to be furnished. (456.054 ~~455.667~~, F.S.) (~~458.331(1)(m), F.S.~~)

~~6. From a letter of concern to reprimand to denial or two (2) years suspension followed by probation or denial and an administrative fine from \$1,000.00 to \$5,000.00.~~

6. From a reprimand to two (2) years suspension followed by probation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

7. Failing to maintain confidentiality of communication between a patient and a psychiatrist. (456.059 ~~455.671~~, F.S.)

~~7. From a \$5,000.00 administrative fine and a reprimand to suspension and a \$10,000.00 administrative fine or denial.~~

7. From suspension to revocation or denial.

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| <p>8. Failing to report final disposition of professional liability claims and actions.
(456.049 455.697, F.S.)</p> | <p>8. If the licensee complies within six (6) months of the violation then an administrative fine of up to \$2,000.00; if compliance after six (6) months, an administrative fine of up to \$5,000.00 and a reprimand.</p> | <p><u>8. If the licensee complies within six (6) months of the violation, then a reprimand and an administrative fine from \$5,000.00 to \$10,000.00; if compliance after six (6) months, from suspension to revocation and an administrative fine of \$10,000.00.</u></p> |
| <p>9. Failing to disclose financial interest to patient.
(456.052 455.701, F.S.)</p> | <p>9. <u>A refund of fees paid by or on behalf of the patient and from</u> From an administrative fine of \$1,000.00 to a reprimand and an administrative fine of \$5,000.00.</p> | <p><u>9. A refund of fees paid by or on behalf of the patient and from restriction of practice and an administrative fine of \$5,000.00 to a reprimand and an administrative fine of \$10,000.00.</u></p> |
| <p>(h) Filing a false report or failing to file a report as required.
(458.331(1)(h), F.S.)
(456.072 455.624(1)(l), F.S.)</p> | <p>(h) <u>From a letter of concern or denial to</u> one (1) year probation to revocation or denial, and an administrative fine from \$1,000.00 to \$5,000.00 <u>\$10,000.00</u>.</p> | <p><u>(h) From one (1) year probation to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |
| <p>1. Involving healthcare Medicare or Medicaid fraud in dollar amounts in excess of \$5,000.00.</p> | <p>1. Revocation or in the case of application for licensure, denial of licensure.</p> | <p><u>1. Revocation or denial without the ability to reapply and payment of a \$10,000.00 fine.</u></p> |
| <p>2. Involving healthcare Medicare or Medicaid fraud in dollar amounts of \$5,000.00 or less.</p> | <p>2. A \$10,000.00 administrative fine, suspension of the license, followed by a period of probation.</p> | <p><u>2. Revocation</u></p> |
| <p>(i) Kickbacks or split fee arrangements.
(458.331(1)(i), F.S.)
(456.054 455.657, F.S.)</p> | <p>(i) <u>A refund of fees paid by or on behalf of the patient and from</u> From six (6) months suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p><u>(i) A refund of fees paid by or on behalf of the patient and from a two (2) year suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |
| <p>(j) Sexual misconduct Exercising influence to engage patient in sex.
(458.331(1)(j), F.S.)
(458.329, F.S.)
(456.072 455.624(1)(u), F.S.)</p> | <p>(j) From one (1) year suspension and a reprimand and an administrative fine of \$5,000.00 to revocation or denial, and an administrative fine of \$10,000.00.</p> | <p><u>(j) Revocation.</u></p> |
| <p>(k) Deceptive, untrue, or fraudulent representations in the practice of medicine.
(458.331(1)(k), F.S.)
(456.072 455.624(1)(a),(m), F.S.)</p> | <p>(k) From probation to revocation and denial, and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p><u>(k) From suspension to revocation and denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |
| <p>1. Deceptive, untrue, or fraudulent representations in the practice of medicine involving healthcare Medicare or Medicaid fraud in dollar amounts in excess of \$5,000.00.</p> | <p>1. Revocation or in the case of application for licensure, denial of licensure.</p> | <p><u>1. Revocation or denial without the ability to reapply and payment of a \$10,000.00 fine.</u></p> |
| <p>2. Deceptive, untrue, or fraudulent representations in the practice of medicine involving healthcare Medicare or Medicaid fraud in dollar amounts of \$5,000.00 or less.</p> | <p>2. A \$10,000.00 administrative fine, suspension of the license, followed by a period of probation.</p> | <p><u>2. Revocation</u></p> |

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| <p>(l) Improper solicitation of patients. (458.331(1)(l), F.S.)</p> | <p>(l) From one (1) year suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p><u>(l) From one (1) year suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |
| <p>(m) Failure to keep <u>appropriate</u> legible written medical records. (458.331(1)(m), F.S.)</p> | <p>(m) From a reprimand to denial or two (2) years suspension followed by probation, and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p><u>(m) From probation to suspension followed by probation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |
| <p>1. Failure to keep <u>appropriate</u> legible written medical records <u>involving healthcare that is related to Medicare or Medicaid</u> fraud in dollar amounts in excess of \$5,000.00.</p> | <p>1. Revocation or in the case of application for licensure, denial of licensure.</p> | <p><u>1. Revocation or denial without the ability to reapply and payment of a \$10,000.00 fine.</u></p> |
| <p>2. Failure to keep <u>appropriate</u> legible written medical records <u>involving healthcare that is related to Medicare or Medicaid</u> fraud in dollar amounts of \$5,000.00 or less.</p> | <p>2. A \$10,000.00 administrative fine, suspension of the license, followed by a period of probation.</p> | <p><u>2. Revocation or denial.</u></p> |
| <p>(n) Exercising influence on patient for financial gain. (458.331(1)(n), F.S.)
<u>(456.072 455.624</u>(1)(n), F.S.)</p> | <p>(n) <u>Payment of fees paid by or on behalf of the patient and from</u> From probation to denial or two (2) years suspension, and an administrative fine from \$5,000.00 to \$10,000.00.</p> | <p><u>(n) Payment of fees paid by or on behalf of the patient and from suspension to revocation or denial and an administrative fine of \$10,000.00.</u></p> |
| <p>(o) Improper advertising of pharmacy. (458.331(1)(o), F.S.)</p> | <p>(o) From a reprimand and \$250.00 fine <u>or denial</u> to one (1) year probation, and an administrative fine from \$250.00 to \$5,000.00.</p> | <p><u>(o) From probation to suspension or denial and an administrative fine of \$5,000.00 to \$10,000.00.</u></p> |
| <p>(p) Performing professional services not authorized by patient. (458.331(1)(p), F.S.)</p> | <p>(p) From a reprimand <u>or to</u> to denial <u>to</u> to two (2) years suspension, and an administrative fine from \$1,000.00 to \$10,000.00.</p> | <p><u>(p) From probation to revocation or denial and an administrative fine of \$5,000.00 to \$10,000.00.</u></p> |
| <p>(q) Inappropriate or excessive prescribing. (458.331(1)(q), F.S.)</p> | <p>(q) From one (1) year probation to revocation or denial, and an administrative fine from \$1,000.00 to 10,000.00.</p> | <p><u>(q) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |
| <p>(r) Prescribing or dispensing of a scheduled drug by the physician to himself. (458.331(1)(r), F.S.)</p> | <p>(r) From one (1) year probation to revocation or denial, and an administrative fine from \$1,000.00 to \$5,000.00, <u>and a mental and physical examination.</u></p> | <p><u>(r) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00, and a mental and physical examination.</u></p> |
| <p>(s) Inability to practice medicine with skill and safety. (458.331(1)(s), F.S.)</p> | <p>(s) From probation to denial or indefinite suspension until licensee is able to demonstrate ability to practice with reasonable skill and safety followed by probation, and an administrative fine from \$1,000.00 to \$5,000.00.</p> | <p><u>(s) From indefinite suspension, followed by probation to suspension for a minimum of five (5) years or until licensee is able to demonstrate ability to practice with reasonable skill and safety followed by probation, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |

(t) Gross or repeated malpractice or the failure to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances.

(458.331(1)(t), F.S.)

1. Gross Malpractice

(t) From two (2) years probation to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

1. From one (1) year suspension followed by three (3) years probation to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00 and licensee shall be subject to reexamination.

(t) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

1. From suspension or denial to revocation or denial and an administrative fine of \$5,000.00 to \$10,000.00, and an evaluation or reexamination by a physician evaluation program approved by the Board.

2. Repeated Malpractice

2. From three (3) years probation to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00 and licensee shall be subject to reexamination.

2. From suspension or denial to revocation or denial and an administrative fine of \$5,000.00 to \$10,000.00, and an evaluation or reexamination by a physician evaluation program approved by the Board.

3. Failure to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent physician as being acceptable under similar conditions and circumstances.

3. From two (2) years probation to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

3. From a reprimand and probation or denial to revocation and an administrative fine of \$5,000.00 to \$10,000.00.

(u) Performing of experimental treatment without informed consent.

(458.331(1)(u), F.S.)

(u) From one (1) year suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

(u) Revocation or denial.

(v) Practicing beyond scope permitted.

(458.331(1)(v), F.S.)

~~(456.072 455.624(1)(o), F.S.)~~

(v) From two (2) years suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

(v) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(w) Delegation of professional responsibilities to unqualified person.

(458.331(1)(w), F.S.)

~~(456.072 455.624(1)(p), F.S.)~~

(w) From one (1) year probation to denial or five (5) years suspension followed by probation, and an administrative fine from \$1,000.00 to \$10,000.00.

(w) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(x)1. Violation of law, rule, or failure to comply with subpoena.

(458.331(1)(x), F.S.)

~~(456.072 455.624(1)(b),(q), F.S.)~~

(x)1. For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from ~~From~~ a reprimand to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

(x)1. From probation to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

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| <p>2. Violation of an order of the Board.</p> <p>(y) Conspiring to restrict another from lawfully advertising services. (458.331(1)(y), F.S.)</p> <p>(z) Aiding an unlawful abortion. (458.331(1)(z), F.S.)</p> <p>(aa) Presigning prescription forms. (458.331(1)(aa), F.S.)</p> <p>(bb) Prescribing a Schedule II substance for office use. (458.331(1)(bb), F.S.)</p> <p>(cc) Improper prescribing of Schedule II amphetamine or sympathomimetic amine drug. (458.331(1)(cc), F.S.)</p> <p>(dd) Failure to adequately supervise assisting personnel. (458.331(1)(dd), F.S.)</p> <p>(ee) Improper use of substances for muscle building or enhancement of athletic performance. (458.331(1)(ee), F.S.)</p> <p>(ff) Use of amygdalin (laetrile). (458.331(1)(ff), F.S.)</p> <p>(gg) Misrepresenting or concealing a material fact (458.331(1)(qq), F.S.)</p> <p>(hh) Improperly interfering with an investigation or a disciplinary proceeding (458.331(1)(hh), F.S.)</p> | <p>2. Reprimand and an administrative fine from \$5,000.00 to \$10,000.00, to revocation or denial based upon the severity of the offense and the potential for patient harm and probation.</p> <p>(y) A reprimand or denial and an administrative fine ranging from \$1,000.00 to \$5,000.00.</p> <p>(z) From one (1) year suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.</p> <p>(aa) From a reprimand to two (2) years probation, and an administrative fine from \$1,000.00 to \$5,000.00.</p> <p>(bb) From a reprimand to probation with CME in pharmacology, and an administrative fine from \$1,000.00 to \$5,000.00.</p> <p>(cc) From probation to denial or two (2) years suspension followed by probation, and an administrative fine from \$1,000.00 to \$10,000.00.</p> <p>(dd) From probation to denial or two (2) years suspension followed by probation, and an administrative fine from \$1,000.00 to \$5,000.00.</p> <p>(ee) From one (1) year suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$5,000.00.</p> <p>(ff) From one (1) year suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.</p> <p>(gg) From denial or revocation of license with ability to reapply upon payment of \$1,000.00 fine to denial of license without ability to reapply.</p> <p>(hh) From denial or revocation of license with ability to reapply upon payment of \$1,000.00 fine to denial of license without ability to reapply.</p> | <p><u>2. From suspension and a \$10,000.00 fine or denial to revocation.</u></p> <p><u>(y) Probation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> <p><u>(z) From suspension to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> <p><u>(aa) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> <p><u>(bb) From probation to suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> <p><u>(cc) From suspension to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</u></p> <p><u>(dd) From one (1) year suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> <p><u>(ee) From suspension to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</u></p> <p><u>(ff) From suspension to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.</u></p> <p><u>(gg) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> <p><u>(hh) From suspension to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00.</u></p> |
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(ii) Failing to report any licensee in violation who practices in a hospital or an H.M.O.; or failing to report any person in violation of Chapter 456 ~~455, Part II~~, F.S.

(458.331(1)(ii), F.S.)

~~(456.072 455.624~~(1)(i), F.S.)

(jj) Providing written medical opinion without reasonable investigation.

(458.331(1)(jj), F.S.)

(kk) Failure to report disciplinary action by another jurisdiction.

(458.331(1)(kk), F.S.)

(ll) Improper holding oneself out as a specialist.

(458.331(1)(ll), F.S.)

(mm) Improper use of information about accident victims for commercial or any other solicitation of the people involved in such accidents.

~~(456.072 455.624~~(1)(x), F.S.)

(nn) Theft or reproduction of an examination.

~~(456.018 455.577~~, F.S.)

(oo) Violation of Patient Self Referral Act.

~~(456.053 455.654~~, F.S.)

(ii) From a reprimand to probation or denial and an administrative fine from \$1,000.00 to \$5,000.00.

(jj) From denial or revocation of license with ability to reapply upon payment of \$1,000.00 fine to denial of license without ability to reapply.

(kk) From an administrative fine of \$2,000.00 to a fine of \$5,000.00 and a reprimand to denial or revocation of license with ability to reapply upon payment of \$1,000.00 fine to denial or revocation of license without ability to reapply.

(ll) From ~~letter of concern reprimand~~ to one year suspension or denial and an administrative fine from \$500 to \$5,000.00.

(mm) From an administrative fine of \$1,000.00 to a fine of \$5,000.00, reprimand and probation.

(nn) Revocation or denial without ability to reapply.

(oo) In addition to any civil penalty imposed pursuant to s. 455.654, for each separate violation, from an administrative fine of \$5,000.00 to an administrative fine of \$10,000.00.

(ii) From probation to suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(jj) From suspension to revocation or denial of the license and an administrative fine ranging from \$5,000.00 to \$10,000.00.

(kk) From probation to suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(ll) From reprimand to up to one (1) year suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(mm) From reprimand to up to one (1) year suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(nn) Revocation or denial without ability to reapply.

(oo) From probation to suspension or denial, and an administrative fine from \$5,000.00 to \$10,000.00.

(3) through (7) No change.

Specific Authority 458.331(5), 458.309, ~~456.079, 455.627~~ FS. Law Implemented 458.331(5), ~~456.072, 456.079, 455.624, 455.627~~ FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2000

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLES: RULE NOS.:

Medical Records of Physicians Relocating or Terminating Practice; Retention, Disposition, Time Limitations 64B8-10.002

Legal Representative Defined 64B8-10.004

PURPOSE AND EFFECT: The proposed rule amendment and proposed new rule, in response to a request from the Florida Medical Association, are intended to address notification to patients when relocating or terminating practice and to define the term “legal representative.”

SUMMARY: The proposed amendment to Rule 64B8-10.002 addresses the criteria for notification of patients when a physician relocates or terminates his or her practice. The new rule 64B8-10.004 sets forth the definition of the term “legal representative.”

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: 458.309, 456.057, 456.058 FS.

LAW IMPLEMENTED: 456.057, 456.058, FS.

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

TIME AND DATE: 10:00 a.m., December 19, 2000

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-10.002 Medical Records of Physicians Relocating or Terminating Practice; Retention, Disposition, Time Limitations.

(1) through (3) No change.

(4) When a licensed physician terminates practice or relocates and is no longer available to patients, patients should be notified of such termination, sale, or relocation and unavailability by the physician's causing to be published once during each week for four (4) consecutive weeks, in the newspaper of greatest general circulation in each county in which the physician practices or practiced and in a local newspaper that serves the immediate practice area, a notice which shall contain the date of termination, sale, or relocation and an address at which the records may be obtained from the physician terminating or selling the practice or relocating or from another licensed physician or osteopathic physician. A copy of this notice shall also be submitted to the Board of Medicine within one (1) month from the date of termination, sale, or relocation of the practice. ~~The In addition, the licensed physician may, but is not required to, place a sign shall place in a conspicuous location in or on the facade of the physician's office or notify patients by letter of, a sign, announcing the termination, sale, or relocation of the practice. The sign or shall be placed at least thirty days prior to the termination, sale, or relocation of practice and shall remain until the date of termination, sale, or relocation. Both the notice and the sign shall advise the licensed physician's patients of their opportunity to transfer or receive their records.~~

Specific Authority 458.309, ~~456.058 455.677~~ FS. Law Implemented ~~456.058 455.677~~ FS. History—New 7-3-89, Formerly 21M-26.002, Amended 11-4-93, 1-17-94, Formerly 61F6-26.002, Amended 1-26-97, Formerly 59R-10.002, Amended _____.

64B8-10.004 Legal Representative Defined.

Legal representative is defined for the purpose of Section 456.057, F.S., as a patient's attorney who has been designated by the patient to receive copies of the patient's medical records; any legally recognized guardian of the patient; any court appointed representative of the patient; or any other person either designated by the patient or by a court of competent jurisdiction to receive copies of the patient's medical records.

Specific Authority 456.057 FS. Law Implemented 456.057 FS. History—New _____

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Advertising
RULE NO.: 64B8-11.001

PURPOSE AND EFFECT: The proposed a rule amendment is intended to list the recognizing agencies currently approved by the Board.

SUMMARY: The proposed rule amendment sets forth those recognizing agencies which are currently approved by the Board for the purpose of advertising medical specialties.

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: 458.309 FS.

LAW IMPLEMENTED: 458.331(1)(d),(l),(n),(o) FS.

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

TIME AND DATE: 10:00 a.m., December 19, 2000

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B8-11.001 Advertising.
- (1) through (6) No change.
- (7) The recognizing agencies currently approved by the Board of Medicine include:

(a) American Board of Facial Plastic & Reconstructive Surgery, Inc. (Approved February 1997).

(b) American Board of Pain Medicine (Approved August 1999).

Specific Authority 458.309 FS. Law Implemented 458.331(1)(d),(l),(n),(o) FS. History—New 3-31-80, Formerly 21M-24.01, Amended 11-15-88, Formerly 21M-24.001, Amended 12-5-93, Formerly 61F6-24.001, Amended 4-3-95, 4-16-96, 5-29-97, Formerly 59R-11.001, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2000

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Continuing Education for Biennial Renewal
RULE NO.: 64B8-13.005

PURPOSE AND EFFECT: The proposed the rule amendment is intended to address a recent legislative change authorizing end-of-life care and palliative health care continuing education to substitute for domestic violence continuing education in alternate bienniums.

SUMMARY: The proposed rule amendment authorizes end-of-life care and palliative health care continuing education to substitute for domestic violence continuing education in alternate bienniums.

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: 458.309, 456.013(6), 456.031(1)(a), 458.319 FS.

LAW IMPLEMENTED: 456.013(5),(6), 456.031(1)(a), 458.319(4) FS.

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

TIME AND DATE: 10:00 a.m., December 19, 2000

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-13.005 Continuing Education for Biennial Renewal.

(1) Every physician licensed pursuant to Chapter 458, Florida Statutes, shall be required to complete 40 hours of continuing medical education courses approved by the Board in the 24 months preceding each biennial renewal period as established by the Agency.

(a) No change.

(b) For all licensees no more and no less than one hour shall consist of training in domestic violence as required by s. ~~456.031 455.597~~(1)(a), F.S., and described in subsection (9) of this rule. Notwithstanding the foregoing, a physician may complete continuing education on end-of-life care and palliative health care in lieu of continuing education in domestic violence, if that physician has completed the domestic violence continuing education in the immediately

preceding biennium. This allows for end-of-life care and palliative health care continuing education to substitute for domestic violence continuing education in alternate bienniums.

(2) through (10) No change.

Specific Authority 458.309, ~~456.013(6), 456.031(1)(a), 458.319 455.564(6), 455.597(1)(a)~~ FS. Law Implemented ~~456.013(5),(6), 456.031(1)(a), 458.319(4) 455.564(5), (6), 455.597(1)(a)~~ FS. History--New 9-7-86, Amended 11-17-87, 11-15-88, 1-31-90, 9-15-92, Formerly 21M-28.002, Amended 12-5-93, Formerly 61F6-28.002, Amended 3-1-95, 1-3-96, 1-26-97, Formerly 59R-13.005, Amended 5-18-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLE:	RULE NOS.:
Definitions	66B-1.003
Policy	66B-1.004
Funds Allocation	66B-1.005
Application Process	66B-1.006
Project Eligibility	66B-1.008
Project Administration	66B-1.009
Project Agreement	66B-1.010

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to provide guidance to the District and the program applicants in the administration of the District's Cooperative Assistance Program. The effect of the proposed rule amendments will be to clarify the intent and application of the program rules for a more effective and efficient program.

SUMMARY: The proposed rule amendments will include the following provisions in the program rule: define environmental permits, modify eligibility based on membership or user fees charged; clarify the amount of pre-agreement expenses that are eligible for program funding; modify public marina funding eligibility; define terms and conditions for eligible third-party participation in the program; establish terms for multi-year projects; redefine project cost-share eligibility; define the application process allowing for interlocal agreements; define procedure to allow applicant ability to decline presentation request; add project evaluation and rating form scoring to review process; clarify project eligibility; add land acquisition for boat ramp parking to project eligibility, define the demonstration required of environmental permits; and, clarify conditions for project administration and agreement amendment changes;

The effect of the rule development is to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) FS.

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

TIME AND DATE: 2:00 p.m., December 22, 2000

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE FULL TEXT OF THE PROPOSED RULES IS:

66B-1.003 Definitions.

The basic terms utilized in this rule are defined as follows:

(1) through (6) No change.

(7) "ENVIRONMENTAL PERMITS" means those permits, exemptions, or general permits for construction below mean high water line of a navigable waterway required and issued by or on behalf of the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida or the St. Johns River Water Management Districts or their successors.

(7) through (22) renumbered (8) through (23) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.003, Amended 5-17-98.

66B-1.004 Policy.

The following constitutes the policy of the District regarding the administration of the program.

(1) through (7) No change.

(8) Facilities funded in whole or in part by program funds shall be made available to the general public of all of the member counties on a non-exclusive basis without regard to race, color, religion, age, sex or similar condition. Additionally, facilities funded in whole or in part by program funds, shall not require a paid membership for the general public of all of the member counties as a condition to use the facilities. User or entrance fees may be charged for the use of

facilities funded in whole or in part by program funds, however such fees shall be reasonable and shall be the same for the general public of all of the member counties.

(9) The project sponsor shall not commence work on an approved project prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses, except for projects approved by the Board as multi-year projects, will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi-year projects.

(10) through (11) No change.

~~(12) All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District.~~

(13) through (16) renumbered (12) through (15) No change.

~~(16)(18)~~ All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten (10%) per cent of their slips or mooring areas available for transient vessels. Program funds to public marina projects shall not be utilized for maintenance of the facilities if revenues generated by the facility are not exclusively allocated to the operation, maintenance and improvement of the public marina facility.

(17) No change.

(18) Projects that are being developed and operated by a third party which is a not for profit agency shall have sufficient oversight by the eligible project sponsor. Such oversight at a minimum will include a project liaison that is a staff member of the eligible project sponsor, oversight of the operating hours and admission fees of the facility by the eligible project sponsor through a legal agreement, and submission of the third party's most recent audited financial statement. All third party projects shall be open to the public in accordance with this rule.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(2) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.004, Amended 5-17-98, 3-31-99, 3-5-00, _____.

66B-1.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 Waterways Assistance Program Application Evaluation and Rating Form, and 91-25A Waterways Assistance Program Navigation Districts Application Evaluation and Rating Form, (effective date 2-6-97) hereby incorporated by reference and available from the District office.

(1) No change.

(2) The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting a significant amount of assistance funding in relation to the total assistance available for the program, will be reviewed and approved by the Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process.

~~(3)(2)~~ All financial assistance and support to eligible state agencies shall require equal matching funds from the project sponsor with the exception of public navigation, ~~law enforcement and environmental education~~ projects. Project sponsors of public navigation projects shall provide matching funds of at least ten (10) percent of the total cost of the project. ~~Project sponsors of law enforcement and environmental education projects shall provide matching funds of at least twenty five (25) percent of the total cost of the project.~~ All financial assistance to seaports shall require equal matching funds.

~~(3) Eligible projects or project elements in the categories of public navigation, law enforcement and environmental education include:~~

~~(a) Public navigation~~

- ~~1. Navigation channel dredging~~
- ~~2. Navigation channel lighting and markers~~
- ~~3. Waterway signs and buoys for safety, regulation or information~~

~~(b) Law enforcement~~

- ~~1. Waterways boating safety programs~~
- ~~2. Law enforcement and boating safety equipment~~

~~(c) Waterways Related Environmental Education~~

- ~~1. Environmental Education Programs~~

~~Waterways related environmental educational programs shall consist of coordinated efforts among the local community, the local school district and local governments. Eligible programs shall be available to the general public or a targeted segment of~~

~~the general public. The curriculum for an eligible program shall be coordinated with the District, the local community, the local school district and local governments and shall be directly related to the environment of the waterways.~~

~~2. Environmental Education Facilities~~

~~Eligible environmental educational facilities shall include buildings used for waterways related education and accessory facilities such as boardwalks, docks, signs, pavilions and other such structures that are directly utilized for education. Structures having environmental education signage but not adjacent to or associated with an environmental education facility shall not be considered a waterways related environmental education facility for the purposes of this rule section.~~

~~(4) Projects or project elements in the category of public navigation that will qualify for up to ninety (90%) percent program funds include:~~

~~(a) Navigation channel dredging where the project sponsor demonstrates that the source of channel sedimentation has been identified and is in the process of or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project.~~

~~(b) Navigation channel lighting and markers. Other public navigation projects or project elements will only qualify for up to fifty (50%) percent program funding.~~

~~(5)(4) No change.~~

~~(6)(5) Interlocal Agreements. The District may enter into interlocal agreements to accomplish the goals of this program provided that funds are determined to be available availability based upon the District's overall goals, management policies, fiscal responsibilities and operational needs at the time of the request. Interlocal agreements will be considered by the Board at any time upon submission of a proposal on the forms of this program. Interlocal agreements under this program shall be in compliance with Chapters 374 and 163, F.S., and will only be approved for multi-agency projects that involve more than one project site or more than one political sub-division of the state, will directly benefit the maintenance of the Atlantic Intracoastal Waterway channel as documented by the District's long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel in Martin County as documented by the District's long range dredged material management plan, will directly benefit the maintenance or improvement of District property, or will have multiple funding partners including the Corps of Engineers as the project manager. Interlocal agreements may include participation in government sponsored projects at privately owned waterway related facilities that serve the public on a~~

first come, first serve basis. Interlocal agreement projects shall comply with all other provisions of this rule, except for the permitting and property control requirements.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(3) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.005, Amended 5-17-98, 3-31-99,_____.

66B-1.006 Application Process.

(1) through (3) No change.

(4) Applications that the Board determines meet the criteria set forth in s. 66B-1.005(5) can qualify for project assistance through an interlocal agreement pursuant to s. 163, F.S. or s. 374.984(6)(a), F.S.. District staff will identify applications that appear to meet these criteria and present them to the Board for its determination as to the funding.

(5)(4) Applications determined to be complete and in compliance with this rule will be forwarded to the Board for review and then scheduled for presentation to the Board at a scheduled meeting of the Board. Applicants can decline to make a presentation to the Board by submitting a written request. The applicant's presentation will at a minimum include a discussion of the applicant's answers to the Evaluation and Rating Criteria on Form No. 00-25. Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Form No. 00-25 (effective date _____) hereby incorporated by reference and available from the District office.

(6) The total points awarded to each application by the Commissioners will be averaged to determine an applications final rating score. The final rating score for each application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application.

(7)(5) The Board will hold a funding allocation meeting at which time the Board will determine the allocation of funds, if any, to each project. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.006, Amended 3-5-00,_____.

66B-1.008 Project Eligibility.

(1) No change.

(a) Program funds may be used for projects such as acquisition planning, development, construction, reconstruction, extension improvement, operation or maintenance of the following for public use on land and water:

1. Public navigation channel dredging.
2. Public navigation aids and markers.

- 3. Inlet management projects that are a benefit to public navigation in the District.
- 4. Public shoreline stabilization.
- 5. Public spoil disposal site development.
- 6. Waterway signs and buoys for safety, regulation or information.
- 7. Public boat ramps and launching facilities and land acquisition for additional trailer parking at an existing boat ramp.
- 8. Public boat docking and mooring facilities.
- 9. Waterways related environmental education programs and facilities.
- 10. Public fishing and viewing piers.
- 11. Public waterfront boardwalks.
- 12. Waterways boating safety programs and equipment.
- 13. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project.
- 14. Other waterway related projects.

(b) Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, land acquisition that is not for additional trailer parking at an existing boat ramp and any extraneous recreational amenities not directly related to the waterway such as the following:

- 1. Landscaping.
- 2. Park and playground equipment.
- 3. Restrooms for non-waterway users.
- 4. Tennis courts.
- 5. Roadways providing access to non-waterway users.
- 6. Parking areas for non-waterway users.
- 7. Utilities for non-waterway related facilities.
- 8. Lighting for non-waterway related facilities.
- 9. Irrigation equipment.
- 10. Maintenance equipment.
- 11. Picnic shelters and furniture.
- 12. Vehicles to transport vessels.
- 13. Operational items such as fuel, oil, etc.

(c) No change.

(d) Applications for eligible waterway projects which include construction elements below mean high water will be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. Applicants for Phase II funding will demonstrate that the environmental permitting element of Phase I will be completed by the District's final TRIM hearing. This demonstration will be by the submission of the required environmental permit(s) or by the submission of a letter from the agency stating that a permit is not required.

Should the environmental permitting element of Phase I of an application for a construction project not be completed by the District's final TRIM hearing, the Phase II project will not be considered for funding. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency.

(2) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(3) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.008, Amended 5-17-98, 3-31-99, 3-5-00,_____.

66B-1.009 Project Administration.

The District will administer all funded projects through an executed project agreement. The District will appoint a project manager who shall be responsible for monitoring the project and the project agreement. The project manager shall also be responsible for approving all reimbursement requests. The project sponsor shall appoint a liaison agent, who will be a member of the eligible applicant's staff, to act on its behalf in carrying out the terms of the project agreement. Administration of the project will be as follows:

(1) through (6) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-1.009, Amended_____.

66B-1.010 Project Agreement.

(1) through (2) No change.

(3) All project agreement amendments shall be approved by the District board. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-1.010, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 6, 2000

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLES:	RULE NOS.:
Definitions	66B-2.003
Policy	66B-2.004

Funds Allocation	66B-2.005
Application Process	66B-2.006
Project Eligibility	66B-2.008
Project Administration	66B-2.009
Project Agreement	66B-2.010

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to provide guidance to the District and the program applicants in the administration of the District's Waterways Assistance Program. The effect of the proposed rule amendments will be to clarify the intent and application of the program rules for a more effective and efficient program.

SUMMARY: The proposed rule amendments will include the following provisions in the program rule: define the term environmental permits, modify eligibility based on membership or user fees charged; clarify the amount of pre-agreement expenses that are eligible for program funding; modify public marina funding eligibility; define terms and conditions for eligible third-party participation in the program; establish terms for multi-year projects; redefine project cost-share eligibility; define the application process allowing for interlocal agreements; define procedure to allow applicant ability to decline presentation request; add project evaluation and rating form scoring to review process; clarify project eligibility; add land acquisition for boat ramp parking to project eligibility, define the demonstration required of environmental permits; and, clarify conditions for project administration and agreement amendment changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3),(5) FS.

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

TIME AND DATE: 1:00 p.m., December 20, 2000

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE FULL TEXT OF THE PROPOSED RULES IS:

66B-2.003 Definitions.

The basic terms utilized in this rule are defined as follows:

(1) through (7) No change.

(8) "ENVIRONMENTAL PERMITS" means those permits, exemptions, or general permits for construction below mean high water line of a navigable waterway required and issued by or on behalf of the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, and the South Florida or the St. Johns River Water Management Districts or their successors.

(8) through (25) renumbered (9) through (26) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 9-2-92, 2-6-97, Formerly 16T-2.003, Amended 5-17-98.

66B-2.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) through (7) No change.

(8) Facilities funded in whole or in part by program funds shall be made available to the general public of all of the member counties on a non-exclusive basis without regard to race, color, religion, age, sex or similar condition. Additionally, facilities funded in whole or in part by program funds, shall not require a paid membership for the general public of all of the member counties as a condition to use the facilities. User or entrance fees may be charged for the use of facilities funded in whole or in part by program funds, however such fees shall be reasonable and shall be the same for the general public of all of the member counties.

(9) The project sponsor shall not commence work on an approved project prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses, except for projects approved by the Board as multi-year projects, will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre-agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi-year projects.

(10) through (11) No change.

~~(12) All project costs must be incurred and work performed within the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre agreement expenses will be authorized if they are less than fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only fifty (50) percent of the pre agreement expenses will be eligible for reimbursement funding from the District.~~

(13) through (16) renumbered (12) through (15) No change.

~~(16)(17)~~ All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten (10%) percent of their slips or mooring areas available for transient vessels. Program funds to public marina projects shall not be utilized for maintenance of the facilities if revenues generated by the facility are not exclusively allocated to the operation, maintenance and improvement of the public marina facility.

~~(17)(18)~~ No change.

(18) Projects that are being developed and operated by a third party which is a not for profit agency shall have sufficient oversight by the eligible project sponsor as determined by the Board. Such oversight at a minimum will include a project liaison that is a staff member of the eligible project sponsor, oversight of the operating hours and admission fees of the facility by the eligible project sponsor through a legal agreement, and submission of the third party's most recent audited financial statement. All third party projects shall be open to the public in accordance with this rule.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(2) FS. History--New 12-17-90, Amended 2-3-94, 2-6-97, Formerly 16T-2.004, Amended 5-18-98, 3-31-99, 5-25-00,_____.

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If the funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 Waterways Assistance Program Application Evaluation and Rating Form, and 91-25A Waterways Assistance Program Navigation Districts Application Evaluation and Rating Form, (effective date 2-6-97) hereby incorporated by reference and available from the District office.

(1) No change.

(2) The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting a significant amount of assistance funding in relation to the total assistance available for the county where the project is located, will be reviewed and approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process.

~~(3)(2)~~ No change.

~~(4)(3)~~ All financial assistance and support to eligible governmental agencies shall require equal matching funds from the project sponsor with the exception of public

~~navigation, law enforcement and environmental education projects. Project sponsors of public navigation projects shall provide matching funds of at least ten (10) percent of the total cost of the project. Project sponsors of law enforcement and environmental education projects shall provide matching funds of at least twenty five (25) per cent of the total cost of the project. All financial assistance to seaports shall require equal matching funds.~~

~~(5)(4)~~ No change.

~~(5) Eligible projects or project elements in the categories of public navigation, law enforcement and environmental education include~~

~~(a) Public navigation~~

~~1. Navigation channel dredging~~

~~2. Navigation channel lighting and markers~~

~~3. Waterway signs and buoys for safety, regulation or information~~

~~(b) Law enforcement~~

~~1. Waterways boating safety programs~~

~~2. Law enforcement and boating safety equipment~~

~~(c) Waterways Related Environmental Education~~

~~1. Environmental Education Programs~~

~~Waterways related environmental educational programs shall consist of coordinated efforts among the local community, the local school district and local governments. Eligible programs shall be available to the general public or a targeted segment of the general public. The curriculum for an eligible program shall be coordinated with the District, the local community, the local school district and local governments and shall be directly related to the environment of the waterways.~~

~~2. Environmental Education Facilities~~

~~Eligible environmental educational facilities shall include buildings used for waterways related education and accessory facilities such as boardwalks, docks, signs, pavilions and other such structures that are directly utilized for education. Structures having environmental education signage but not adjacent to or associated with an environmental education facility shall not be considered a waterways related environmental education facility for the purposes of this rule section.~~

~~(6) Projects or project elements in the category of public navigation that will qualify for up to ninety (90%) per cent program funds include:~~

~~(a) Navigation channel dredging where the project sponsor demonstrates that the source of channel sedimentation has been identified and is in the process of or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project.~~

(b) Navigation channel lighting and markers.

Other public navigation projects or project elements will only qualify for up to fifty (50%) per cent program funding.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(3) FS. History–New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99,_____.

66B-2.006 Application Process.

(1) through (2) No change.

(3) Applications that the Board determines will directly benefit the maintenance of the Atlantic Intracoastal Waterway channel as documented by the District’s long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel in Martin County as documented by the District’s long range dredged material management plan, will directly benefit the maintenance or improvement of District property, or have multiple funding partners including the Corps of Engineers as the project manager can qualify for project assistance through an interlocal agreement pursuant to s. 163, F.S. or s. 374.984(6)(a), F.S. District staff will identify these applications and present them to the Board for their determination as to funding.

~~(4)(3)~~ Applications determined to be complete and in compliance with this rule will be forwarded to the Board for review and then scheduled for presentation to the Board at a scheduled meeting of the Board. Applicants can decline to make a presentation to the Board by submitting a written request. The applicant’s presentation will at a minimum include a discussion of the applicants answers to the Evaluation and Rating Criteria on Form No. 91-25. Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Form No. 91-25 (effective date _____ ~~4-12-95~~) hereby incorporated by reference and available from the District office.

(4) through (5) renumbered (5) through (6) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History–New 12-17-90, Amended 9-2-92, 6-24-93, 4-12-95, Formerly 16T-2.006, Amended 5-25-00,_____.

66B-2.008 Project Eligibility.

(1) through (a) No change.

(b) Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, land acquisition that is not for additional trailer parking at an existing boat ramp and any extraneous recreational amenities not directly related to the waterway such as the following:

1. Landscaping.
2. Park and playground equipment.
3. Restrooms for non-waterway users.
4. Tennis courts.
5. Roadways providing access to non-waterway users.

6. Parking areas for non-waterway users.
7. Utilities for non-waterway related facilities.
8. Lighting for non-waterway related facilities.
9. Irrigation equipment.
10. Maintenance equipment.
11. Picnic shelters and furniture.
12. Vehicles to transport vessels.
13. Operational items such as fuel, oil, etc.

(c) No change.

(d) Applications for eligible waterway projects which include construction elements below mean high water will be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. Applicants for Phase II funding will demonstrate that the environmental permitting element of Phase I will be completed by the District’s final TRIM hearing. This demonstration will be by the submission of the required environmental permit(s) or by the submission of a letter from the agency stating that a permit is not required. Should the environmental permitting element of Phase I of an application for a construction project not be completed by the District’s final TRIM hearing, the Phase II project will not be considered for funding. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency.

(2) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History–New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, 5-25-00,_____.

66B-2.009 Project Administration.

The District will administer all funded projects through an executed project agreement. The District will appoint a project manager who shall be responsible for monitoring the project and the project agreement. The project manager shall also be responsible for approving all reimbursement requests. The project sponsor shall appoint a liaison agent, who will be a member of the eligible applicant’s staff, to act on its behalf in carrying out the terms of the project agreement. Administration of the project will be as follows:

(1) through (6) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History–New 12-17-90, Formerly 16T-2.009, Amended_____.

66B-2.010 Project Agreement.

(1) through (2) No change.

(3) All project agreement amendments shall be approved by the District board except that the executive director may approve a minor project agreement amendment for a project within a county with the local District commissioner’s concurrence. A minor project amendment shall not change the

approved project's category nor result in a reallocation of more than 35% of the approved funding of the project among project elements. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 9-5-96, Formerly 16T-2.010, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 9, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 6, 2000

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-5.014 RULE TITLE: Poultry

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 31, on August 4, 2000, Florida Administrative Weekly, and the Notice of Change noticed in Vol. 26, No. 38, on September 22, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-6.010 RULE TITLE: Eggs

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 31, on August 4, 2000, Florida Administrative Weekly, and the Notice of Change noticed in Vol. 26, No. 38, on September 22, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER NO.: 9G-6 RULE NOS.: 9G-6.002 9G-6.0023 9G-6.0025 9G-6.005 9G-6.006 9G-6.0095 9G-6.010	RULE CHAPTER TITLE: Review of Local Emergency Management Plans and Programs RULE TITLES: Definitions County Comprehensive Emergency Management Plans The County Radiological Emergency Plan for Nuclear Power Plants Schedule for Development and Review of County and Municipal Comprehensive Emergency Management Plans County Comprehensive Emergency Management Plans Review by Division Municipal Comprehensive Emergency Management Plans Municipal Comprehensive Emergency Management Plans Review by County Emergency Management
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NOTICE OF CHANGE

Notice is hereby given that changes have been made to the proposed rule which was published September 15, 2000, in Vol. 26, No. 37, Florida Administrative Weekly and it now reads as follows:

9G-6.002 Definitions.

(1) through (6) No change.

(7) "County Radiological Emergency Plan for Nuclear Power Plants" means the plan to be prepared by the Division and county governments within 50 miles of a commercial nuclear power plant.

(8) "County Emergency Management Program" means the emergency management program authorized and mandated by Section 252, F.S. to be created by each legally constituted county in the state.

Specific Authority 252.35(2)(u) FS. Law Implemented 252.35(1), (2)(a), (b), (c), (d), (k), (v) FS. History--New 1-18-81, Amended 2-24-85, Formerly 9G-6.02, Amended 2-5-91, 5-11-95, _____.

9G-6.0023 County Comprehensive Emergency Management Plans.

(1) Each county emergency management agency established pursuant to the authority contained in Section 252.38(2), F.S., shall develop and submit to the Board of County Commissioners for adoption a County Comprehensive Emergency Management Plan in compliance with the requirements, format and standards contained in this rule chapter.