

**Section I**

**Notices of Development of Proposed Rules and Negotiated Rulemaking**

**DEPARTMENT OF CITRUS**

<b>RULE CHAPTER TITLE:</b>	<b>RULE CHAPTER NO.:</b>
Manifests for Processed Products	20-71
<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Manifest Requirements	20-71.001
Required Manifest Statement	20-71.002
Failure to Furnish Manifests	20-71.003
Purpose	20-71.004
Manifest Requirements and Statements for Inter-company Transports	20-71.005
Manifest Requirements and Statements for Transports of Processed Citrus Products	20-71.006

**PURPOSE AND EFFECT:** Would repeal rule sections 20-71.001, 20-71.002 and 20-71.003 and bring rule up-to-date with the way business is currently being conducted by re-writing rule to eliminate inspection for inter-company transport of processed citrus products.

**SUBJECT AREA TO BE ADDRESSED:** Eliminating inspection for inter-company transport of processed citrus products.

**SPECIFIC AUTHORITY:** 601.10(1),(7), 601.11, 601.49 FS.

**LAW IMPLEMENTED:** 601.10(7), 601.11, 601.49, 601.52 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148.

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

**DEPARTMENT OF CITRUS**

<b>RULE CHAPTER TITLE:</b>	<b>RULE CHAPTER NO.:</b>
Certificate of Grade Inspection – Processed Products	20-72
<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Alternate Proof of Inspection	20-72.009

**PURPOSE AND EFFECT:** Would eliminate inspection of inter-company transport of processed citrus products.

**SUBJECT AREA TO BE ADDRESSED:** Elimination of inspection for inter-company transport of processed citrus products.

**SPECIFIC AUTHORITY:** 601.49 FS.

**LAW IMPLEMENTED:** 601.49 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

**DEPARTMENT OF CORRECTIONS**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Routine Mail	33-210.101
Legal Documents and Legal Mail	33-210.102
Privileged Mail	33-210.103

**PURPOSE AND EFFECT:** The proposed rules are needed in order to clarify the types of mail that inmates can receive and to clarify the procedures for handling incoming and outgoing mail.

**SUBJECT AREA TO BE ADDRESSED:** Inmate mail.

**SPECIFIC AUTHORITY:** 20.315, 944.09, 944.11 FS.

**LAW IMPLEMENTED:** 20.315, 944.09, 944.11 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

(1) No change.

(2) Inmates will be permitted to receive only the following types of materials through routine mail:

(a) Written correspondence (no limit as to number of pages). Correspondence may be written on greeting cards, but cards containing electronic or other non-paper parts or cards which are constructed in such a way as to permit concealment of contraband will not be permitted.

(b) Up to 3 pages of additional written materials. Each page can be no larger than 8 1/2 x 11 inches in size; material can be on both sides of a page. This does not include bound

publications which will be handled pursuant to rule 33-501.401. Individual newspaper or magazine articles or clippings or clippings from other publications are permissible, up to the 3 page limit. No item can be glued, taped, stapled or otherwise affixed to a page.

(c) Photographs. Photographs will be counted toward the 3 page additional materials limitation. Nude photographs or photographs which reveal genitalia, buttocks, or the female breast will not be permitted. Polaroid photographs will not be permitted.

(d) Cashiers checks, certified bank drafts or money orders. These items do not count toward the 3 page limitation for additional materials. Note: pursuant to rule 33-203.201, persons sending money to inmates should send the funds directly to the service center for deposit and should not enclose them with routine mail. Funds enclosed in routine mail must be forwarded by the institution to the service center for deposit, resulting in delay of the inmate's access to the funds.

(e) Self-addressed stamped envelopes. These items do not count toward the 3 page limitation for additional materials, but cannot exceed the equivalent of 20 (1 ounce) first class stamps.

(f) Blank greeting cards, stationery or other blank paper or envelopes. These items do not count toward the 3 page limitation for additional materials, but cannot exceed 10 in number.

(g) U.S. postage stamps. The value of the stamps cannot exceed the equivalent of 20 (1 oz.) first class stamps. These items do not count toward the 3 page limitation for additional materials.

(3) No other items may be received through incoming routine mail. If an impermissible item is found (other than items of an illegal nature or cash concealed within the correspondence), the entire correspondence will be returned to the sender pursuant to paragraph (11) of this rule. For example, the following items are not permissible for inclusion in routine mail:

(a) Non-paper items;

(b) Items of a non-communicative nature such as lottery tickets or matchbooks;

(c) Stickers or stamps (other than postage stamps);

(d) Address labels;

(e) Laminated cards or other laminated materials.

(4) Inmates shall be responsible for informing correspondents of the regulations concerning incoming routine mail.

(5)(2) Any routine mail sent or received may be opened, examined and read by a designated employee. Outgoing mail shall not be sealed by the inmate sender. Incoming and outgoing mail that is properly addressed and otherwise in compliance with applicable rules shall not be held for processing for more than ~~48~~ 24 hours, excluding weekends and holidays.

(6)(3) No change.

(7)(4) Correspondence with inmates of other penal institutions shall be subject to the approval of the warden of each institution. Either warden shall ~~may~~ withhold approval if he finds that the intended correspondence would present a substantial threat of interference with the security, order or rehabilitative objectives of his institution.

(8)(5) No change.

(9)(6) Outgoing or incoming mail shall be disapproved for mailing or delivery to the inmate if any part of it:

(a) through (j) No change.

(k) Contains criminal history, offender registration, or other personal information about another inmate or offender which, in the hands of an inmate, presents a threat to the security, order or rehabilitative objectives of the correctional system or to the safety of any person;

(1) Is not in compliance with incoming mail regulations set forth in paragraphs (2) and (3) of this rule (incoming mail only); or

(m)(4) otherwise presents a clear and substantial threat to the security, order, or rehabilitative objectives of the Correctional System, or to the safety of any person.

(10)(7) No change.

(11)(8) When an inmate is prohibited from sending a letter, the letter and a written and signed notice stating one of the authorized reasons for disapproval and indicating the portion or portions of the letter causing disapproval will be given to the inmate. When an inmate is prohibited from receiving any item of mail, the inmate and the sender will be given notice in writing that the mail has been disapproved stating one of the authorized reasons for disapproval. The Unauthorized Mail Return Receipt, Form DC2-521, will be placed in the original envelope with the correspondence and returned to the sender. If contraband is discovered in the mail (other than contraband of an illegal nature or concealed cash), the contraband item and the correspondence will be returned to the sender with the Unauthorized Mail Return Receipt included. In either case the inmate may file a grievance to be reviewed by an officer or official other than the person disapproving the mail. Form DC2-521 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

(9) through (10) renumbered (12) through (13) No change.

(14)(11) Cashier's checks, certified bank drafts and money orders found in incoming mail shall be forwarded to the service center to be deposited in the inmate's account in the Inmate Trust Fund pursuant to rule 33-203.201. ~~Cash and Un~~certified bank drafts will not be accepted and will be returned to the sender. Cash found in plain view in incoming mail will be returned to the sender. However, if cash is concealed within the mail, such as hidden between the layers of the cover of a greeting card, the cash will be considered contraband and will

be deposited in the Inmate Welfare Trust Fund. The department is not responsible for any cash sent through the mail.

~~(15)(+2)~~ No change.

(16) Inmates shall not utilize hand-made packages or envelopes to send out routine mail. Mail enclosed in such materials will be returned to the inmate without processing.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended \_\_\_\_\_.

33-210.102 Legal Documents and Legal Mail.

(1) All inmates shall have a right of unhindered access to the courts. No provision of this rule shall be applied in such a way as to conflict with any rule of court. In any filings or correspondence with state courts, inmates are restricted by s. 92.351, F.S., to mailing paper documents only, unless prior authorization is obtained from the court for inclusion of non-paper materials. No non-paper materials will be forwarded to the court until the inmate presents a court order authorizing the mailing of non-paper documents to the court. Inmates shall be given ample time in which to prepare petitions and other legal documents. These documents will be processed promptly subject to the procedures outlined in this rule.

(2) Legal mail shall be defined as:

(a) through (e) No change.

(f) Mail to and from Agency Clerks.

(g) Mail to and from government attorneys.

(3) No change.

(4) Inmates shall ~~may~~ be allowed to prepare legal documents and legal mail in their living quarters. Additionally, some institutions may designate other areas specifically for this purpose.

(5) No change.

(6) Inmates shall be permitted to receive only legal documents, legal correspondence, written materials of a legal nature (other than publications) and self-addressed stamped envelopes through legal mail. No other items may be received through legal mail.

(a) The following items are not permissible for inclusion in legal mail, but are permissible for inclusion in routine mail, along with other materials listed in 33-210.101(2):

1. Greeting cards, blank greeting cards, stationery or other blank paper or envelopes;

2. Articles or clippings or other written materials of a non-legal nature.

3. Photographs, unless related to the inmate's criminal case. If related to the criminal case, the photographs shall still be subject to restriction based on content if the photographs present a threat to the security or order of the institution or the rehabilitative interests of the inmate. Polaroid photographs are prohibited.

4. Cashiers checks, certified bank drafts, or money orders. (See also rule 33-203.201 for deposit procedures).

5. U.S. postage stamps, the value of which cannot exceed the equivalent of 20 (1 oz.) first class stamps.

(b) The following items which are prohibited for receipt in routine mail are also not permissible for inclusion in legal mail:

1. Non-paper items;

2. Items of a non-communicative nature such as lottery tickets or matchbooks;

3. Stickers or stamps (other than postage stamps);

4. Address labels;

5. Laminated cards or other laminated materials.

(c) Inmates shall be responsible for informing their legal correspondents of the regulations concerning incoming legal mail.

(7) When an inmate is prohibited from receiving any item of mail, the inmate and the sender will be notified in writing that the mail has been disapproved stating one of the authorized reasons for disapproval. The Unauthorized Mail Return Receipt, Form DC2-521, will be placed in the original envelope with the correspondence and returned to the sender. If contraband is discovered in the mail (other than contraband of an illegal nature or concealed cash), the contraband item and the correspondence will be returned to the sender with the Unauthorized Mail Return Receipt included. Form DC2-521 is incorporated by reference in rule 33-210.101.

~~(8)(a)(6) All outgoing and incoming legal mail will be forwarded unopened when it can be determined from the envelope that the correspondence is legal mail and that it contains no contraband or other noncommunicative objects. A determination can be made in most instances by bending, shaking, or holding the envelope to a light. If a determination cannot be made from an examination of the envelope, the mail may be:~~

~~(a) opened for inspection in the presence of the inmate. Only the signature and letterhead may be read; or~~

~~(b) held for a reasonable time pending verification that it was sent by or is properly addressed to a person or agency listed in subsection (2). Mail identified as being a communication from an attorney to a client will not be opened unless articles other than mail are detected therein.~~

~~(b)(e) If the incoming mail is not legal mail, it will be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection (8)(6) of this rule because it was being transmitted under the guise of legal mail. The inmate whom the mail was addressed shall receive a copy of the form letter.~~

(c) Incoming and outgoing legal mail that is properly addressed and otherwise in compliance with applicable rules shall not be held for processing for more than 48 hours, excluding weekends and holidays.

~~(9)(7) Inmates shall be allowed to purchase and receive legal material (such as law books) at their own expense, limited only by the amount of space available to the inmate for the storage of such items. Inmates shall be allowed to keep legal material in their quarters subject to storage limitations. The Department of Corrections will not be responsible for lost or stolen or misplaced legal materials. The institution shall provide white paper and pen for the preparation of legal documents and legal mail for those inmates without necessary funds to purchase their own paper and pen. Inmates shall not utilize hand-made envelopes or packages to send out legal mail. Mail enclosed in such materials will be returned to the inmate without processing.~~

(8) through (10) renumbered (10) through (12) No change.

~~(11) Each warden shall issue an institutional operating procedure to effectuate the provisions of this rule, which will cover the following outline:~~

~~(a) The location or locations designated where legal documents and mail may be prepared and times available for use of these areas.~~

~~(b) The specific procedure whereby legal materials can be received and stored.~~

~~(c) Specify that the inmate is responsible for notifying attorney and courts not to enclose money orders and checks in envelopes with other legal mail.~~

~~(d) Specify any other information deemed necessary for the preparation of legal documents by inmates.~~

(12) through (13) renumbered (13) through (14) No change.

~~(15)(14)(a) Anytime legal mail is received for an inmate who has been transferred within the Department, the institution will return the correspondence within 5 ~~10~~ working days to the post office with the forwarding address of the facility where the inmate is presently incarcerated. If additional postage is required to forward the legal mail, regardless of the class, to the transferred inmate's new institutional assignment, the Department will pay the cost of this additional postage as long as the mail contained sufficient postage for delivery to its original destination.~~

(b) Anytime legal mail is received for an inmate who has been released from the Department, it shall be returned to the post office within 5 ~~10~~ working days with a forwarding address, if available, and a request will be made to postal authorities to forward the legal mail to the former inmate. If there is no available forwarding address, all legal mail shall be returned to the sender.

~~(16)(15)(a) All incoming legal mail received for an inmate shall be entered on the Incoming Legal and/or Privileged Mail Log, Form DC2-522 ~~DC3-321~~. The form shall include the inmate's name, DC number, the date the mail was received by the institution, the full address of the sender, the date the mail was received by the inmate, the signature of the inmate, and the initials of the mailroom officer who is present when the inmate~~

signs for receipt of the mail. Form DC2-522 ~~DC3-321~~ is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, Office of the General Counsel Security and Institutional Management, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~If forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope.~~ The effective date of the form is \_\_\_\_\_ ~~February 15, 1998.~~

(b) In the event that the inmate has been released or transferred, in addition to the procedures required by rule 33-602.402(15)(14), Form DC2-522 ~~DC3-321~~ shall be completed as required in 33-210.102(16)(15)(a), except that mailroom staff shall write 'Transferred' or 'Released' in the 'Date Mail Received By Institution' section, and shall write the date that the mail was forwarded in the 'Inmate Signature' section.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History—New 10-8-76, Amended 4-19-79, 7-2-81, 6-8-82, 9-23-85, Formerly 33-3.05, Amended 10-7-86, 8-20-89, 4-4-91, 9-1-93, 4-28-96, 2-12-97, 5-25-97, 10-7-97, 12-7-97, 2-15-98, Formerly 33-3.005, Amended 12-20-99, Formerly 33-602.402, Amended \_\_\_\_\_.

33-210.103 Privileged Mail.

(1) No change.

(2) Inmates shall be allowed to receive only written correspondence and self-addressed stamped envelopes in privileged mail.

(a) The following items are not permissible for inclusion in privileged mail, but are permissible for routine mail along with other materials listed in 33-210.101(2):

1. Greeting cards, blank greeting cards, stationery or other blank paper or envelopes;

2. Articles or clippings;

3. Photographs;

4. Cashiers checks, certified bank drafts or money orders (see also rule 33-203.201 for deposit procedures);

5. U.S. postage stamps, the value of which cannot exceed the equivalent of 20 (1 oz.) first class stamps;

(b) The following items which are prohibited for receipt in routine mail are not permissible for inclusion in privileged mail:

1. Non-paper items;

2. Items of a non-communicative nature such as lottery tickets or matchbooks;

3. Stickers or stamps (other than postage stamps);

4. Address labels;

5. Laminated cards or other laminated materials.

(c) Inmates shall be responsible for informing all correspondents of the regulations concerning privileged mail.

(3) When an inmate is prohibited from receiving any item of mail, the inmate and the sender will be notified in writing that the mail has been disapproved stating one of the authorized reasons for disapproval. The Unauthorized Mail Return Receipt, Form DC2-521, will be placed in the original

envelope with the correspondence and returned to the sender. If contraband is discovered in the mail (other than contraband of an illegal nature or concealed cash), the contraband item and the correspondence will be returned to the sender with the Unauthorized Mail Return Receipt included. Form DC2-521 is incorporated by reference in rule 33-210.101.

~~(4)(2) All outgoing and incoming privileged mail shall be forwarded unopened when it can be determined from the envelope that the correspondence is privileged mail and that it contains no contraband or other noncommunicative objects. A determination can be made in most instances by bending, shaking, or holding the envelope to a light. If a determination cannot be made from an examination of the envelope, the mail may be:~~

~~(a) Opened for inspection in the presence of the inmate. Only the signature and letterhead may be read; or~~

~~(b) Held for a reasonable time pending verification that it was sent by or is properly addressed to a public official, a governmental agency or a member of the news media. Incoming and outgoing privileged mail that is properly addressed and otherwise in compliance with applicable rules shall not be held for processing for more than 48 hours, excluding weekends and holidays.~~

(3) through (4) renumbered (5) through (6) No change.

(7)(5)(a) Anytime privileged mail is received for an inmate who has been transferred within the department, the institution shall return the correspondence to the post office within 5 ~~10~~ working days with the forwarding address of the facility where the inmate is presently incarcerated. If additional postage is required to forward the privileged mail, regardless of the class, to the transferred inmate's new institutional assignment, the department shall pay the cost of this additional postage as long as the mail contained sufficient postage for delivery to its original destination.

(b) Upon receipt of privileged mail, if there is a question that it is privileged mail, the mail shall be opened in the presence of the inmate to confirm that it is privileged mail. If it is confirmed to be privileged mail, it shall be delivered to the inmate. If the mail is not ~~bona fide~~ privileged mail, it shall be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection ~~(3)(2)~~ and ~~(7)(5)~~ of this rule because it was being transmitted under the guise of privileged mail. The inmate to whom the mail was addressed shall receive a copy of the form letter.

(c) Anytime privileged mail is received for an inmate who has been released from the department, it shall be returned to the post office within 5 ~~10~~ working days with a forwarding address, if available, and a request shall be made to postal authorities to forward the privileged mail to the former inmate. If there is no available forwarding address, all privileged mail shall be returned to the sender.

(d) No postage or writing materials shall be provided to inmates for privileged mail, however the postage and writing materials provided in 33-210.101~~(15)(42)~~ may be used for this purpose.

(e) Inmates shall not utilize home-made envelopes or packages to send out privileged mail. Mail enclosed in such materials will be returned to the inmate without processing.

~~(8)(6)(a) All incoming privileged mail received for an inmate shall be entered on the Incoming Legal and/or Privileged Mail Log, Form DC2-522 ~~DC3-321~~. The form shall include the inmate's name, DC number, the date the mail was received by the institution, the full address of the sender, the date the mail was received by the inmate, the signature of the inmate, and the initials of the mailroom officer who is present when the inmate signs for receipt of the mail. Form DC2-522 ~~DC3-321~~ is hereby incorporated by reference in rule 33-210.102. Copies of the form are available from the Office of Security and Institutional Management, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope. The effective date of the form is February 15, 1998.~~

(b) In the event that the inmate has been released or transferred, in addition to the procedures required by rule 33-210.103~~(7)(5)~~, Form DC2-522 ~~DC3-321~~ shall be completed as required in 33-210.103~~(8)(6)~~(a), except that mailroom staff shall write 'Transferred' or 'Released' in the 'Date Mail Received By Institution' section, and shall write the date that the mail was forwarded in the 'Inmate Signature' section.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History—New 9-1-93, Amended 5-25-97, 2-15-98, Formerly 33-3.0052, Amended 12-20-99, Formerly 33-602.403, Amended \_\_\_\_\_.

## **WATER MANAGEMENT DISTRICTS**

### **South Florida Water Management District**

RULE CHAPTER TITLE: RULE CHAPTER NO.:  
General and Procedural 40E-1

PURPOSE AND EFFECT: The purpose and effect of the rule development is to amend 40E-1, F.A.C. and the "Basis of Review for Water Use Permit Applications Within the South Florida Water Management District – October 1997", F.A.C. to clarify the District's interpretation of the statutory scope of the consumptive use program.

SUBJECT AREAS TO BE ADDRESSED: 40E-1.602, F.A.C.  
SPECIFIC AUTHORITY: 373.044, 373.113, 373.4135, 373.103 FS.

LAW IMPLEMENTED: 120.53(1), 120.57, 120.60, 373.085, 373.106, Chapter 373, PART II. FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., January 26, 2001

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical issues contact: Scott Burns (internet: sburns@sfwmd.gov), or Cecile Ross (internet: cross@sfwmd.gov), South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045. For procedural issues contact: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet: jjenniso@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

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

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE: Consumptive Use RULE CHAPTER NO.: 40E-2

PURPOSE AND EFFECT: The purpose and effect of the rule development is to amend 40E-2, F.A.C. and the "Basis of Review for Water Use Permit Applications Within the South Florida Water Management District – October 1997", F.A.C. to clarify the District's interpretation of the statutory scope of the consumptive use program.

SUBJECT AREAS TO BE ADDRESSED: 40E-2.041; BOR Section 1.8.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.103 FS.

LAW IMPLEMENTED: 373.103, Chapter 373, PART II. FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., January 26, 2001

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical issues contact: Scott Burns (internet: sburns@sfwmd.gov), or Cecile Ross (internet: cross@sfwmd.gov) at South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045. For procedural issues contact: Julie Jennison, South Florida Water

Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet: jjenniso@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

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

**INTER LOCAL AGENCIES**

**Lake Apopka Natural Gas District**

RULE TITLE: Tariff RULE NO.: 54C-1.001

PURPOSE AND EFFECT: The purpose is to develop an amendment to existing Rule No. 54C-1.001, the tariff of Lake Apopka Natural Gas District (District), modifying the rate schedules for sale of firm gas supply. In the existing tariff, the stated base rate amounts (i.e. – the price before application of the purchased gas adjustment) for all firm gas sales services offered by the District have embedded in them certain taxes, assessments and fees (for instance – franchise fees, public utility taxes and gross receipts taxes) which the District, in accordance with its tariff, intends to state separately on the customer's bill. The effect of the proposed rule development would be to remove those taxes, assessments and fees from the stated base rates so that they can then be stated separately on the customer's bill. The proposed changes in the stated base rates are designed to be revenue neutral as to the District. An individual customer may experience a slight increase or decrease in the cost of gas depending upon the applicability of the separately stated taxes, assessments and fees to such customer.

SUBJECT AREA TO BE ADDRESSED: The rate schedules for all firm gas sales service in Rule No. 54C-1.001.

SPECIFIC AUTHORITY: Section (12), Chapter 99-454, Laws of Florida, 1999.

LAW IMPLEMENTED: Chapter 99-454, Laws of Florida, 1999.

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

TIME AND DATE: 10:00 a.m., January 22, 2001

PLACE: The Office of Lake Apopka Natural Gas District, 1320 S. Vineland Road (CR 535), Winter Garden, Florida 34787

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: George F. Crabtree, General Manager, Lake Apopka Natural Gas District, 1320 South Vineland Road (CR 535), Winter Garden, Florida 34787, Telephone (407)656-2734, Facsimile (407)656-9371  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**INTERLOCAL AGENCIES**

**Lake Apopka Natural Gas District**

RULE TITLE: Tariff  
 RULE NO.: 54C-1.001

PURPOSE AND EFFECT: The purpose is to develop an amendment to existing Rule No. 54C-1.001, the tariff of Lake Apopka Natural Gas District (District), modifying the rate schedule for labor and materials furnished by the District. The effect of the proposed change is to decrease the charge for reconnecting gas service and increase the charge for all other labor furnished by the District.

SUBJECT AREA TO BE ADDRESSED: The rate schedule for labor and material in the District’s Rule No. 54C-1.001.

SPECIFIC AUTHORITY: Section (12), Chapter 99-454, Laws of Florida, 1999.

LAW IMPLEMENTED: Chapter 99-454, Laws of Florida, 1999.

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

TIME AND DATE: 10:00 a.m., January 22, 2001

PLACE: The Office of Lake Apopka Natural Gas District, 1320 S. Vineland Road (CR 535), Winter Garden, Florida 34787

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: George F. Crabtree, General Manager, Lake Apopka Natural Gas District, 1320 South Vineland Road (CR 535), Winter Garden, Florida 34787, Telephone (407)656-2734, Facsimile (407)656-9371

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

**INTERLOCAL AGENCIES**

**Lake Apopka Natural Gas District**

RULE TITLE: Tariff  
 RULE NO.: 54C-1.001

PURPOSE AND EFFECT: The purpose is to develop an amendment to existing Rule No. 54C-1.001, the tariff of Lake Apopka Natural Gas District (District), modifying Sections 2.01 to 2.09, inclusive, pertaining to initiation of service. The effect of the proposed rule modification is to lower the charge for re-connection of service after disconnection for non payment by \$5.00.

SUBJECT AREA TO BE ADDRESSED: Sections 2.01 to 2.09, inclusive, of the Rule No. 54C-1.001.

SPECIFIC AUTHORITY: Section (12), Chapter 99-454, Laws of Florida, 1999.

LAW IMPLEMENTED: Chapter 99-454, Laws of Florida, 1999.

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

TIME AND DATE: 10:00 a.m., January 22, 2001

PLACE: The Office of Lake Apopka Natural Gas District, 1320 S. Vineland Road (CR 535), Winter Garden, Florida 34787

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: George F. Crabtree, General Manager, Lake Apopka Natural Gas District, 1320 South Vineland Road (CR 535), Winter Garden, Florida 34787, Telephone (407)656-2734, Facsimile (407)656-9371

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Division of Managed Care and Health Quality Assurance**

RULE TITLE: Nursing Services  
 RULE NO.: 59A-4.108

PURPOSE AND EFFECT: The Agency proposes to amend rule 59A-4.108 consistent with provisions of s. 400.23(3)(a), Florida Statutes, and s. 400.23(3)(b), Florida Statutes that became effective July 1, 1999. The legislation provides for minimum staffing requirements for nursing homes and also provides for properly trained staff of a nursing facility to assist residents with eating.

SUBJECT AREA TO BE ADDRESSED: Provide minimum staffing standards for nursing homes and establish training requirements in order for staff to assist residents with eating.

SPECIFIC AUTHORITY: 400.23 FS.

LAW IMPLEMENTED: 400.11, 400.022, 400.141, 400.23 FS.

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

TIME AND DATE: 10:00 a.m., January 24, 2001

PLACE: Sunshine Center, 330 5th Street North, St. Petersburg, FL 33701, Phone (727)893-7101

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Richard Kelly, Long-Term Care Unit, 2727 Mahan Drive, Tallahassee, Florida, or call (850)488-5861

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors Licensing Board**

RULE TITLE: Specialty Electrical Contractors  
 RULE NO.: 61G6-7.001

PURPOSE AND EFFECT: The Board proposes the development of an amendment to address Specialty Electrical Contractors.

SUBJECT AREA TO BE ADDRESSED: Specialty Electrical Contractors.

SPECIFIC AUTHORITY: 489.511(5) FS.

LAW IMPLEMENTED: 489.511(5), 489.505(19) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Spivey, Executive Director, Electrical Contractors Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENTS IS:

61G6-7.001 Specialty Electrical Contractors.

The following types of specialty electrical contractors may apply to be certified under the provisions of Part II, Chapter 489, Florida Statutes, and Chapter 61G6-5, above. In order to be admitted to a specialty contractor examination, the person must show 6 years of comprehensive training, technical education, or broad experience on the type of electrical or alarm system work for which certification is desired.

(1) through (3) No change.

(4) Limited Energy Systems Specialty. The scope of certification of a limited energy systems specialty contractor includes the installation of, repair of, fabrication, erection, alteration of, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, and conduit, and fiber optics (transmission of light over stranded glass) or any part thereof not to exceed 77 volts, when those items are for the purpose of transmitting data, proprietary video (satellite systems which are not part of a community antenna television or radio distribution system), central vacuum, or electric locks.

(a) through (5) No change.

Specific Authority 489.511(5) FS. Law Implemented 489.511(5), 489.505(19) FS. History—New 1-2-80, Amended 7-29-84, 10-14-84, Formerly 21GG-7.01, Amended 2-23-86, 12-24-87, 6-21-89, 3-3-92, Formerly 21GG-7.001, Amended 1-28-96, 12-25-96, 6-11-97, 12-24-97, 7-19-98, 10-7-99, 2-17-00,

**Section II  
 Proposed Rules**

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLES:	RULE NOS.:
Definitions	40C-9.021
Selection of Lands Pursuant to 373.199, F.S.	40C-9.031
Acquisition Procedures; Negotiations	40C-9.041
Acquisition Procedures – Condemnation	40C-9.045
Appraisals	40C-9.061
Use of Trust Funds	40C-9.071
Disposition of Surplus Land	40C-9.081
Land Management Policy	40C-9.101
Land Management Plans	40C-9.110
Land Management Review Team	40C-9.115
Access to and Closures of District Lands	40C-9.120
Recreational Fishing	40C-9.130
Hunting	40C-9.170
Dogs, Cats, or Other Domestic Animals	40C-9.180
Plants or Animal Removal, Destruction, or Harassment	40C-9.210
Fires	40C-9.270
Trapping	40C-9.280
Camping	40C-9.300
Use of Motorized Vehicles, Recreational Vehicles, Boats, and Aircraft	40C-9.320
Unauthorized Facilities or Structures	40C-9.340
Other Uses	40C-9.350
Special Use Authorization	40C-9.360
District Leases	40C-9.370
Individuals Living on District Lands	40C-9.400
Intergovernmental Management Agreements	40C-9.410

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule text to make the rule consistent with the Florida Forever legislation as it pertains to land management policy; create procedures for implementing land management review teams; address the use of off-road vehicles on District properties; provide for delegation of authority to the Executive Director or designee; and provide miscellaneous general housekeeping revisions.

SUMMARY: Selection of lands, acquisition process, land management, leases, land management review teams, and intergovernmental management agreements. The District is also alphabetizing the definitions in section 40C-9.021, F.A.C., to be consistent with the other rule chapters of the District and adding a definition of “designee”.

SUMMARY OF STATEMENT OF ESTIMATED REDGULATOR COST: No statement of estimated regulatory cost has been proposed.