

**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.

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, 373.083, 373.113, 373.139, 373.1391 FS.

LAW IMPLEMENTED: 373.056, 376.083, 373.088, 373.089, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1395, 373.1401, 373.199, 373.59, 373.591 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board Meeting, which begin at 9:00 a.m., February 14, 2001

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-34459, Suncom 860-4459

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 40C-9.021 as follow. See Florida Administrative Code for present text.)

40C-9.021 Definitions.

When used herein:

(1) “Acquisition” means the reduction of the title to land to be acquired to fee, or in the discretion of the District such other legal interest necessary for water management, water supply and the conservation and protection of water resources.

(2) “Concession” means the privilege to establish a commercial operation or business on District lands.

(3) “Department” means Florida Department of Environmental Protection.

“Designee” means any of the following: the Assistant Executive Director, Director or Assistant Director of the Department of Operations and Land Resources, or Director of the Division of Land Management.

(4) “Designee” means any of the following: the Assistant Executive Director, Director or Assistant Director of the Department of Operations and Land Resources, or Director of the Division of Land Management.

(5) “District” means the St. Johns River Water Management District, operating under the authority of Section 373, Florida Statutes.

(6) “District Land” means any real property in which the District has an equitable or legal interest that allows the District to possess, or regulate entry upon, the property.

(7) “District Lease” means the granting of either an exclusive or non-exclusive use of or interest in District Lands for a specified period of time.

(8) “Facility” or “Structure” means any object placed on District Lands which is intended to be permanently attached to the land, or which would be considered a fixture under Florida law.

(9) “Fund” means the Water Management Lands Trust Fund, Preservation 2000 funds and Florida Forever funds.

(10) “Mobility impaired persons” means a person eligible for a disabled person exemption parking permit pursuant to section 320.0848, Florida Statutes.

(11) “Motorized Vehicle” means any vehicle which travels over land and is partially or completely powered by a motor, and animal-drawn carriages and buggies.

(12) “Plan” means the five year plan as approved by the Governing Board of the St. Johns River Water Management District.

(13) “Project” means a parcel or parcels of land in a discrete unit of purchase.

(14) “Resource-based” means an activity that depends on natural resources for its occurrence such as fishing, boating, camping, wildlife study, or hunting.

(15) “Secretary” means the Secretary of the Florida Department of Environmental Protection.

(16) “Special Use Authorization” means the granting of a privilege to go on or use District Land for a certain purpose which does not confer any property or possessory interest to the user.

(17) “Survey” means a certified survey signed by a licensed land surveyor authorized to practice surveying in the State of Florida.

Specific Authority ~~373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139, 373.1391 373.174~~ FS. Law Implemented ~~373.056, 373.088, 373.089, 373.093, 373.096, 373.099 373.103, 373.139, 373.1391, 373.199, 373.59~~ FS. History–New 6-15-82, Amended 1-16-94, 5-11-94, \_\_\_\_\_.

40C-9.031 Selection of Lands – Five Year Plan Pursuant to ~~373.199, Florida Statutes~~ Five Year Plan.

(1) The District shall adopt a five year plan designating the areas of land to be acquired which shall be filed with the Legislature and the Secretary by ~~June 1, 2001~~ January 15, 1982. Annually thereafter, modifications or additions to the five year plan shall be filed with the Legislature and the Secretary.

(2) No change.

(3) Acquisition activity for the preceding fiscal year shall be reported annually to the Legislature and the Secretary by January 1<sup>st</sup> of each year.

Specific Authority ~~373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139, 373.1391 373.174~~ FS. Law Implemented ~~373.056, 373.088, 373.089, 373.093, 373.099, 373.103, 373.139, 373.199, 373.59~~ FS. History–New 6-15-82, Amended \_\_\_\_\_.

40C-9.041 Acquisition Procedures; Negotiations.

(1) through (2) No change.

(3) The District shall obtain at least one written appraisal pursuant to Section ~~40C-9.061, Florida Administrative Code 9.061.~~

(4) No change.

(5) All contracts to purchase shall be reduced to writing and shall be contingent upon approval by the Governing Board ~~with the advise and concurrence of the Basin Board whenever Basin funds will be utilized for such acquisition.~~

(6) The District shall attempt to negotiate the acquisition of desired parcels in accordance with the following procedure:

(a) through (b) No change.

(c) In the event an offer is accepted, the District shall:

1. No change.

2. Request Legal Counsel to prepare a resolution requesting the Governing Board to approve the necessary funds pursuant to Chapter ~~6247-42, Florida Administrative Code, if applicable.~~

(d) through (e) No change.

(7) No change.

Specific Authority ~~373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139 373.174 FS. Law Implemented 373.056, 373.088, 373.089, 373.093, 373.096, 373.099, 373.103, 373.139, 373.199, 373.59 FS. History--New 6-15-82, Amended~~.

40C-9.045 Acquisition Procedures – Condemnation.

(1) Proceedings in eminent domain shall not be commenced until authorized by the Governing Board, ~~with the advise and consent of the Basin Board whenever Basin funds will be utilized for such acquisition.~~

(2) No change.

Specific Authority ~~373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139 373.174 FS. Law Implemented 373.056, 373.096, 373.099, 373.103, 373.139, 373.199, 373.59 FS. History--New 6-15-82, Amended~~.

40C-9.061 Appraisals.

(1) All lands to be acquired, except donations, shall be appraised by at least one real estate appraiser, ~~except as provided in Section 9.041(6)(e) of this rule.~~

(2) through (3) No change.

(4) An appraisal shall be approved by the Governing Board prior to negotiations with a landowner, provided however, that the Executive Director may approve appraisals for negotiations, subject to the condition that such approval be ratified by the Governing Board at its next meeting, unless such approval is delegated by the Governing Board.

Specific Authority ~~373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139 373.174 FS. Law Implemented 373.056, 373.089, 373.093, 373.103, 373.139, 373.199, 373.59 FS. History--New 6-15-82, Amended~~.

40C-9.071 Use of Trust Funds.

(1) For lands acquired by negotiations and purchase, the Governing Board shall request the Department to release ~~the State's share of~~ monies from the Fund by adopting a resolution which shall comply with Chapter ~~6247-42, Florida Administrative Code.~~

(2) For lands acquired by eminent domain, subsequent to the adoption of a resolution authorizing eminent domain proceedings, the Governing Board shall adopt a resolution pursuant to section (1) above, which in addition shall authorize the Executive Director or designee ~~other staff officer~~ to request monies from the Fund as follows:

(a) A request from the District for ~~the State's share of~~ funds sufficient to pay the owner the amount specified in the final judgement or the stipulation and order.

(b) A request from the District for ~~the State's share of~~ funds sufficient to pay the amount specified in the court's order or the stipulation and order for any costs and fees of the owner, whether incurred in the trial court or an appeal.

(c) A request from the District for reimbursement of all ~~the State's share of~~ costs and fees incurred by the District associated with such acquisition.

(3) No change.

Specific Authority ~~373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139 373.174 FS. Law Implemented 373.056, 373.103, 373.139, 373.199, 373.59 FS. History--New 6-15-82, Amended~~.

40C-9.081 Disposition of Surplus Land.

(1) The District may sell or exchange District lands ~~including those which have been acquired with funds from the Water Management District Trust Fund or in exchange for property which has been so acquired.~~ District lands are considered surplus when:

(a) through (c) No change.

(2) No change.

Specific Authority ~~373.016, 373.044, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.113, 373.139 373.174 FS. Law Implemented 373.056, 373.089, 373.199, 373.103, 373.139, 373.59 FS. History--New 6-15-82, Amended~~.

40C-9.101 Land Management Policy.

(1) Consistent with the legislative directives contained in section 373.016, 373.139, 373.1391, 373.59, and 375.045, F.S., the Governing Board's policy is to manage and maintain District Lands to the extent practicable, in such a way as to ensure a balance between public access, general public recreational purposes, and restoration and protection of their natural state and condition in an environmentally acceptable manner and to restore impacted District Lands when practicable. To further this policy, the land management and land use provisions of this chapter are based on:

(a) ~~first, on~~ water resource conservation and protection;

(b) ~~second, on~~ environmental protection, with emphasis on restoration or preservation of ecosystems; and

(c) ~~third, where compatible, on~~ public recreation, where compatible with (a) and (b), above.

(2) through (3) No change.

(4) Pursuant to Section 373.1395, Florida Statutes, the District is not responsible for any injury to persons or property caused by an act or omission of a person who goes on District lands or park areas provided to the public for recreational purposes. Additionally, the District is not responsible for any injury to persons or property caused by an act or omission of a person who goes on District lands or water areas leased to the state for outdoor recreational purposes.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1395, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended.

40C-9.110 Land Management Plans.

(1) through (2) No change.

(3) For the properties on which the District serves as lead manager, wWithin one year after acquiring a District Land, or ~~by January 16, 1995, for District Lands acquired prior to January 16, 1994,~~ the District shall prepare a draft land management plan for such District Land and distribute the plan for public comment. After receiving public comment on the draft land management plan, a final land management plan for each District Land shall be presented to the Governing Board for adoption at a public meeting in which the public shall have the opportunity to comment on the final land management plan. A land management plan shall become effective when adopted by the Governing Board.

(4) No change.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,.

40C-9.115 Land Management Review Team.

(1) The District shall establish and implement a land management review team in accordance with Section 373.591, Florida Statutes, to evaluate whether public conservation lands are being appropriately managed, based on the approved land management plan for each specific property.

(2) A separate land management review team shall be established to review each of the following areas:

(a) The Northern Region of the District;

(b) The Central Region of the District; and

(c) The Southern Region of the District.

(3) The land management review teams shall review the approved management plan for the subject property and evaluate if and to what extent each of the tasks have been implemented.

(4) The District staff shall provide a written report to the Governing Board by October 1 of each year, identifying the properties that have been reviewed by the management review team and the review team’s findings.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.199, 373.59, 373.591 FS. History–New \_\_\_\_\_.

40C-9.120 Access to and Closures of District Lands.

(1) Public Access. District Lands shall be open to the public for access on foot at all points except ~~levees or~~ where restricted by signs. Public access to District Lands by means other than foot shall only be at entry points designated by signs.

(2) No change.

(3) District Lands shall be closed to public use during emergency conditions such as floods, severe weather events, wildfires, or during prescribed burns, construction, or other land management activities that may present if such activity presents a danger to the public. If a governmental entity other than the District is conducting the activity, that entity shall close District Lands pursuant to this subsection.

(4) through (7) No change.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended.

40C-9.130 Recreational Fishing.

Recreational fishing as authorized by the Florida Fish and Wildlife Conservation Game and Fresh Water Fish Commission is allowed on District Lands except where specifically restricted by signs. The Florida Fish and Wildlife Conservation Game and Fresh Water Fish Commission requires any person engaging in recreational fishing to have appropriate fishing licenses in their possession, unless exempted by the Commission.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,.

40C-9.170 Hunting.

Hunting is allowed only by permit on certain District Lands as indicated in the Land Management Plan for those District Lands. Hunting on District Lands is also regulated by the Florida Fish and Wildlife Conservation Game and Fresh Water Fish Commission and United States Fish and Wildlife Service.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,.

40C-9.180 Dogs, Cats, or Other Domestic Animals.

Dogs, cats, and or other domestic animals of a similar nature, excluding horses, are allowed on District Lands provided that such animals must be leashed at all times. Domestic animals

are allowed unleashed on District Lands if they are specifically authorized as part of an approved hunting program or authorized by a Special Use Authorization or District Lease.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,\_\_\_\_\_.

40C-9.210 Plants or Animal Removal, Destruction, or Harassment.

All plants and animals on District Lands are protected. Removing, destroying, or harassing animals or plants from or on District Lands is prohibited except for authorized research efforts, authorized hunting and fishing, as authorized by a permit or Special Use Authorization, or District initiated removals associated with reforestation, control of exotic or nuisance species, or other land management activities. However, the sale or harvest of wetland trees and plants is prohibited on all District Lands except for District initiated removals associated with land management activities.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,\_\_\_\_\_.

40C-9.270 Fires.

Igniting any fire on any District Land is prohibited except for District authorized prescribed ~~controlled~~ burns, campfires in designated camping areas, or fires authorized by a Special Use Authorization.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,\_\_\_\_\_.

40C-9.280 Trapping.

Trapping is prohibited on all District Lands except where specifically authorized by a Special Use Authorization which shall be limited to scientific study or removal of nuisance species. Trapping on District Lands is also regulated ~~regulation~~ by the Florida Fish and Wildlife Conservation ~~Game and Fresh Water Fish~~ Commission.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,\_\_\_\_\_.

40C-9.300 Camping.

(1) through (3) No change.

(4) The seven day prior written notice must be delivered to:

St. Johns River Water Management District  
 Division of Land Management  
~~Department of Planning and Acquisition~~  
 P. O. Box 1429  
 Palatka, FL 32178-1429

(5) through (6) No change.

(7) ~~If the provisions of this section conflict with the rules of the Game and Fresh Water Fish Commission or Division of Forestry, the rules of those agencies shall prevail.~~

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.0391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,\_\_\_\_\_.

40C-9.320 Use of Motorized Vehicles, Recreational Vehicles, Boats, and Aircraft.

(1) Motorized vehicles that are licensed for Florida highway use are allowed on District Lands. All-terrain, off-road, or other motorized vehicles not licensed for Florida highway use are prohibited on all District Lands except as follows:

(a) By a Special Use Authorization for access by mobility impaired persons which shall be issued by the Executive Director pursuant to section 40C-9.360, F.A.C.; ~~or~~

(b) By Special Use Authorization issued by the Governing Board pursuant to section 40C-9.360, F.A.C., which shall be limited to one Special Use Authorization per calendar year District-wide, and shall have a duration not to exceed two days; ~~or~~

(c) By Special Use Authorization issued by the Governing Board for the purpose of leading guided all-terrain vehicle tours on property designated by the District, pursuant to section 40C-9.360, Florida Administrative Code. No more than six Special Use Authorizations shall be granted per calendar year. Said Special Use Authorizations shall have a duration not to exceed one year. Each guided tour shall be limited to no more than 12 people and the vehicles involved shall be limited to those commonly referred to as “4-wheelers” and shall have low ground pressure tires so as to minimize impacts to existing vegetation.

(2) through (8) No change.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.083, 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History–New 1-16-94, Amended 5-11-94,\_\_\_\_\_.

40C-9.340 Unauthorized Facilities or Structures.

(1) No change.

(2) Any unauthorized facility or structure discovered existing on District lands ~~at the time of the effective date of this rule~~ shall be removed or authorized according to the following procedure:

(a) Upon discovery of the unauthorized facility or structure, District staff shall post a notice on such facility or structure, for a period of 30 ~~90~~ days, informing the owner that such facility or structure is not authorized on the District Land and that the owner must remove such facility or structure ~~or apply for a District Lease or Special Use Authorization, as appropriate, to retain such facility or structure within 90 days of the posting of such notice.~~ District staff shall make a good faith effort to post such notice during the time of the year when the facility or structure is most likely to be used.

(b) The owner of an unauthorized facility or structure shall remove such facility or structure ~~or apply for a District Lease or Special Use Authorization, as appropriate, to retain such facility or structure~~ within ~~30~~ 90 days after the posting of the District notice.

~~(e) If the owner of an unauthorized facility or structure applies for a District Lease or Special Use Authorization and the application is denied by the District, the owner shall remove the unauthorized facility or structure within 90 days after such denial.~~

~~(c)(4) If the owner of the unauthorized facility or structure fails to remove such facility or structure within 30 90 days after posting of the District notice, or fails to remove such facility or structure within 90 days of being denied a District Lease or Special Use Authorization to retain such facility or structure on District Lands, the District shall remove such facility or structure from the District Land or claim such facility or structure as District property.~~

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History—New 1-16-94, Amended 5-11-94, \_\_\_\_\_.

40C-9.350 Other Uses.

Any use of District Lands not specifically authorized by this chapter is prohibited unless authorized by a Special Use Authorization, ~~Special Use License~~, District Lease, easement or District letter issued or entered into prior to May 11, 1994.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History—New 1-16-94, Amended 5-11-94, \_\_\_\_\_.

40C-9.360 Special Use Authorization License.

(1) A person shall apply for a Special Use Authorization to use District Lands in a manner not specifically provided for in this chapter if:

(a) the requested use will last for one year or less ~~a period of less than one year~~; and

(b) No change.

(2) To receive a Special Use Authorization the applicant must provide reasonable assurance that:

(a) through (f) No change.

(g) the requested use will not interfere with District water management, leased, ~~licensed~~, or authorized uses of the land; and

(h) No change.

(3) No change.

(4) Except as provided in paragraph 40C-9.320(1)(b), F.A.C., the Governing Board delegates to the Executive Director or Designee the authority to issue or revoke Special Use Authorizations pursuant to this section.

(5) Any person may apply for a Special Use Authorization according to the following procedure:

(a) Submit request to:

St. Johns River Water Management District

Division of Land Management

~~Department of Planning and Acquisition~~

P. O. Box 1429

Palatka, FL 32178-1429

(b) No change.

(c) The application will be reviewed by the Land Management Staff and the Land Resource Committee for compliance with the criteria listed in subsection 40C-9.360(2), F.A.C. The Land Management Staff and the Land Resource Committee shall then issue a recommendation regarding the application to the Executive Director or designee, or to the Governing Board if the use is requested pursuant to paragraphs 40C-9.320(1)(b) or 40C-9.320(1)(c), F.A.C.

(d) If the requested use satisfies all of the criteria set forth in this section, the Executive Director or designee, shall issue the Special Use Authorization, except in the case of a Special Use Authorizations applied for under paragraph 40C-9.320(1)(b) or and (c), F.A.C.

(e) through (g) No change.

(6) ~~The Division of Land Management Executive Director~~ shall prepare an annual summary report to the Governing Board of all issued Special Use Authorization.

(7) Any person receiving a Special Use Authorization from the District must have the Special Use Authorization License in their possession at all times while on District Lands.

(8) The Executive Director or Designee shall revoke a Special Use Authorization if the user licensee violates the conditions of the authorization license or if the user licensee engages in a use not authorized by the authorization license.

~~(9) Any Special Use License in existence prior to 1-16-94, shall remain effective until it expires by its own terms or is revoked. Thereafter, the use authorized by the existing Special Use License shall be subject to this chapter.~~

Specific Authority 373.044, 373.083, 373.113, 373.1391 FS. Law Implemented 373.083, 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.199, 373.59 FS. History—New 1-16-94, Amended 5-11-94, \_\_\_\_\_.

40C-9.370 District Leases.

(1) through (2) No change.

(3) A person may apply for a District Lease by contacting the St. Johns River Water Management District, Division of Land Management, ~~Department of Planning and Acquisition~~, P. O. Box 1429, Palatka, Florida 32178-1429.

(4) through (6) No change.

Specific Authority 373.044, 373.083, 373.113, 373.1391 FS. Law Implemented 373.056, 373.083, 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.1401, 373.1401, 373.59 FS. History—New 1-16-94, Amended 5-11-94, \_\_\_\_\_.

40C-9.400 Individuals Living on District Lands.

If it will result in economical, convenient, and efficient management of District Lands, the District shall enter into agreements ~~District Leases~~ to allow individuals to live on District Lands in exchange for land management work. Such

agreements ~~District Leases~~ shall be for a period of time necessary to complete the land management work or from year to year, whichever is less. The value of the land management work to be performed shall be equal to or exceed the fair market value of the residential facility lease.

Specific Authority 373.044, 373.113, 373.1391 FS. Law Implemented, 373.088, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.199, 373.1401, 373.59 FS. History—New 1-16-94, Amended.

**40C-9.410 Intergovernmental Management Agreements.**

This chapter shall not apply to the extent it conflicts with the provisions of any intergovernmental management agreement between the District and another governmental entity for the acquisition or management of District Lands provided those activities, uses, or facilities are environmentally acceptable.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.056, 373.139, 373.1391, 373.1401, 373.199 373.59 FS. History—New 1-16-94, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jack Eckdahl, Director, Division of Operations/Land Resources, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4375

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: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 29, 2000

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

Anyone requiring special accommodation to participate in this meeting is requested to advised the District at least 5 work days before the meeting by contacting Linda Lorenzen at (904)329-4262, or (904)329-4450(TDD).

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Supervisor  
RULE NO.: 64B3-5.002

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: The proposed changes clarify Rule 64B3-5.002 and set forth specific qualifications in the category of cytology.

SUMMARY OF STATEMENT OF ESTIMATED 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: 483.805(4), 483.823 FS.

LAW IMPLEMENTED 381.0034, 483.800, 483.815, 483.823 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS : Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B3-5.002 Supervisor.**

**Qualifications and Responsibilities.**

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to Rule 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall have four hours of Board approved HIV/AIDS continuing education and one of the following:

(a) An earned doctoral degree in medical technology or a clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and three years of pertinent clinical laboratory experience in the categories for which licensure is sought.

(b) A masters degree in medical technology or clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and three years of pertinent clinical laboratory experience in the categories for which licensure is sought, one (1) year of which shall be post masters.

(c) A baccalaureate degree in clinical laboratory sciences, one of the licensure categories, or one of the chemical or biological sciences, and five (5) years of pertinent clinical laboratory experience in the categories for which licensure is sought two (2) years of which shall be post baccalaureate, including a minimum of one (1) year in each category for which licensure is sought.

(d) In the categories of cytogenetics, cytology, histology, and radioassay, the experience required in paragraphs (a), (b) and (c) must be in the specific category for which licensure is sought.

(e) For the category of blood gas analysis only, an associate degree in cardiopulmonary function technology or respiratory care, five (5) years of pertinent clinical laboratory experience and be licensed as a technologist in the category of Blood Gases, or as a respiratory care practitioner certified in critical care services or a respiratory therapist pursuant to Chapter 468, Part V, F.S.

(f) For the category of Cytology only, a baccalaureate degree which shall include 16 semester hours of academic science, have completed an accredited or Board approved training program in cytology, be licensed as a clinical laboratory technologist and have five (5) years of pertinent clinical laboratory experience in cytology. Prior to 1985, have an associate degree or equivalent, national certification by the American Society of Clinical Pathologists, and 10 years of pertinent clinical laboratory experience within the past 15 years.

(g)(#) In lieu of one year of experience required by Rule 64B3-5.002(2)(a), F.A.C., an applicant may substitute Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of the American Society of Clinical Pathologists, National Certification Agency of Medical Laboratory Personnel, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysis, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, or American Board of Medical Laboratory Immunology.

(2) through (3) No change.

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99,

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Board of Clinical Laboratory Personnel

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:**

Board of Clinical Laboratory Personnel

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:**

July 27, 2000

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:**

September 22, 2000

**Section III  
Notices of Changes, Corrections and  
Withdrawals**

**DEPARTMENT OF REVENUE**

**NOTICE OF CABINET AGENDA  
ON JANUARY 23, 2001**

The Governor and Cabinet, on January 23, 2001, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.072, F.A.C. (Advertising Agencies). A Notice of Rule Development Workshop for these proposed rule amendments was published in the Florida Administrative Weekly on June 9, 2000 (Vol. 26, No. 23, pp. 2665-2669), and the workshop was held on June 29, 2000. Written comments and testimony was received at the

workshop, and the Department incorporated changes based on these comments into the proposed rule. Subsequently, a Notice of Proposed Rulemaking for these proposed rule amendments was published in the Florida Administrative Weekly on November 22, 2000 (Vol. 26, No. 47, pp. 5469-5473), and a public hearing was conducted on December 19, 2000. Testimony stating the advertising industry's agreement with the changes the Department had made based on the rule development workshop was received at the public hearing, and no further written comments were submitted.

**DEPARTMENT OF CORRECTIONS**

**RULE NOS.:**

33-601.701

33-601.702

33-601.703

33-601.704

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33-601.706

33-601.707

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33-601.726

33-601.727

33-601.728

33-601.729

33-601.730

33-601.731

33-601.732

33-601.733

33-601.734

**RULE TITLES:**

Visiting – Authority of the Secretary

Posting of Visiting Policies

Visiting Records

Visiting – Inmates in Special Status

Refusal of Visit by Inmate

Inmate's Visitors List

Visiting Denial

Visiting Procedures and Conditions

Non-contact Visiting

Special Visits

Inmate Visiting – Definitions

Inmate Visiting – General

Visiting Application Initiation Process

Visiting Record Management

Visiting Denial

Review of Request for Visiting Privileges

Visiting by Former and Current Department and Contractor Employees

Sex Offender Visiting Restrictions

Visiting Operations

Visiting Schedule

Visiting Check-In Procedures

Visiting Attire

Permissible Items for Visitors

Visitor Searches

Visitor Conduct

Inmate Visiting Appearance, Search, and Conduct

Termination of Visits

Visiting Check-Out Procedures

Suspension of Visiting Privileges

Reinstatement of Suspended

Visiting Privileges

Visiting – Special Status Inmates

Visiting – Close Management Inmates