

Second Offense: probation and suspension until \$1000 fine the licensee can demonstrate to the Board that he/she is able to practice with reasonable skill and safety and \$1000 fine

Third Offense: suspension until licensee revocation and \$1000 fine can demonstrate to the Board that he/she is able to practice with reasonable skill and safety and \$1000 fine

(s) through (mm) No change.

(3)(a) through (e) No change.

Specific Authority 456.079, 468.1685(1) FS. Law Implemented 456.072, 456.079, 468.1685(4),(5),(6), 468.1755(1)(a),(j) FS. History—New 11-23-86, Amended 4-22-87, Formerly 21Z-14.004, 61G12-14.004, 59T-14.004, Amended 10-12-97, 10-16-00,_____.

Section II Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Division of Accounting and Auditing

RULE TITLE: Outdated or 12-Month Old Warrants

RULE NO.: 3A-10.083

PURPOSE AND EFFECT: The purpose is to repeal Rule 3A-10.083.

SUMMARY: Rule 3A-10.083 is repealed.

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: 17.14, 17.29 FS.

LAW IMPLEMENTED: 17.14, 17.28 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., February 26, 2001

PLACE: Room 434, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Reams, Chief, Bureau of Accounting, Room 414, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9951

THE FULL TEXT OF THE PROPOSED RULE IS:

3A-10.083 Outdated or 12-Month Old Warrants.

Specific Authority 17.14, 17.29 FS. Law Implemented 17.14, 17.26 FS. History—New 10-21-75, Formerly 3A-10.83, Amended 4-28-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Allen Reams, Chief, Bureau of Accounting, Division of Accounting and Auditing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2001

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Incorporation by Reference

RULE CHAPTER NO.: 14-15

RULE TITLE: Manual on Uniform Traffic

RULE NO.: 14-15.010

Control Devices 14-15.010

PURPOSE AND EFFECT: This is a fast track amendment to Rule 14-15.010, F.A.C., to adopt the new Millennium Edition (December 2000) *Manual on Uniform Traffic Control Devices*, under the provisions of Section 120.54(6), Florida Statutes.

SUMMARY: The new Millennium Edition (December 2000) *Manual on Uniform Traffic Control Devices*, which replaces the 1988 edition and all its revisions, is being adopted under the provisions of Section 120.54(6), Florida Statutes. The new edition will be available for downloading from the Federal Highway Administration website.

SPECIFIC AUTHORITY: 316.0745(1), 334.044(2) FS.

LAW IMPLEMENTED: 316.0745(2),(3),(7), 335.09, 335.14, 339.05 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), FLORIDA STATUTES.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE

PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.010 Manual on Uniform Traffic Control Devices. The Federal Highway Administration Manual on Uniform Traffic Control Devices, Millennium Edition (December 2000), which became effective January 17, 2001, 1988 Edition, as amended by Federal Highway Administration Revision 1, dated January 17, 1990; Revision 2, dated March 17, 1992; Part VI, Standards and Guides for Traffic Controls for Street and Highway Construction, Maintenance, Utility, and Incident Management Operations, Revision 3, dated September 3, 1993; Revision 4, dated November 1, 1994; Revision 4a (editorial revisions/clarifications); Revision 5, dated December 24, 1996; Revision 6, dated June 1998, and Revision 7, dated January 3, 2000, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. This is a federal document is available for downloading from the internet at the Federal Highway Administration's website as listed as follows: http://mutcd.fhwa.dot.gov/kno-millennium.htm for sale by the Superintendent of Documents, U. S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP Washington, D. C. 20402-9328; Publication No. FHWA-SA-89-006 HTO-21/2-29(15M)P. Copies are available for review at the Department of Transportation locations listed in rule 14-1.006, Florida Administrative Code. A certified copy has been filed with the Department of State.

Specific Authority 316.0745(1), 334.044(2), 335.18(2) FS. Law Implemented 316.0745(2),(3),(7), 335.09, 335.14, 339.05 FS. History-New 7-15-79, Amended 1-8-81, 8-15-85, Formerly 14-15.10, Amended 11-29-89, 4-25-95, 1-15-99, 4-5-00,_____.

STATE BOARD OF ADMINISTRATION

RULE TITLE: RULE NO.:

Asset Transfer Procedures: Initial Transfers Occurring Between 7/1/02 and 3/31/03 19-10.001

PURPOSE AND EFFECT: This new rule provides for some of the asset transfer procedures required by Section 121.4501(3)(c)4., Florida Statutes.

SUMMARY: Proposed rule 19-10.001 provides procedures for the initial transfer of assets for public employees choosing to move from the defined benefit program of the Florida Retirement System to the defined contribution program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be appropriately divided between the defined benefit program and the defined contribution program. 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: 121.4501(3)(c)4.,(8)(a) FS. LAW IMPLEMENTED: 121.031(2), 121.4501(2),(3),(4),(5), (6),(8),(15), 121.571(1),(2), 215.44(8)(b) 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. - 12:00 Noon, Wednesday, February 28, 2001 PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Gokel, Assistant General Counsel, State Board of Administration, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1199

THE FULL TEXT OF THE PROPOSED RULE IS:

19-10.001 Asset Transfer Procedures: Initial Transfers Occurring Between 7/1/02 and 3/31/03.

(1) Purpose. The primary purpose of this rule is to implement subsection (3)(c)4. of Section 121.4501, Florida Statutes, regarding procedures for transferring assets from the current defined benefit plan of the Florida Retirement System to the new defined contribution program, called the Public Employee Optional Retirement Program. However, since the implementation procedures will necessarily involve several other entities, the roles and responsibilities of those entities will be part of this rule.

(2) Definitions.

(a) "ABO" means the present value of the member's accumulated benefit obligation in the defined benefit program of the Florida Retirement System to which the member would be entitled if the member retired from the current defined benefit plan. This present value shall be calculated in accordance with the formula set out in Section 121.4501(3)(c)2., Florida Statutes. This amount will be shown on Form SBA-PEORP election, rev. 3/2001, (the enrollment form), and will be called the "current value of my FRS benefit."

(b) "Division" means the Division of Retirement within the Department of Management Services.

(c) "Effective date of enrollment in PEORP" means the date on which the employee is entitled to receive employer contributions for his PEORP account or accounts in accordance with Section 121.571(2), Florida Statutes.

(d) "Effective enrollment in PEORP" means that the employee has completed the enrollment form; that the completed enrollment form has been received by the employee's employer; that the employer has forwarded the completed enrollment form to the TPA; that the TPA has entered the employee into its recordkeeping system; and that the TPA has informed the division of the employee's effective enrollment in PEORP.

(e) "Employee" means an eligible employee as defined in Section 121.4501(2)(d), Florida Statutes.

(f) "Employer" means an employer as defined in Section 121.4501(2)(e), Florida Statutes. For purposes of the PEORP, there are three general categories of employers: state agencies; school districts; and local employers.

(g) "Florida Retirement System Trust Fund" or "FRSTF" shall mean the trust fund holding the assets of the defined benefit plan of the Florida Retirement System.

(h) "Participant" means an employee who elects to join the PEORP after the effective dates in Section 121.4501(4), Florida Statutes.

(i) "Public Employee Optional Retirement Program" or "PEORP" means the new defined contribution retirement program of the Florida Retirement System established by Section 121.4501, Florida Statutes.

(j) "SBA" means the State Board of Administration.

(k) "TPA" means the third-party administrator hired by the SBA, pursuant to Section 121.4501(8)(b)1., Florida Statutes, to provide administrative services to the PEORP.

(3) Election by Current Employees to Transfer to PEORP from the Defined Benefit Plan of the Florida Retirement System.

(a) Beginning on the dates specified in paragraph (e), below, the employee shall complete an enrollment form, Form SBA/PEORP-election, rev. 3/2001, which is hereby adopted and incorporated by reference. The enrollment form shall be complete if all the required information is clearly indicated. Specifically, the form shall include a statement that the employee elects to remain in the defined benefit program, elects to transfer to the PEORP with a transfer of his or her ABO, or elects to transfer to the PEORP without a transfer of his or her ABO which shall then remain in the defined benefit plan. It shall be the employer's obligation to ensure that the form in toto is complete and more particularly that the election is clearly indicated. If the employer determines that the form is incomplete, the form shall be returned to the employee and resubmitted when the form is complete. Once the employer has determined that the form is complete, it shall be distributed as follows:

1. One copy of the completed form is retained by the employee.

2. One copy of the completed form is retained by the employer.

3. One copy of the completed form is forwarded by the employer to the TPA, if the employee elects to transfer into the PEORP.

(b) Upon receipt of the form by the TPA, the TPA enrolls the employee in the PEORP. Upon completion of the enrollment, but no later than 3 business days after enrollment, the TPA sends confirmation of the effective enrollment to the employee at the employee's home address and to the employee's employer. The employer corrects its employee

records to reflect that the contribution rates effective 7/1/02, in accordance with Section 121.571(2), Florida Statutes, are applicable to those of its employees who have elected to transfer to PEORP.

(c) Confirmation is sent by the TPA to the division because the division must be informed that the employee is no longer in the defined benefit plan. Since employers pay retirement contributions monthly for their employees and those contributions are due to the division by the 5th business day of the month following the month for which the contributions are made, the division must be informed that employers will no longer be making contributions to the defined benefit retirement program but will instead be making contributions to the PEORP.

(d) Although Section 121.4501(4), Florida Statutes, provides for a 90-day period during which public employees can make an election to transfer to PEORP, once an employee has made an election to transfer to PEORP or remain in the defined benefit plan, that election is irrevocable, even though the 90-day period may not have expired. Section 121.4501(4)(e), Florida Statutes, provides one additional opportunity for an employee to change his or her mind after the employee's 90-day election period.

(e) Reading Section 121.4501(4)(a)1.a. and Section 121.571(2), Florida Statutes, *in pari materia*, the effective date of enrollment for a state employee electing to transfer to PEORP in June, 2002, is July 1, 2002. The effective dates of enrollment for state, district school board, and local employees are:

1. State employees:

<u>election date</u>	<u>effective date</u>
<u>6/1-6/30/2002</u>	<u>7/1/2002</u>
<u>7/1-7/31/2002</u>	<u>8/1/2002</u>
<u>8/1-8/31/2002</u>	<u>9/1/2002</u>

2. District school board employees:

<u>election date</u>	<u>effective date</u>
<u>9/1-9/30/2002</u>	<u>10/1/2002</u>
<u>10/1-10/31/2002</u>	<u>11/1/2002</u>
<u>11/1-12/2/2002</u>	<u>12/1/2002</u>

3. Local employees:

<u>election date</u>	<u>effective date</u>
<u>12/1-12/31/2002</u>	<u>1/1/2003</u>
<u>1/1-1/31/2003</u>	<u>2/1/2003</u>
<u>2/1-3/3/2003</u>	<u>3/1/2003</u>

4. To effect enrollment for each subsequent month, the employer shall submit to the TPA completed enrollment election forms for employees electing PEORP during the month no later than the last day of the prior month. For district school board employers and for local employers, the election dates extend, in two instances as reflected in subparagraphs 1 through 3 immediately above, beyond the final employee

effective enrollment date. For those two instances, those employers are required to submit the election form within 24 hours of the end of the election period.

(4) Initial Asset Transfer Procedures upon Receipt of Election Confirmation.

(a) Initially, the division will have calculated the ABOs of all current employees and will have provided that information to the TPA in advance of the election period. The ABOs of state employees will have been calculated as of midnight on 5/31/2002. The ABOs of district school board employees will have been calculated as of midnight on 8/31/2002. The ABOs of local employees will have been calculated as of midnight on 11/30/2002. Section 121.4501(3)(c)4., Florida Statutes, requires the asset transfer to be completed within 30 days of the employee's effective date in PEORP. Therefore, for state employees whose effective date is 7/1/2002, the transfer will be complete by 7/31/2002. Transfer deadlines for other state employees and for other public employees are described in paragraph (c), below.

(b) For each month during the election period, the TPA will determine the aggregate dollar amount of the ABO for those employees electing to participate in the PEORP and provide that information to the SBA, categorized by the investment fund chosen by participants. This information shall be provided to the SBA within four business days of each month-end during the election period.

(c) The transfer deadlines for public employees are as follows:

1. State employee

<u>effective date</u>	<u>transfer deadline</u>
<u>7/1/2002</u>	<u>7/31/2002</u>
<u>8/1/2002</u>	<u>8/31/2002</u>
<u>9/1/2002</u>	<u>10/1/2002</u>

2. District School Board employee

<u>effective date</u>	<u>transfer deadline</u>
<u>10/1/2002</u>	<u>10/31/2002</u>
<u>11/1/2002</u>	<u>12/1/2002</u>
<u>12/1/2002</u>	<u>12/31/2002</u>

3. Local employee

<u>effective date</u>	<u>transfer deadline</u>
<u>1/1/2003</u>	<u>1/31/2003</u>
<u>2/1/2003</u>	<u>3/3/2003</u>
<u>3/1/2003</u>	<u>3/31/2003</u>

(5) Costs associated with the liquidation or transfer of assets from the FRSTF to the PEORP will be deducted from the FRSTF. The FRSTF will not be responsible for any transaction costs associated with the purchase of PEORP assets. Those costs will be deducted from PEORP accounts or otherwise charged to PEORP participants.

(6) The total amount credited to each PEORP participant's account who chooses to move his or her ABO out of the defined benefit plan shall equal the estimate of the participant's

ABO as calculated by the division. Pursuant to Section 121.4501(3)(c)3., the division shall recompute the ABO not later than 60 days after the actual transfer of funds and, if the recomputed amount differs from the transferred ABO amount by \$10 or more, the division shall cause a readjustment of the transfer of assets between PEORP account(s) of the affected participant(s) and the FRSTF in accordance with that statutory section.

(7)(a) The amount transferred to each investment product shall be based on the percentage of total investment allocated to each fund by the participant on his or her enrollment election form as adopted and incorporated by reference in this rule, in subsection (3)(a), above. However, pursuant to Section 121.4501(4)(d), Florida Statutes, amounts not specified will be invested in the default option designated in the Investment Policy Statement, as approved by the Trustees on September 26, 2000, and adopted and incorporated by reference in Rule 19-9.001.

(b) The amounts transferred to each investment product shall either be in cash or in mutually agreed upon securities. The mutual agreement shall be made between the SBA and the PEORP investment provider before the transfer is made.

(8) In order to protect the financial interests of the SBA and in accordance with Section 215.44(8)(b), Florida Statutes, the details of each transfer will be confidential and exempt from Chapter 119, Florida Statutes.

Specific Authority 121.4501(3)(c)4.,(8)(a) FS. Law Implemented 121.031(2), 121.4501(2),(3),(4),(5),(6),(8),(15), 121.571(1),(2), 215.44(8)(b) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Herndon, Executive Director, State Board of Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2001

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Use of Force
RULE NO.: 33-602.210

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures relating to the use of force in institutions.

SUMMARY: The proposed rule provides for the use of specialty impact munitions, clarifies the process for review of use of force reports, clarifies staff supervision required for the use of chemical agents, and specifically prohibits the discharge of firearms at departing aircraft involved in escape attempts.

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: 20.315, 944.09, 944.35 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 Lysten 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:

33-602.210 Use of Force.

(1) No change.

(2) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible to control the situation and will not be used solely in response to verbal abuse that does not rise to a level of a disturbance. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. All authorized use of force incidents will be videotaped in their entirety, except that videotaping the administration of chemical agents is not required for use on an inmate creating a disturbance in his or her cell, when the officer is attempting to resolve the situation without extracting the inmate from the cell. Videotaping will be initiated after the final exposure to chemical agents if cell extraction or other uses of force are necessary. All spontaneous use of force incidents will be videotaped from the point the video camera operator arrives at the scene.

(3) through (4) No change.

(5) Where circumstances permit, the warden or duty warden will be consulted and give her or his permission prior to use of physical force. If circumstances do not permit prior approval, the warden or duty warden will be notified immediately following any use of force incident. Whenever force is authorized, the employee who was responsible for making the decision to use force pursuant to subsection (1) shall prepare, date and sign the Authorization ~~F~~for Use of Force Report, Form DC6-232 either during, or immediately after, the tour of duty when force was used. Form DC6-232 is hereby incorporated by reference. Copies of this form may be obtained from any institution or from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 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 this form is February 7, 2000.

(6) Whenever force is used, a detailed written report of force used shall be prepared, dated and signed by the initial employee using force. Form DC6-230, Institutions Report of Force Used, shall be used for this purpose. If more than one employee was involved in the initial use of force, the highest ranking official involved or the most senior employee shall complete the report. Each additional employee involved in the use of force who agrees with the facts and circumstances as reported on Form DC6-230 part I shall prepare a staff supplement, Form DC6-231. The report shall describe in detail the type and amount of force used by himself or herself. Each Employee shall individually write his or her own report, then submit the completed report to the clerical personnel designated by the warden to type all the reports onto one form to be signed by each employee. Any additional employee who does not agree with the facts and circumstances as reported in Form DC6-230 part I shall prepare a separate Form DC6-230, Institutions Report of Force Used. Forms DC6-230 and DC6-231 are hereby incorporated by reference. Copies of these forms may be obtained from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 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 ~~these Form DC6-231 forms~~ is February 7, 2000. The effective date of Form DC6-230 is _____.

(7) The Authorization ~~F~~for Use of Force Report and the Institutions Report of Force Used shall be completed by those staff involved either during or immediately after the tour of duty when force was used. If an emergency arises, the warden may authorize the employee to complete the reports immediately upon his return on the next calendar day. Barring such an emergency, all reports must be typed and submitted to the warden or assistant warden within 1 working day (Monday through Friday) following the incident.

(8) The warden or assistant warden shall immediately conduct a preliminary review of the video tape(s) and all associated reports for signs of excessive force or procedural deviation. If signs of excessive force or procedural deviation are noted by the warden or institutional inspector, she or he will notify the Office of the Inspector General directly, so that there is no undue delay in initiating an investigation. The ~~w~~Warden shall then appoint a staff member of equal or higher rank than those involved in the use of force to collect all pertinent information. This information will include statements from all involved staff, inmates and staff and inmate witnesses. This process will be completed within 5 working days (Monday through Friday). The warden shall review the information and note any inappropriate actions. The warden shall complete the Use of Force File Checklist, Form DC1-813, and shall forward the videotape(s) and associated reports on the use of force and the warden's summary to the institutional inspector. Form DC1-813 is hereby incorporated by reference. Copies of this form are available from the Forms Control

Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____. The warden or his or her designee institutional inspector will review the videotape(s) and associated documentation to ensure that all documentation is complete and will forward all materials to the Use of Force Unit within the Office of the Inspector General (OIG) within 5 working days. The OIG, following its review, will either approve the use of force action or disapprove it and refer it for investigation. Copies of the employee's report, the warden's summary and the inspector general's review and determination shall be kept in the inmate's file. A Use of Force Log, Form DC2-802, shall be placed in every employee's personnel file. This form will be maintained by the servicing personnel office and shall contain a record of every report of use of force and staff supplement completed by the employee. The institutional inspector shall be responsible for submitting accurate information to the personnel office in order to maintain the DC2-802. Any use of force reports completed prior to April 15, 1998 shall also remain in the file. Form DC2-802, Use of Force Log, is hereby incorporated by reference. Copies of this form can be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is February 7, 2000.

(9) Any employee who witnesses, or has reasonable cause to suspect, that an inmate has been unlawfully abused shall immediately prepare, date and sign an incident report, Form DC6-210, pursuant to Section 944.35(5), Florida Statutes, specifically describing the nature of the force used, the location and time of the incident and the persons involved. The report shall be delivered to the inspector general of the department with a copy delivered to the warden of the institution. The inspector general shall conduct an appropriate investigation and, if probable cause exists that a crime has been committed, notify the state attorney in the circuit in which the institution is located. Form DC6-210, Incident Report, is hereby incorporated by reference. Copies of this form can be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is February 7, 2000.

(10) Force or restraint may be used to administer medical treatment when ordered by a medical professional physician, and only when treatment is necessary to protect the health of other persons, as in the case of contagious and venereal diseases, or when treatment is offered in satisfaction of a duty to protect the inmate against self-inflicted injury or death. The medical professional physician shall prepare a report documenting the reasons that force or restraint was authorized. Form DC6-232, Authorization For Use Of Force Report, shall be used for this purpose. The medical professional's

physician's report shall be attached to the Institutions Report of Force Used. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. ~~If an injury is claimed or found to exist,~~ Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In all cases where physical force is used to manage an inmate, the inmate and any employee who is involved will be required to receive a medical examination or will sign a Refusal of Health Services, Form DC4-711A, declining the examination. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Forms DC4-701C and DC4-708 are incorporated by reference in Section (16)(15) of this rule. Form DC4-711A is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(11) The use of electronic restraining devices, batons, ~~or~~ chemical agents, or specialty impact munitions within institutions shall be authorized only by the warden, or duty warden if the warden is not available. For purposes of this rule, the duty warden shall be an assistant warden, colonel, major of a work camp that is attached to a major institution, or a major of a work release center if so designated by the warden and regional director (taking into consideration the proximity of the work release center to the institution) of a rank of correctional officer colonel or higher. ~~The correctional officer major at the main unit can serve as duty warden at those institutions that do not have a correctional officer colonel.~~ Batons shall be used only by trained baton squad members to disarm an inmate or during situations in which the squad has been activated to quell a disturbance. The decision to use chemical agents, specialty impact munitions, or authorized electronic restraining devices shall be based on which level of force is most likely to resolve the situation with the least amount of injury to all parties involved. Hands-on physical force shall be avoided if injury is less likely to occur by using chemical agents, specialty impact munitions, or electronic restraining devices.

(12) Use of electronic restraining devices.

(a) Electronic restraining devices shall be issued used primarily, but not exclusively, for the purpose of during transporting and supervision of inmates outside the institution.

(b) through (e) No change.

(f) Electronic restraining devices shall be issued to the unarmed officers on any inmate transport where firearms are issued, or on any outside hospital assignment where firearms

are issued. The chief of security, or in his absence, the shift supervisor, shall determine the number of officers who will be issued firearms and electronic restraining devices during such trips.

(g) No change.

(h) In any case where electronic restraining devices are used, an Institutional Use of Force Report shall be written and shall include:

1. through 3. No change.

(i) Electronic restraining devices shall be stored and maintained in either the main arsenal or the control room mini-arsenal. The warden may authorize, in writing, the storage of one handheld unit and one shield in the officer's station in the confinement unit or close management unit. These devices shall be kept secured in a locked cabinet when not in use.

(j) through (k) No change.

(13) Use of Chemical Agents.

(a) The following chemical agents are authorized for use by the department:

1. OC – Oleoresin Capsicum (pepper spray) – An inflammatory agent that causes tearing and involuntary closing of the eyes, nasal discharge, sneezing, disorientation, and the sensation of respiratory distress.

2. CS – Orthochlorobenzal Malononitrile or Orthochlorobenzylidene Malononitrile – An irritant agent that causes eyes to burn and tear, nasal discharge, and skin and upper respiratory irritation.

3. CN – Chloroacetophene – A Lacrimator agent that causes tearing of the eyes, nasal discharge, and skin and upper respiratory irritation.

(b) through (f) No change.

(g) No inmate shall be handcuffed solely for the purpose of administering chemical agents. If chemical agents are administered to a handcuffed inmate, an explanation as to why the removal of the handcuffs was not feasible shall be included in Section I of the Institutions Report of Force Used, Form DC6-230.

(h) through (i) No change.

(j) All chemical agents shall be used with caution and in accordance with the manufacturer's instructions. The Material Safety Data Sheet (MSDS) for chemical agents shall be kept where chemical agents are located at the institution.

(k) Chemical agents shall be stored in the main arsenal. A small amount of chemical agents may be stored in secure locations such as the control room mini-arsenal or the officer's station in confinement and close management units until its use is authorized. Shift supervisors, correctional officer sergeants, recreation officers, staff assigned to close management or to escort close management and other designated high security inmates, work squad officers, staff assigned as housing supervisors, and other assigned internal security officers shall

be issued one three or four ounce dispenser of MK-4 Defense Technologies 10% non-flammable OC pepper spray or equivalent, with marking dye, after being properly trained in chemical agent utilization. The chemical agent dispenser which shall be securely encased and attached to the officer's belt. Each MK-4 chemical agent dispenser will be secured within a pouch by a numbered, breakable seal. Form DC6-213, Individual Chemical Agent Dispenser, will be utilized to document the name of the officer to whom each dispenser is assigned as well as the seal number on the dispenser she or he received. Upon receiving the dispenser and pouch, the officer will examine the safety seal to ensure that it is intact. If the seal is broken, the Shift Supervisor will be notified immediately and an Incident Report, Form DC6-210, will be written. Form DC6-213 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-1500. The effective date of this form is February 7, 2000.

(l) In any case where chemical agents are used, an accurate record shall be maintained as to what type of agent was used, how much was used, method of administration, person authorized to draw chemical agent when issued from a secure location, person administering the chemical agent, location administered, and reason for use. This information shall be included in section I of the use of force report. ~~Individual chemical agent dispensers carried by staff will be weighed by staff as designated by the warden at the beginning and end of each shift. These inspections will be documented on Form DC6-213, Individual Chemical Agent Dispenser Accountability Log, and any discrepancies shall be immediately reported. Form DC6-213 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-1500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is February 7, 2000.~~

(m) Procedure for the use of chemical agents on disruptive inmates under controlled conditions:

1. If an inmate becomes disorderly, disruptive, unruly, and attempts by officers at counseling and ordering the cessation of disruptive behavior fails, the confinement or close management lieutenant or shift supervisor or person of higher rank shall be contacted for further instructions.

2. If the confinement or close management lieutenant or shift supervisor's efforts to control the disorderly inmate have failed and the use of chemical agents is the least level of force that can be expected to successfully gain control of the disruptive inmate while minimizing the risk of injuries to all involved, the shift supervisor shall:

a. through b. No change.

3. Prior to using chemical agents, the inmate again shall be ordered by staff to cease his actions.

a. If these efforts fail, the confinement or close management lieutenant or shift supervisor shall order the disorderly inmate to cease his actions and inform him that chemical agents will be administered if he continues his disruptive behavior.

~~b. Any uninvolved inmates in the cell or immediate area shall be given an opportunity to leave the potentially affected area, if it will not jeopardize the safety of staff or other inmates.~~

~~b.e.~~ Except in cases of emergency, the confinement or close management lieutenant or shift supervisor shall be present during the time of the final counseling period and the administering of chemical agents.

(n) through (o) No change.

(14) Specialty Impact Munitions. Specialty impact munitions shall be used primarily by the department's rapid response teams and correctional emergency response teams during riots and disturbances. They are intended as a less lethal alternative to the use of deadly force. Specialty impact munitions shall only be employed by officers trained in their use and effects.

(a) Definitions:

1. Specialty Impact Munitions – Munitions designed to incapacitate, distract, and control a subject with less likelihood of life-threatening injury.

2. Rubber Ball Rounds – Multiple pellets fired from cartridges at the lower extremities of rioters, designed to inflict pain compliance.

3. Wooden Baton Rounds – Multiple wooden baton rounds fired from a 37-MM weapon, designed to be skip fired into the lower extremities of rioters to inflict pain compliance.

4. Skip Firing – The practice of firing specialty impact munitions 5-7 feet in front of rioters, thereby deflecting the munitions into the legs of the rioters.

5. Direct Firing – The practice of firing specialty munitions directly into a group of rioters, from a distance of greater than 20 feet with a target area of the waist or below.

(b) The following specialty impact munitions have been approved for use by the department:

1. 37-MM rubber ball pellet rounds,
2. 12 gauge rubber ball pellet rounds,
3. 37-MM wooden baton rounds.

(c) Selection and deployment of specialty impact munitions during a riot or disturbance shall be authorized by the ultimate commander and supervised by the rapid response or correctional emergency response team leader. For the purposes of this rule, the ultimate commander is the secretary or his designee at the central office level, the regional director or his designee at the regional level, or the warden or his designee at the institution level.

(d) Specialty impact munitions shall only be used after all other reasonable alternatives to regain control have been exhausted. They are intended to be used as an interim force response between the use of chemical agents and lethal force.

(e) Specialty impact munitions shall not be deployed in the direction of any individual at a distance of less than 10 feet, unless the threat justifies the escalation to deadly force.

(f) Storage of Specialty Impact Munitions.

1. Specialty impact munitions shall be stored and maintained in the main arsenal.

2. Specialty impact munitions shall not be mixed with lethal munitions. Weapons designated to deploy specialty impact munitions shall be marked in a manner to alert staff of their intended use.

3. All specialty impact munitions will be accounted for in the same manner as firearms and ammunition.

(g) As soon as possible after each use of specialty impact munitions, exposed inmates shall be examined by medical personnel.

(h) In any case where specialty impact munitions are deployed, a use of force report shall be filed in accordance with use of force procedures set forth in this rule.

(i) As soon as practical after deployment of specialty impact munitions the discharging officer shall file an incident report, Form DC6-210. Form DC6-210 is incorporated by reference in (9) of this rule. Every effort shall be made to collect and secure the empty munitions cartridges for accountability and investigative purposes.

~~(15)(14)~~ No change.

(a) No change.

(b) Firearms or weapons shall be issued to an employee only upon instructions of the warden, assistant warden, chief of security or shift supervisor by the arsenal officer or the officer designated to issue weapons. Employees shall not intentionally discharge a firearm at or in the direction of another person except under the following circumstances and after all reasonable non-lethal alternatives have been exhausted, and there is no danger to innocent bystanders:

1. Escape or apprehension of an identified escapee ~~in~~ self-defense;

2. Use of vehicle to gain unauthorized entry into or exit from a correctional institution in order to facilitate an escape ~~To prevent escape;~~

3. To prevent injury to a person including self-defense ~~prevent injury to a person;~~ or

4. To quell a riot.

(c) The use of twelve gauge #6 steel turkeyshot is approved for use by the rapid response teams during riots and disturbances. It is intended to be fired from a distance in the direction of the rioters' lower extremities to inflict pain compliance to directions and orders. It is acknowledged that the #6 steel shot has the potential of inflicting a lethal injury,

however, its use is considered a less lethal interim munition to be used prior to more lethal loads authorized by the department.

(c) through (h)7. renumbered (d) through (i)7. No change.

8. If attempts to prevent inmates from boarding the aircraft described in 7. above fail and the aircraft leaves, the aircraft is not to be fired upon. Immediate notification should be made to law enforcement personnel and the Federal Aviation Administration giving departing flight directions and any other information necessary to identify the aircraft. Additional information on the escaped inmates, possible damage to the aircraft, and weapons used by persons in the aircraft should also be reported.

9. through 10. No change.

(i) through (j) renumbered (j) through (k) No change.

~~(16)(15)~~ Medical Attention Following Use of Force.

Appropriate medical treatment shall be provided immediately or, in the case of a riot or other man-made or natural disaster, as soon as possible, if an inmate or employee is injured. Any treatment or follow-up action shall be documented in section III of Form DC6-230, Institutions Report of Force Used. A qualified health care provider shall examine any person physically involved in a use of force to determine the extent of injury, if any, and shall prepare a report which shall include, but not be limited to, a statement of whether further examination by a physician is necessary. Any noticeable physical injury shall be examined by a physician and the physician shall prepare a report documenting the extent of the injury and the treatment prescribed. Such report shall be completed within 1 day of the incident and shall be submitted to the warden for initial review. The qualified health provider and physician shall use Form DC4-701C, Emergency Room Record, to document an examination following use of force. Form DC4-708, Diagram of Injury, shall be used along with Form DC4-701C to document obvious physical injuries. A copy of the report, along with the referenced forms, shall be attached to the Institutions Report of Forced Used. The original reports shall be filed in the medical record. Forms DC4-701C and Form DC4-708 are hereby incorporated by reference. Copies of these forms may be obtained from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 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 these forms is February 7, 2000.

~~(17)(16)~~ No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00,_____.

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: January 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2000

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

RULE TITLE: Insurance, Safety Requirements and Standards RULE NO.: 41-2.006

PURPOSE AND EFFECT: The Commission is updating this rule to remove obsolete language.

SUMMARY: This rule sets forth the minimum liability insurance requirements, safety requirements and standards for those who provide transportation services for the disadvantaged.

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: 427.013(9) FS.

LAW IMPLEMENTED: 427.011(11), 427.013, 427.0155, 427.0157, 768.28 FS.

IF REQUESTED 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: Ms. Jo Ann Hutchinson, Executive Director, Florida Commission for the Transportation Disadvantaged, 60 Suwannee Street, MS-49, Tallahassee, FL 32399-0450

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.006 Insurance, Safety Requirements and Standards.

(1) through (4)(h) No change.

(i) Billing requirements of the Community Transportation Coordinator to subcontractors shall be determined locally by the local Coordinating Board and provided in the local Transportation Disadvantaged Service Plan. All bills shall be paid within 7 ~~15~~ calendar days to subcontractors, after receipt of said payment by the Community Transportation Coordinator, in accordance with Chapter 287.0585, F.S.;

(j) though (o) No change.

(p) All vehicles ~~ordered or put into service after adoption of this section of the Rule, and~~ providing service within the coordinated system, shall be equipped with two-way communications in good working order and audible to the driver at all times to the base;~~All vehicles that are not equipped with two-way communications shall have two years to be in compliance after May 1, 1996;~~

(q) All vehicles ~~ordered or put into service after the adoption of this section of the Rule, and~~ providing service within the coordinated system, shall have working air conditioners and heaters in each vehicle. Vehicles that do not have a working air conditioner or heater will be scheduled for repair or replacement as soon as possible;~~All vehicles that are not equipped with an air conditioner and/or heater shall have two years to be in compliance after May 1, 1996;~~

(r) through (s) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.011(11), 427.013, 427.0155, 427.0157, 768.28 FS. History--New 5-2-90, Amended 6-17-92, 5-1-96, 10-1-96, 3-10-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for the Transportation Disadvantaged
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

RULE TITLE: Selection of Community Transportation Coordinator

RULE NO.:

41-2.010

PURPOSE AND EFFECT: The Commission is updating this rule to change the wording from handicapped to disabled and to add the Metropolitan Planning Organization of Designed Official Planning Agency as a resource to work with in the event of termination of the transportation coordinator or any unforeseen emergency to coordinate the continuation of services for the transportation disadvantaged.

SUMMARY: This rule sets forth the process for designation, selection, and revocation of designation of a Community Transportation Coordinator.

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: 427.013(9) FS.

LAW IMPLEMENTED: 427.013(10),(15), 427.015(2), 427.0155(7), 427.0157 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING 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: Ms. Jo Ann Hutchinson, Executive Director, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.010 Selection of Community Transportation Coordinator.

(1) through (4)(e) No change.

(e) A request that the proposer identify specific means by which it plans to comply with the provisions of the Americans with Disabilities Act, P.L. 101-336, Chapter 760, Florida Statutes, and any applicable local regulations governing disabled ~~handicapped~~ accessibility requirements, access to transportation, and discrimination.

(f) through 7. No change.

(8) In cases of termination of the Community Transportation Coordinator, or in unforeseen emergencies, the Commission shall work with the Metropolitan Planning Organization or Designed Official Planning Agency and the Coordinating Board in an expeditious manner to provide for the continuation of services to the transportation disadvantaged in the designated service area, by providing or arranging the necessary technical assistance.

(9) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.013(10),(15), 427.015(2), 427.0155(7), 427.0157 FS. History--New 5-2-90, Amended 6-17-92, 7-11-95, 10-1-96, 3-10-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for the Transportation Disadvantaged.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

RULE TITLE: Coordinating Board Structure and Duties

RULE NO.:

41-2.012

PURPOSE AND EFFECT: This rule is being revised to replace the term handicapped with the term disabled.

SUMMARY: This rule sets forth the structure and duties for the Coordinating Board. A coordinating board is appointed for each county (or area) to act as an advisory body to the Commission to identify local needs, etc. of the transportation disadvantaged and to provide this information to the Commission for its service area.

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: 427.013(9) FS.

LAW IMPLEMENTED: 427.0157 FS.

IF REQUESTED 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: Ms. Jo Ann Hutchinson, Executive Director, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.012 Coordinating Board Structure and Duties.

The purpose of the Coordinating Board is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordinator on the coordination of services to be provided to the transportation disadvantaged through the Florida Coordinated Transportation System (FCTS). Each Coordinating Board is recognized as an advisory body to the Commission in its service area. The members of the Coordinating Board shall be appointed by the Metropolitan Planning Organization or the Designated Official Planning Agency. A Coordinating Board shall be appointed in each county. However, when agreed upon in writing, by all Boards of County Commissions in each county to be covered in the service area, multi-county Coordinating Boards may be appointed. The structure and duties of the Coordinating Board shall be as follows:

- (1) through (3)(g) No change.
- (h) A ~~disabled handicapped~~ person representing the ~~disabled handicapped~~ in the county;
- (i) through (5)(c) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.0157 FS. History—New 5-2-90, Amended 6-17-92, 11-16-93, 1-4-94, 7-11-95, 5-1-96, 10-1-96, 3-10-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for the Transportation Disadvantaged

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

**LAND AND WATER ADJUDICATORY COMMISSION
Tampa Palms Community Development District**

RULE CHAPTER TITLE: Tampa Palms Community Development District

RULE CHAPTER NO.: 42C-1

RULE TITLE: Boundary

RULE NO.: 42C-1.002

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule amendment is to amend the boundaries of the Tampa Palms Community Development District (“District”), a community development district (CDD) established in 1982 pursuant to Chapter 190, F.S. The petition to amend the boundaries submitted by the Tampa Palms CDD requests that the Florida Land and Water Adjudicatory Commission (the “Commission”) amend Florida Administrative Code Chapter 42C-1 by deleting approximately 785 acres (the contraction parcel) from the existing boundaries. After contraction, the proposed amended District will consist of approximately 3,325 acres. (As filed, the Petition showed the contraction parcel as approximately 1,007 acres and the proposed amended District as approximately 3,103 acres after contraction. The change in acreage from that originally filed occurred during the administrative hearing.) The contraction parcel is generally located on the eastern side of the District in the eastern quadrant of the intersection of County Road 581 and the Tampa Electric Company right-of-way. The contraction parcel is not only located within the boundaries of the Tampa Palms CDD, but is also located within the boundaries of the overlapping Tampa Palms Open Space and Transportation CDD. The purpose of the contraction petition is to remove the contraction parcel from the Tampa Palms CDD so that it will be located only in the Tampa Palms Open Space and Transportation CDD and to provide for more efficient use of resources. There are no out parcels or any portions of the contraction parcel that will be excluded from the Tampa Palms Open Space and Transportation CDD as a result of the contraction. The filing of the contraction petition by the Board of Supervisors of the Tampa Palms CDD constitutes consent of the landowners within the District. Additionally, the District has written consent to amend the District from the owners of 100% of the real property to be deleted from the District.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT: The statement of estimated regulatory costs (SERC) supports the petition to amend the District. The complete text of the SERC is contained as Exhibit H to the petition to amend the boundaries of the District. The scope of the SERC is limited to evaluating the regulatory cost consequences of approving the proposal to amend the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule, and any anticipated affect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principal entities that are likely to be required to comply with the rule include current property owners and residents within the Tampa Palms CDD but not in the contraction parcel and current property owners within the contraction parcel. Under section (b), the FLWAC and State of Florida incur minimal one-time administrative costs. Hillsborough County also incurred administrative costs which are offset by fees charged by the County. Adoption of the proposed rule amendment to approve amending the boundaries of the District will not have an adverse impact on State and local revenues. Addressing section (c) regarding current property owners and residents with the Tampa Palms CDD but not in the contraction parcel, approving the contraction petition will eliminate the revenue to the Tampa Palms CDD resulting from the ability to levy an assessment while not incurring the associated expenses which would be incurred if the CDD were to provide the operation and maintenance services which they currently do not provide. Property owners within the contraction parcel will be assessed equitably without any significant negative effect on the remaining property owners in the Tampa Palms CDD. Regarding those property owners currently within the contraction parcel, these property owners are currently being assessed twice for operation and maintenance activities by both CDDs. Approval of the contraction petition will eliminate this double taxation. Under section (d), approval of the petition to amend the District boundaries will eliminate overlapping jurisdictional authority for the contraction parcel and thereby eliminate the negative effect of having to compete in an environment with dual liability to both the Tampa Palms Open Space and Transportation CDD and the Tampa Palms CDD. The City of Tampa and Hillsborough County are not a small city or small county as defined. Under section (e), certain data utilized was

provided by the Tampa Palms Open Space and Transportation CDD, the Tampa Palms CDD, and the land owners of the contraction parcel. Additionally, information from Hillsborough County was review and utilized.

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: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS., Chapter 80-407, Laws of Florida.

IF REQUESTED WITHIN TWENTY-ONE (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. – 12:00 Noon, Friday, March 2, 2001

PLACE: Room 2106, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jonathan T. Johnson, Hopping Green Sams & Smith, Post Office Box 6526, Tallahassee, Florida 32314, telephone (850)222-7500 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

THE FULL TEXT OF THE PROPOSED RULE IS:

42C-1.002 Boundary.

The boundaries of the district are as follows:

Legal Description

The East 3/4 of Section 21; the West 1/2 and the Southeast 1/4 of Section 22; the South 1/2 of Section 23; the South 1/2 of Section 24; all of Sections 25, 26, and 27, and the East 1/2 of Section 28; the East 1/2 of Section 33; all of Sections 34 and 35; the West 1/2, the Northeast 1/4 and that part of the Southeast 1/4 lying North of the Hillsborough River in Section 36; all of the foregoing being in Township 27 South, Range 19 East, all lying and being in Hillsborough County, Florida

ALSO

All of Section 1 lying North of the Hillsborough River; all of the North 1/2 of Section 2 lying North and West of the Hillsborough River; all of the North 1/2 of Section 3, less the South 1/2 of Government Lots 3 and 4; all of the Northeast 1/4 of Section 4, less the South 1/2 of Government Lots 1 and 2; all of the foregoing lying in Township 28 South, Range 19 East, all lying and being in Hillsborough County, Florida.

LESS AND EXCEPT:

That part of Sections 24, and 25, Township 27 South, Range 19 East, Hillsborough County, Florida, described as follows: Commence at the Southeast corner of said Section 25 for the **POINT OF BEGINNING:** thence N. 00 25' 28" E., along the

East boundary of said Section 25 a distance of 2617.13 feet to the Northeast corner of the SE 1/4; thence N. 010 21' 46" W., along the East boundary of said Section 25 a distance of 2715.07 feet to the Northeast corner thereof; thence N. 000 25' 03" E., along the East boundary of said Section 24 a distance of 2664.72 feet to the Northeast corner of the South 1/2 of said Section 24; thence N. 890 27' 50" W., along the North boundary of the South 1/2 of said Section 24 a distance of 4494.89 feet; thence S. 000 35' 04" W., a distance of 420.87 feet; thence S. 100 37' 07" E., a distance of 1366.34 feet; thence S. 000 35' 04" W., a distance of 876.88 feet to a point on the South boundary of said Section 24; thence S. 000 35' 04" W., a distance of 4399.76 feet; thence S. 500 31' 25" E., a distance of 1435.33 feet to a point on the South boundary of said Section 25; thence S. 880 28' 49" E., along the South boundary of said Section 25 a distance of 3220.04 feet to the POINT OF BEGINNING.

ALSO LESS AND EXCEPT:

That part of Section 36, Township 27 South, Range 19 East, Hillsborough County, Florida lying North and East of the Centerline of Trout Creek.

ALSO LESS AND EXCEPT:

That part of Section 36, Township 27 South, Range 19 East, Hillsborough County, Florida lying South of Trout Creek, North of Hillsborough River and Northeasterly of the following described line: Commence at the Northwest corner of said Section 36; run thence S. 880 28' 49" E., along the North boundary of said Section 36, 2071.95 feet to the POINT OF BEGINNING; thence S. 500 31' 25" E., a distance of 1310.59 feet to the beginning of a curve, concave Southwesterly, having a central angle of 370 15' 04" and a radius of 5,780.00 feet; thence Southeasterly along the arc of said curve, an arc distance of 3757.90 feet (chord distance of 3692.06 feet and chord bearing of S. 310 54' 53" E.) to the North bank of the Hillsborough River and the Point of Termination.

ALSO LESS AND EXCEPT:

(A) That part of Sections 23, 26, 27, 33 and 34, Township 27 South, Range 19 East deeded to the State of Florida for road right-of-way for State Road S-581 by instruments recorded in Official Record Book 227 on Page 707, in Official Record Book 226 on Page 556, and in Official Record Book 241 on Page 76 of the Public Records of Hillsborough County, Florida

(B) That part of Sections 21, 22, 26, 27, 35 and 36, Township 27 South, Range 19 East, condemned for transmission lines by Tampa Electric Company in Suit Number 41987-L Circuit Court, Hillsborough County, Florida

(C) That part of Sections 26, 27, 35 and 36, Township 27 South, Range 19 East, conveyed to County of Hillsborough for use and benefit of Road Department by instruments recorded September 3, 1965, in Official Record Book 1501 on Page 480, and in Official Record Book 1501 on Page 482 of the Public Records of Hillsborough County, Florida

ALSO LESS AND EXCEPT:

A parcel of land in the West one-half of the Southwest one-quarter of Section 24, Township 27 South, Range 19 East, Hillsborough County, Florida being more particularly described as follows:

Commence at the Northwest corner of said Section 24; said corner being marked by a 3" iron pipe; run thence South 000 18' 32" W. along the West boundary of said Section 24 for a distance of 2632.49 feet to the West quarter corner of said Section 24 and the POINT OF BEGINNING of the parcel of land hereinafter described; run thence South 890 27' 50" E. along the quarter section line of said Section 24, for a distance of 679.56 feet; run thence South 000 35' 04" W. for a distance of 420.88 feet; run thence South 100 37' 07" E. for a distance of 1166.17 feet; run thence South 880 59' 25" W. for a distance of 898.87 feet to a point on the aforesaid West boundary line of Section 24; run thence North 000 18' 32" E., along said West boundary line, for a distance of 1589.27 feet to the POINT OF BEGINNING.

AND

A parcel of land lying in the East one-half of the Southeast one-quarter of Section 23, Township 27 South, Range 19 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 23; run thence South 000 18' 32" W., along the East boundary of said Section 23 for a distance of 2632.49 feet to the East quarter corner of said Section 23 and the POINT OF BEGINNING of the parcel of land hereinafter described; thence continue South 000 18' 32" W., along the East boundary of said Section 23, for a distance of 1589.27 feet; run thence South 880 59' 25" W., for a distance of 717.67 feet; run thence North 170 04' 19" W., for a distance of 354.31 feet; run thence North 130 04' 19" W., for a distance of 550.00 feet; run thence North 080 04' 19" W., for a distance of 448.12 feet; run thence North 030 11' 04" W., for a distance of 293.89 feet to a point on the quarter section line of said Section 23; run thence South 890 27' 50" E., along said quarter section line, for a distance of 1033.83 feet to the POINT OF BEGINNING.

ALSO LESS AND EXCEPT:

A parcel of land lying in Section 36, Township 27 South, Range 19 East, Hillsborough County, Florida, described as follows: Commence at the Southeast corner of said Section 36; thence South 890 25' 23" W., along the South boundary of said Section 36, a distance of 800.00 feet; thence North 000 46' 24" W., parallel to and 800.00 feet West of the East boundary of said Section 36, a distance of 1609.58 feet to the Westerly right-of-way line of proposed Interstate Highway No. 75 for the POINT OF BEGINNING; thence return South 000 46' 24" E., a distance of 293.00 feet, more or less, to the Northerly bank of the Hillsborough River; thence Westerly, along said river bank, a distance of 170.00 feet, more or less; thence North 100 50' 51" W., a distance of 451.00 feet, more or less;

thence North 250 01' 34" W., a distance of 1373.29 feet to the Southerly right-of-way line of a 200.00 foot Tampa Electric Company right-of-way; thence South 770 08' 37" E., along said Southerly right-of-way line, a distance of 278.99 feet to said Westerly right-of-way line of Interstate Highway No. 75; thence along a curve to the right, along said Westerly right-of-way line, having a radius of 5567.58 feet, a delta of 140 12' 56", an arc of 1381.35 feet, a chord of 1377.81 feet, and a chord bearing of South 230 13' 45" E., to the POINT OF BEGINNING.

Subject to easements, reservations and restrictions of record. All of the above described parcel, as created in Tampa Palms Community Development District, CHAPTER 42C-1, of the Florida Administrative Code, containing 5311 acres, more or less.

ALSO LESS AND EXCEPT:

DESCRIPTION: That part of the East 3/4 of Section 21, the West 1/2 and the Southeast 1/4 of Section 22, the South 1/2 of Section 23, and all of Sections 26 and 27, lying North and East of a 200 foot wide Tampa Electric Company right-of-way, as recorded in Official Record Book 1169, Page 54, of the Public Records of Hillsborough County, Florida, and lying Northwesterly of the right-of-way for County Road No. 581 (State Road No. S-581) as recorded in Official Record Book 227, Page 707, in Official Record Book 226, Page 556, and Official Record Book 241, Page 76, of the Public Records of Hillsborough County, Florida, and ALL lying in Township 27 South, Range 19 East, Hillsborough County, Florida.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Northwest corner of said Section 22, run thence along the North boundary of the Northwest 1/4 of said Section 22, S. 890 45' 09" E., 2663.36 feet to the Northeast corner of said Northwest 1/4 of Section 22; thence along the East boundary of said Northwest 1/4 of Section 22, S.000 04' 06" W., 2640.14 feet to the center of said Section 22; thence along the North boundary of the Southeast 1/4 of said Section 22, S. 890 52' 54" E., 2659.65 feet to the Northeast corner of said Southeast 1/4 of Section 22; thence along the North boundary of the South 1/2 of the aforesaid Section 23, S.890 30' 00" E., 2868.10 feet to a point on the Northwesterly right-of-way line of County Road No. 581 (State Road No. S-581), as described in Official Record Book 226, Page 556, Official Record Book 227, Page 707 and Official Record Book 241, Page 76, Public Records of Hillsborough County, Florida; thence along said Northwesterly right-of-way line, S. 410 43' 09" W., 7169.22 feet to a point on the Northeasterly boundary of a 200 foot wide Tampa Electric Company right-of-way as described in Official Record Book 1169, Page 54, of the Public Records of Hillsborough County, Florida, N. 470 21' 09" W., 4677.06 feet; thence along the Northerly boundary of said property described in Official Record Book 1169, Page 54, N. 880 58' 22" W., 3960.45 feet to a point on the West

boundary of the Southeast 1/4 of the Southwest 1/4 of the aforesaid Section 21; thence along said West boundary, N. 000 01' 33" E., 896.96 feet; thence along the West boundary of the Northeast 1/4 of said Southwest 1/4 of Section 21, N. 000 12' 27" W., 1327.00 feet; thence along the West boundary of the Southeast 1/4 of the Northwest 1/4 of said Section 21, N. 000 23' 57" W., 1326.75 feet; thence along the West boundary of the Northeast 1/4 of said Northwest 1/4 of Section 21, N. 000 27' 27" W., 1324.77 feet to the Northwest corner of said Northeast 1/4 of the Northwest 1/4 of Section 21, thence along the North boundary of said Northeast 1/4 of the Northwest 1/4 of Section 21, S. 880 40' 19" E., 1344.34 feet; thence along the North boundary of the Northeast 1/4 of said Section 21, S. 880 54' 49" E., 2663.84 feet to the BEGINNING.

Containing 1201.484 acres, more or less.

ALSO LESS AND EXCEPT:

DESCRIPTION: A portion of Sections 23, 25, 26, 27, 35 and 36, lying Northerly of the Northerly right-of-way line of a Tampa Electric Company 200 foot Transmission Line, as described in Official Record Book 1169, Page 54, of the Public Records of Hillsborough County, Florida, Westerly of the Westerly right-of-way line of Interstate Highway 75 (State Road 93A), and Easterly of the Easterly right-of-way line of County Road 581, all lying and being in Township 27 South, Range 19 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 23, thence along the South boundary line of said Section 23, N. 89° 30' 46" W., for 923.32 feet, to a point of intersection with said Westerly right-of-way line of Interstate Highway 75, said point being the POINT OF BEGINNING; thence along said Westerly right-of-way line, for the following two (2) courses, S. 17° 05' 00" E., for 2927.23 feet, to a point of curvature of a curve concave to the Northeast; thence Southeasterly along the arc of said curve, having a radius of 5891.58 feet, a central angle of 33° 01' 07", and arc length of 3395.21 feet, and a chord, bearing S. 33° 35' 33" E., for 3348.42 feet, thence leaving said Westerly right-of-way line, N. 88° 24' 29" W., for 2563.10 feet; thence N. 71° 42' 07" W., for 425.04 feet; thence N. 53° 07' 23" W., for 370.87 feet; thence N. 81° 06' 54" W., for 1663.76 feet; thence N. 65° 55' 53" W., for 1399.60 feet; thence N.76°30'58"W., for 318.55 feet, thence N. 75° 30' 42" W., for 893.57 feet; thence S. 42° 40' 36" W., for 133.49 feet, to a point on the Northerly right-of-way line of said Tampa Electric Company 200 foot Transmission Line; thence along said Northerly right-of-way line, N. 47° 19' 24" W., for 1905.76 feet, to a Tampa Electric Company right-of-way monument, said monument being the point of intersection with the Easterly right-of-way line of said County Road 581; thence along said right-of-way line, N. 41° 43' 43" E., for 6294.64 feet, to the point of intersection with the Westerly right-of-way line of said Interstate Highway 75; thence along said Westerly right-of-way line for the following ten (10) courses, S. 48° 14'

32" E., for 38.00 feet; thence N. 41° 45' 28" E., for 296.82 feet; thence N. 45° 34' 19" E., for 463.03 feet; thence N. 70° 14' 42" E., for 180.33 feet; thence S. 60° 24' 32" E., for 180.33 feet; thence S. 35° 44' 09" E., for 298.37 feet; thence S. 33° 26' 43" E., for 480.71 feet to a point of curvature of a curve concave to the Southwest; thence Southeasterly along the arc of said curve, having a radius of 1815.86 feet, a central angle of 15°12' 58", an arc length of 482.24 feet, and a chord, bearing S. 25° 50' 14" E., for 480.82 feet; thence S. 18° 13' 45" E., for 1199.31 feet; thence S. 17° 05' 00" E., for 140.09 feet to the POINT OF BEGINNING.

Containing 785.02 acres, more or less.

ALTOGETHER containing 3325 4109 acres, more or less.

Specific Authority 120.53, 120.54, 190.005 FS. Law Implemented 190.005 FS. History—New 6-13-82, Formerly 42C-1.02, Amended 8-29-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 2105, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2001

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Continuing Education Requirements for Certificateholders and Registrants

RULE NO.: 61G4-18.001

PURPOSE AND EFFECT: Due to new statutory requirements in Chapter 455, Florida Statutes, the Department of Business and Professional Regulation has been directed to monitor all licensees' compliance with applicable continuing education requirements by use of a computer database generated compliance monitoring system. This rule is being amended to implement changes required in these new laws and to conform the Board's Continuing Education rules to the new monitoring requirements.

SUMMARY: The proposed amendments to this rule will bring the Board's rules into compliance with the Department's rule, Rule 61-6.015, FAC., while correcting some terms to modern statutory usage, such as the change of the word "sponsor" to "provider." They also provide for evidence of participation at Board meetings in order to receive continuing education credit.

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: 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 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., February 19, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen E. O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants.

(1) Each person who is certified or registered by the board must, as a condition of each renewal of the certificate or registration, ~~obtain provide proof of completion of~~ at least 14 classroom or interactive distance learning hours of continuing education in one or more courses from a continuing education ~~provider sponsor~~ approved by the board. Of the required 14 hours of continuing education, up to four hours of credit may be earned by attending a meeting of the Board wherein disciplinary cases are considered. At least seven days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the licensee must check in with Board staff prior to the beginning of the disciplinary proceedings. The Licensee must sign in and out at breaks and at lunchtime. After the conclusion of the meeting, Board staff will issue a certificate of attendance to the licensee. The licensee must submit documentation of such participation to the Department within five (5) days of the date of issuance of the certificate of attendance. A maximum of four hours will be allowed during a renewal cycle. Credit hours shall be awarded on an hour for hour basis up to a maximum of four hours. Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action.

All registered contractors and all certified contractors are required to complete at least one hour of a workplace safety class, one hour of a business practices class and one hour of a workers' compensation class as a part of the 14 hours of required continuing education for license renewal. That portion of this rule relating to business practices shall be effective September 1, 1999.

(2) A person who holds more than one certificate or registration issued by the Board is required to complete the continuing education requirements only once during each biennial certification renewal period and only once during each biennial registration period, providing all applicable license numbers to the course provider at the time of registration to ensure proper reporting of CE hours.

(3) No change.

(4) The Board shall grant a maximum of four (4) hours of continuing education credit, on an hour for hour basis, to any licensee who participates as member of any technical advisory committee to the Florida Building Code Commission within the Department of Community Affairs. The licensee must submit documentation of such participation to the Department within five (5) days of the date of completion.

(5) through (8) No change.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115, 455.213(7) FS. Law Implemented 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116, 455.271(10) FS. History—New 12-2-93, Amended 5-19-94, 8-16-94, 10-12-94, 1-18-95, 2-4-98, 5-11-99, 7-12-99, 1-23-00, 2-1-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Definitions RULE NO.: 61G4-18.002

PURPOSE AND EFFECT: Due to new statutory requirements in Chapter 455, Florida Statutes, the Department of Business and Professional Regulation has been directed to monitor all licensees' compliance with applicable continuing education requirements by use of a computer database generated compliance monitoring system. This rule is being amended to implement changes required in these new laws and to conform the Board's Continuing Education rules to the new monitoring requirements.

SUMMARY: The proposed amendments to this rule will bring the Board's rules into compliance with the Department's rule, Rule 61-6.015, FAC., while correcting some terms to modern statutory usage, such as the change of the word "sponsor" to "provider." Also, they will require providers to transmit attendance data to the Department instead of the Board.

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: 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 489.115 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., February 19, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.002 Definitions.

When used in this rule, the following terms shall have the following meanings:

(1) through (5) No change.

(6) "Course Provider Sponsor" or "Continuing Education Provider" means the person or legal entity who is registered pursuant to this rule and who is responsible for conducting a course approved pursuant to this rule. The course provider or continuing education provider sponsor is responsible for maintaining records regarding the name and license number of each person who attends a continuing education course and for reporting the attendance to the Department in the format and time frame specified by the Department Board on forms approved by the Board.

(7) No change.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115, 455.2123 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 489.115 FS. History—New 12-2-93, Amended 5-17-99, 5-30-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Construction Industry Licensing Board

RULE TITLE: Registration of Course Providers

RULE NO.: 61G4-18.003

PURPOSE AND EFFECT: Due to new statutory requirements in Chapter 455, Florida Statutes, the Department of Business and Professional Regulation has been directed to monitor all licensees' compliance with applicable continuing education requirements by use of a computer database generated compliance monitoring system. This rule is being amended to implement changes required in these new laws and to conform the Board's Continuing Education rules to the new monitoring requirements.

SUMMARY: The proposed amendments to this rule will bring the Board's rules into compliance with the Department's rule, Rule 61-6.015, FAC., while correcting some terms to modern statutory usage, such as the change of the word "sponsor" to "provider." They also provide for a fixed duration for provider registrations, as well as modify the grounds for taking administrative action against provider registrations for failure to timely transmit electronic data or otherwise fail to comply with all statutory duties imposed on providers.

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: 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 489.115 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., February 19, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.003 Registration of Course ~~Providers~~ Sponsors.

(1) Each provider sponsor must submit the registration and the course for approval on the Provider sponsor Approval Application, as set forth in Rule 61G4-12.006(6)(a), F.A.C., and must include the name, address (including an e-mail

address), phone number and facsimile number of the course provider sponsor. The registration must also include the name and address of each person or entity who has an ownership interest in the course provider sponsor or who is entitled to receive any portion of the revenues from the course provider sponsor.

(2) The course provider sponsor registration will expire on May 31 of every odd-numbered year and must be renewed to remain valid ~~is valid for two years from the date of issue.~~

(3) The course provider sponsor must submit to the Board, in writing, notice of any changes in the information provided in the initial registration of the course provider sponsor. The notification must be made within 30 days following the date the change is effective.

(4) The Board shall maintain a list of all course provider sponsors registered with the Board.

(5) The Board shall deny approval of, suspend, or revoke the registration of any course provider sponsor for any of the following acts or omissions:

(a) through (b) No change.

(c) Failing to timely notify the Board of a change in the information required for registration of course providers sponsors.

(d) Falsifying of any records regarding the continuing education courses conducted by the course provider sponsor or the persons who attended the courses.

(e) Failing to maintain any required records regarding the continuing education courses conducted by the course provider sponsor or the persons who attended the courses, including the failure to timely report the names and license numbers of all persons who attended any approved courses in the format and time frame specified by the Department on the Attendance Roster Continuing Education for Contractors form, as set forth in Rule 61G4-12.006(6)(d), F.A.C.

(f) ~~Failing Failure~~ to adequately train the staff responsible for taking attendance at any approved course or for failing to submit the attendance files electronically to the Department in the format and timeframe specified by the Department completing the Attendance Roster Continuing Education for Contractors form, as set forth in Rule 61G4-12.006(6)(d), F.A.C.

(g) Failing to provide the Board with copies of any document or other information required to be maintained by the course provider sponsor pursuant to this rule.

(h) No change.

(i) ~~Failing Failure~~ to include provider sponsor and course numbers in advertisements can result in suspension or revocation of provider sponsorship.

(j) Failing to disclose in the registration of any course provider sponsor any person or entity required to be disclosed.

(k) Disclosing in the registration of any course provider sponsor any person or entity required to be disclosed whose course provider sponsor registration has been previously suspended or revoked.

(l) No change.

(m) Failing Failure to attend at least one continuing education seminar during each provider sponsor renewal cycle as required by Rule 61G4-18.014(2), F.A.C.

(o) Failing to resolve course attendance reporting problems.

(p) Failing to comply with all duties imposed on providers in §455.2178, F.S.

(6) A course provider who has had a certificate of registration revoked may not reapply for two (2) years from the date of revocation.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 489.115 FS. History--New 12-2-93, Amended 1-18-95, 6-5-95, 8-10-95, 11-25-97, 4-15-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Approval of Continuing Education Courses RULE NO.: 61G4-18.004

PURPOSE AND EFFECT: The intended rule amendments clarify the process of approval of continuing education courses by changing course sponsors to providers, fixing the term of course approval to the status of the provider, and providing that renewal of course approval must be initiated at least ninety days prior to the course approval expiration date.

SUMMARY: The proposed rule amendments make changes to requirements for approval of continuing education courses, update terms pursuant to current statutory usage, and require that applications for renewals of these courses be made in a timely manner.

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: 455.2123, 489.108, 489.115 FS.

LAW IMPLEMENTED: 489.115 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., February 19, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.004 Approval of Continuing Education Courses.

(1) Each registered course provider sponsor shall submit an application for approval of a continuing education course. The application shall be submitted on the provider sponsor/course approval application referred to in Rule 61G4-12.006, F.A.C.

(2) The Board shall approve any course, seminar or conference in the construction area provided by any university, community college, vocational-technical center, public or private school, firm, association, organization, person, corporation, or entity which meets the criteria provided in this rule, provided said entity has registered as a provider with the Board.

(3) through (5) No change.

(6) Continuing education course approval is valid for two years from date of issue, provided no substantial change is made in the course and the approval status of the provider has not expired or been suspended or revoked. Substantial changes made in any course will require a new approval of that course. A provider must reapply for course approval ninety (90) days prior to the date of expiration of course approval in order to prevent a lapse in course approval.

(7) The Board shall approve or deny any application for a continuing education course at the first meeting of the Board held no more than 90 days after the date the application was submitted. If the application is denied, the Board shall identify the specific reasons for the denial in writing.

(8) No change.

(9) The Board shall not deny nor withdraw approval for any course on the basis that another course provider sponsor is conducting the same or similar course approved by the Board.

(10) If a course is approved, the Board shall assign the course a number. The course provider sponsor shall use the course number in the course syllabus, in all other course materials used in connection with the course and in all written advertising materials used in connection with the course.

~~(11) Of the required 14 continuing education hours, up to four hours' credit may be earned by attending a meeting of the Board wherein disciplinary cases are considered. At least 7 days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the licensee must check in with the Clerk of the Board prior to the beginning of disciplinary proceedings. A maximum of 4 hours will be allowed during a renewal cycle. Credit hours shall be awarded on an hour for hour basis up to a maximum of 4 hours. Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action.~~

~~(12) All registered contractors and all certified contractors are required to complete at least one hour of a workplace safety class and at least one hour of a workers' compensation class as a part of the 14 hours of required continuing education for license renewal, effective with all renewals as of September 1, 1995.~~

Specific Authority 455.2123, 489.108, 489.115 FS. Law Implemented 489.115 FS. History—New 12-2-93, Amended 7-20-94, 1-18-95, 7-2-95, 11-25-97, 5-30-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Required Records Maintained by Course Providers

RULE NO.: 61G4-18.007

PURPOSE AND EFFECT: Due to new statutory requirements in Chapter 455, Florida Statutes, the Department of Business and Professional Regulation has been directed to monitor all licensees' compliance with applicable continuing education requirements by use of a computer database generated compliance monitoring system. This rule is being amended to implement changes required in these new laws and to conform the Board's Continuing Education rules to the new monitoring requirements.

SUMMARY: The proposed amendments to this rule will bring the Board's rules into compliance with the Department's rule, Rule 61-6.015, FAC., while correcting some terms to modern statutory usage, such as the change of the word "sponsor" to "provider." Also, the amendments delete obsolete requirements to provide information to the Board, as the

Department is now going to perform the monitoring of compliance with continuing education requirements and will generate its own forms for data submission.

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: 455.2123, 455.213(6), 455.2177, 455.2178, 489.108, 489.115(4)(b) FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 489.115(4)(b) 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., February 19, 2001
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.007 Required Records Maintained by Course Providers Sponsors.

Each course provider sponsor must maintain the following records with respect to each course:

(1) through (5) No change.

~~(6) The Attendance Roster Continuing Education for Contractors form, as provided in Rule 61G4-12.006, F.A.C.~~

~~(a) In lieu of using the Roster, a course sponsor shall have the option of obtaining and maintaining the following information in a format that will lend itself to easy retrieval and auditing:~~

- ~~1. The course name~~
- ~~2. The course number~~
- ~~3. The course sponsor~~
- ~~4. The date the course was offered~~
- ~~5. The duration of the course~~
- ~~6. The contractor's name~~
- ~~7. The contractor's license number~~
- ~~8. The contractor's signature.~~

~~(b) The course sponsor shall have the option of obtaining and maintaining the following information:~~

- ~~1. The contractor's address~~
- ~~2. The contractor's telephone number~~
- ~~3. The contractor's fax number~~

~~(6)(7)~~ For interactive distance learning courses, in lieu of the original sign-in sheet required in (4), the course provider sponsor shall maintain and provide a record of the registration, login, course access log, and course completion, ~~which shall contain the information required in (6)(a)1.-7.~~ In lieu of providing a document bearing the contractor's signature, the course provider sponsor shall provide the student's identity verification data, which shall include the student's password and the student's mother's maiden name.

~~(7)(8)~~ Each person who successfully completes an approved course shall be issued a certificate of completion by the course provider sponsor. The certificate of completion shall contain the name and the certification or registration license number of the person who completed the course, the course provider sponsor, the course name, the course number, the date(s) the course was offered, the total number of continuing education hours successfully completed in each subject covered by awarded for the course, and whether the course includes workers' compensation, workplace safety or business practices. ~~The course sponsor shall maintain a list of the names and license numbers of each person who completes each course conducted by the course sponsor for four years from the date of the course.~~

(8) The course provider must electronically provide to the Department the list of attendees at each of its offered courses within five (5) business days of the completion of the course. This list shall include the provider's name and provider number, the name and certification or registration number of the attendee, the date the course was completed, and the course number.

(9) All documents from the provider must be submitted electronically to the Department and must be in a form as agreed to by the Department and the provider. Failure to comply with the time and forms requirements will result in disciplinary action taken against the provider and affect the course approval. The records must be maintained for at least four years following the date the course is conducted.

(10) Each continuing education provider must maintain its attendance records for at least four (4) years after the completion of each course. Upon request, these records must be made available for inspection by the Department or its agent at a reasonable time and location. Each course provider shall provide the Department with copies of any of these required records, upon request by the Department. Each course sponsor shall provide the board with copies of any of these required records, upon request by the board.

(11) The Department shall initiate disciplinary action against a continuing education provider either by request of the Board or on its own motion for failure to comply with its duties under this section.

Specific Authority 455.2123, 455.213(6), 455.2177, 455.2178, 489.108, 489.115(4)(b) FS. Law Implemented 455.2123, 455.213(6), 455.2177, 455.2178, 489.115(4)(b) FS. History—New 12-2-93, Amended 7-2-95, 11-25-97, 4-15-99, 5-30-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2001
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Certifications of Completion
 RULE NO.: 61G4-18.009

PURPOSE AND EFFECT: Due to new statutory requirements in Chapter 455, Florida Statutes, the Department of Business and Professional Regulation has been directed to monitor all licensees' compliance with applicable continuing education requirements by use of a computer database generated compliance monitoring system. This rule is being amended to implement changes required in these new laws and to conform the Board's Continuing Education rules to the new monitoring requirements.

SUMMARY: The proposed amendments to this rule will bring the Board's rule into compliance with the Department's rule, Rule 61-6.015, FAC., while correcting some terms to modern statutory usage, such as the change of the word "sponsor" to "provider." They specifically amend the existing rule to eliminate auditing by the Board to verify compliance with continuing education requirements, as the new law in 455.2177, F.S., authorizes the Department to conduct these audits as part of its compliance monitoring system.

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: 455.213(6), 489.108, 489.115 FS.

LAW IMPLEMENTED: 489.115, 489.129(1)(a),(8) 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., February 19, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.009 ~~Audit of~~ Certifications of Completion.

~~(1) The Department shall perform random audits of at least 250 up to a maximum of 10% of the licensees and instructors to verify compliance with continuing education or post-license education requirements.~~

~~(1)(2)(a)~~ No change.

(b) Proof of completion may be substantiated by an affidavit of the course provider, sponsor or a certificate of completion issued by the course provider, sponsor or a certified copy of a school transcript. If none neither is available, an affidavit of two other persons who attended the course, accompanied by certificates of completion for each, will be accepted.

~~(2)(3)~~ No change.

~~(4) Licensees audited for compliance with continuing education requirements and found to be deficient shall be required to complete the deficient hours and an additional 14 hours of continuing education including one hour each of workplace safety and workers' compensation. These 14 hours are in addition to the continuing education requirements and cannot be used to satisfy continuing education requirements for the current licensure cycle.~~

Specific Authority 455.213(6), 489.108, 489.115 FS. Law Implemented 489.115, 489.129(1)(a),(8) ~~489.129(1)(e),(8)~~ FS. History--New 12-2-93, Amended 1-18-95, 4-15-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Exam Development

RULE NO.: 61G4-18.013

PURPOSE AND EFFECT: Due to new statutory requirements in Chapter 455, Florida Statutes, the Department of Business and Professional Regulation has been directed to monitor all licensees' compliance with applicable continuing education requirements by use of a computer database generated compliance monitoring system. This rule is being amended to implement changes required in these new laws and to conform the Board's Continuing Education rules to the new monitoring requirements.

SUMMARY: The proposed amendments to this rule will bring the Board's rules into compliance with the Department's rule, Rule 61-6.015, FAC., by requiring electronic submission of documentation of continuing education participation within a time certain.

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: 455.2178, 489.108, 489.115(4) FS.

LAW IMPLEMENTED: 455.2178, 489.115(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., February 19, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.013 Exam Development.

(1) Notwithstanding any of the foregoing provisions, the Board shall grant continuing education credits to any licensee who participates in exam development with the approval of the Board upon electronic submission of documentation of such participation within five (5) business days of the date of participation by either the Department or a testing provider under contract with the Department.

(2) through (3) No change.

Specific Authority 455.2178, 489.108, 489.115(4) FS. Law Implemented 455.2178, 489.115(4) FS. History--New 11-12-95, Amended 2-6-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Approval of Continuing Education Courses
RULE NO.: 61G6-9.006

PURPOSE AND EFFECT: The purpose of this amendment will be to remove conflicts with Department rule recently promulgated.

SUMMARY: The rule amendment is for the purpose of updating the Continuing Education Courses.

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: 489.507(3), 489.517(3) FS.

LAW IMPLEMENTED: 489.517(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.006 Approval of Continuing Education Courses.

(1)(a) Any registered course provider sponsor may submit an application for approval of a continuing education course by filing with the Department.

(b) Those courses offered by a university or college which is regionally accredited by an accrediting agency recognized by the United States Department of Education (USDOE); and which university or college offers courses in the contracting areas specified in Part II, Chapter 489, F.S., and pursuant to rule chapter 61G6-9, F.A.C., shall be approved upon receipt of a completed course application and the Board shall not charge a fee for such approval ~~are courses deemed approved under this rule section.~~

(2) Upon receipt of a course application and the appropriate fee, the ~~The~~ board shall approve any ~~course~~, seminar or conference in the electrical or alarm system contracting area provided by any university, community college, vocational-technical center, public or private school, firm, association, organization, person, corporation, or entity which meets the criteria provided in this rule.

(3) through (6) No change.

(7) Continuing education course approval is valid until May 31st of odd numbered years ~~for four years from date of issue~~, provided no substantial change is made in the course. ~~Section 489.517(3)-~~

(8) through (9) No change.

(10) The board shall not deny nor withdraw approval for any course on the basis that another course provider sponsor is conducting the same or similar course approved by the board.

(11) No change.

(12) The Board shall grant a maximum of seven (7) continuing education credits to any licensee who participates in examination development with the approval of the Board upon submission of documentation of such participation by the Department or a testing provider under contract with the Department. The licensee shall use such credits for the current renewal cycle and provide documentation of participation at least ninety days prior to the end of the renewal cycle.

(13) Providers Sponsors shall use the following prefixes to designate the number of approved hours in each of the four statutorily mandated categories: "T" for technical subjects, "C" for workers' compensation, "S" for workplace safety, and "B" for business practices.

(14) The Board shall grant a maximum of four (4) continuing education credits to any licensee who participates as a member of any technical advisory committee to the Florida Building Code Commission within the Department of Community Affairs. The licensee shall use such credits for the current renewal cycle and provide documentation of participation at least ninety days prior to the end of the renewal cycle.

Specific Authority 489.507(3), 489.517(3) FS. Law Implemented 489.517(3) FS. History—New 11-30-94, Amended 6-13-96, 12-25-96, 10-6-97, 3-24-99, 5-6-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Conflicts of Interest
RULE NO.: 61G17-2.0013

PURPOSE AND EFFECT: Due to comments from the staff at the Joint Administrative Procedures Committee, this rule is being repealed because it exceeds rulemaking authority.

SUMMARY: The Board has determined to repeal this rule due to lack of specific authority.

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: 455.227 FS.

LAW IMPLEMENTED: 455.227 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-2.0013 Conflicts of Interest.

Specific Authority 455.227 FS. Law Implemented 455.227 FS. History--New 6-1-95, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Experience

RULE NO.: 61G17-3.001

PURPOSE AND EFFECT: The intention of the Board's proposed amendment to this rule is to improve clarity of the rule text.

SUMMARY: Language is being added to this rule to facilitate the correct interpretation of the term 'year' as set forth in the Statutes.

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: 472.008 FS.

LAW IMPLEMENTED: 472.013 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-3.001 Experience.

(1) To verify an applicant's experience the Board will accept evidence as to employment from employers or supervisors who are registered surveyors and mappers, and if such evidence is unavailable, the Board will consider written documentation from a registered surveyor and mapper who has personal knowledge of the applicant's experience. Such evidence shall set forth the quality and character of the applicant's duties and responsibilities.

(2) The term "year" as appears in Section 472.013, F.S., when referring to an applicants' experience record, is defined as a minimum of 1500 hours as a subordinate to a registered surveyor and mapper in the active practice of surveying and mapping. Hours earned in excess of 1500 hours during a 12 month period shall not carry over to a subsequent 12 month period.

Specific Authority 472.008 FS. Law Implemented 472.013 FS. History--New 1-3-80, Amended 6-9-80, 1-11-84, Formerly 21HH-3.01, Amended 1-16-92, Formerly 21HH-3.001, Amended 5-30-95, 10-1-97, 5-17-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2001

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Definitions

RULE NO.: 61G17-6.002

PURPOSE AND EFFECT: The proposed amendment of this rule is contrived to delete inconsistencies and unnecessary language.

SUMMARY: Specific text is being stricken from this rule because the subject matter is addressed elsewhere in the Rules.

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

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

SPECIFIC AUTHORITY: 472.008, 472.027 FS.

LAW IMPLEMENTED: 472.027 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-6.002 Definitions.

As used in this chapter, the following terms have the following meanings:

(1) through (7) No change.

(8) Survey: the orderly process of determining facts of size, shape, identity, geodetic location, or legal location by viewing and applying direct measurement of features on or near the earth's surface using field or image methods; further defined as follows according to the type of data obtained, the methods and instruments used, and the purpose(s) to be served:

(a) through (i) No change.

~~(j) Right of Way Survey: a survey of a strip or area of land used or proposed to be used for the construction and maintenance, according to the designated use, of: public or private way for travel; railroads, drainage or irrigation canals; and any other public or private utility purposes.~~

(k) through (l) renumbered (j) through (k) No change.

(9) through (10) No change.

Specific Authority 472.008, 472.027 FS. Law Implemented 472.027 FS. History—New 9-1-81, Formerly 21HH-6.02, Amended 12-18-88, Formerly 21HH-6.002, Amended 12-25-95, 5-25-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2001

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Boundary Survey, Map, and Report RULE NO.: 61G17-6.0031

PURPOSE AND EFFECT: The Board proposes to add language to this rule to define and clarify the rule text.

SUMMARY: New language is appended to this rule to improve clarity and facilitate the correct interpretation of the text.

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: 472.008, 472.027 FS.

LAW IMPLEMENTED: 472.027 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-6.0031 Boundary Survey, Map, and Report.

(1) No change.

(2) BOUNDARY MONUMENTS

(a) through (d) No change.

(e) When a parcel has an irregular roadway as a boundary, such as a dirt road or a common law road, then a monumented meander or survey line shall be established along or near the feature. For other irregular boundaries such as a river, lake, beach, marsh or stream, not identified as in section (b), a dimensioned meander or survey line may be used. If a meander or survey line is used however, monuments shall be set at the meander or survey line's terminus points on real property boundary lines. If a meander or survey line is used, dimensions ~~Dimensions~~ shall be shown between a meander or survey line and the boundary line sufficient to show the relationship between the two.

(f) through (g) No change.

(3) through (5) No change.

Specific Authority 472.008, 472.027 FS. Law Implemented 472.027 FS. History—New 2-20-96, Amended 5-25-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Surveyors and Mappers
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Professional Surveyors
and Mappers
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: January 11, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 9, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Professional Surveyors and Mappers

RULE TITLE: Construction Layout Survey, Record or
As-Built Survey, Quantity Survey
RULE NO.: 61G17-6.005

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify specific rule text, and delete language that is published elsewhere in the Rules.

SUMMARY: Language has been appended to subsection (2)(a) to facilitate the correct interpretation of the rule, and subsection (4) shall be deleted as the subject matter is addressed elsewhere in the Rules.

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

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

SPECIFIC AUTHORITY: 472.008, 472.027 FS.

LAW IMPLEMENTED: 472.027 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-6.005 Construction Layout Survey, Record or As-Built Survey, Quantity Survey, ~~and Right-of-Way Survey.~~

- (1) No change.
- (2) As-Built (or Record) Survey:

(a) When performing as-built or record surveys, the surveyor and mapper shall obtain field measurements of vertical or horizontal dimensions of constructed improvements so that the constructed facility can be delineated in such a way that the location of the construction may be compared with the

construction plans, and when the surveyor and mapper prepares as-built maps they will clearly show by symbols, notations, or delineations, those constructed improvements located by the survey. All maps prepared shall meet applicable minimum technical standards.

- (b) No change.
- (3) No change.

~~(4) Right-of-Way Surveys: The survey map shall indicate the relationship of all section lines, quarter section lines, land grant lines, recorded subdivision lines and recorded subdivision block lines, that lie within or adjacent to the right-of-way that are materially affecting the right-of-way. The relationship between the lines and the rights-of-way shall be supported by field measurements.~~

Specific Authority 472.008, 472.027 FS. Law Implemented 472.027 FS. History—New 9-1-81, Formerly 21HH-6.05, Amended 12-18-88, Formerly 21HH-6.005, Amended 12-25-95, 5-18-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Surveyors and Mappers
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Professional Surveyors
and Mappers
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: January 11, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 9, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Professional Surveyors and Mappers

RULE TITLE: Certificates of Authorization
RULE NO.: 61G17-7.003

PURPOSE AND EFFECT: The Board proposes to update this rule to remove ambiguous language and for clarity of text.

SUMMARY: Subsection (2)(b) shall be deleted as it lacks statutory authority, and language is appended to subsection (2)(c) to elucidate the rule text.

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: 472.021 FS.

LAW IMPLEMENTED: 472.021 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-7.003 Certificates of Authorization.

(1) No change.

(2) Upon application to the Board, certificates of authorization shall be issued only to those business entities which:

(a) No change.

~~(b) identify the licensed surveyor and mapper in residence at the surveying and mapping office from which services are provided pursuant to paragraph (2)(a) of this rule;~~

~~(b)(e)~~ Specify the name or names of its principals who are licensed surveyors and mappers as the term "principal" is defined in Rule 61G17-2.003(1)(b), Florida Administrative Code;

~~(c)(d)~~ Provide proof to show that the applicant is a partnership, corporation, or person practicing under a fictitious name business entity at the time of application and that the person identified pursuant to subsection (2)~~(b)(e)~~ of this rule is a principal of the business entity.

(3) through (5) No change.

Specific Authority 472.021 FS. Law Implemented 472.021 FS. History—New 3-22-84, Formerly 21HH-7.03, Amended 3-12-92, Formerly 21HH-7.003, Amended 5-30-95, 5-21-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2001

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Manner of Application
RULE NO.: 64B3-6.001

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

SUMMARY: Disclosure of social security number is mandatory for child support compliance.

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, 483.805(4) FS.

LAW IMPLEMENTED: 455.564, 483.815, 483.823 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A 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, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-6.001 Manner of Application.

(1) through (4) No change.

(5) ~~Under the Federal Privacy Act~~, Disclosure of a social security number is mandatory ~~voluntary~~. ~~They are requested pursuant to Sections 456.004(9), 455.521(9), 409.2577 and 409.2598, Florida Statutes, and are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations.~~

(6) No change.

Specific Authority 456.013, ~~455.564~~, 483.805(4) FS. Law Implemented 456.013, ~~455.564~~, 483.815, 483.823 FS. History—New 12-29-93, Formerly 61F3-6.001, Amended 5-29-95, 8-1-95, Formerly 59O-6.001, Amended 8-27-97, 9-20-98, 1-5-00,_____.

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

DEPARTMEN T OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES: Licensure Examinations
RULE NOS.: 64B3-7.001

Examination Failure
64B3-7.004

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

SUMMARY: The Board proposes to amend examination requirements and identifies specific national examinations. The Board proposes requirements for reapplication after a third failure to pass the examination.

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

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

SPECIFIC AUTHORITY: 455.574, 483.809(2) FS.

LAW IMPLEMENTED 455.574, 483.809(2) 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 Personnel, 4052 Bald Cypress Way, Bin #C07 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-7.001 Licensure Examinations.

The Board specifies that the licensure examinations, beginning with the Fall of 2000 ~~Fall of 1999~~, shall consist of the following:

(1) For licensure as a director qualifying pursuant to Rule 64B3-5.007, a supervision and administration ~~an administrative and supervision~~ examination covering the subject matter of 64B3-3.003(7) the Clinical Laboratory Director examination administered by the National Certification Agency for Clinical Laboratory Personnel (NCA) and pursuant to Section 456.017(1)(c), 455.574(1)(e), F.S., one of the following:

(a) No change.

(b) In the specialty of serology/immunology, the examination in clinical immunology prepared by the American Board of Medical Laboratory Immunology.

(c) through (g) No change.

(2) through (4) No change.

(5) For licensure as a Supervisor qualifying pursuant to 64B3-5.002:

(a) When the applicant is licensed in a specialty as a technologist by examination, administration and supervision examinations covering the subject matter in Rule 64B3-3.003(7). The applicant will be licensed as a supervisor in the specialty(ies) on their technologist licenses upon passing the administration and supervision examination. The Supervision and Administration examination shall be administered in house by the Department and/or the following Board approved national examinations:

1. The Diplomat in Laboratory Management examination on general supervision administered by the American Society of Clinical Pathologists.

2. The Specialist in Blood Banking administered by the American Society of Clinical Pathologists for Blood Banking and Immunohematology.

3. The Specialist in Cytotechnology administered by the American Society of Clinical Pathologists for licensure by endorsement as a supervisor in Cytology.

4. The Specialist in Chemistry administered by the American Society of Clinical Pathologists for licensure by endorsement for supervisors in Clinical Chemistry.

5. The Specialist in Hematology administered by the American Society of Clinical Pathologists for licensure by endorsement for supervisors in Hematology.

6. The Clinical Laboratory Supervisor administered by the National Certification Agency for Clinical Laboratory Personnel (NCA).

(b) When the applicant is not licensed as a technologist, an administration and supervision examination covering the subject matter in Rule 64B3-3.003(7) and an examination in one or more of the specialties specified in Rule 64B3-7.001(6). The applicant shall be licensed as a supervisor in the appropriate specialty upon passing the examination in administration and supervision and one or more of the specialties. The Supervision and Administration examination shall be administered in house by the Department and/or the following Board approved national examinations:

1. The Diplomat in Laboratory Management examination on general supervision administered by the American Society of Clinical Pathologists.

2. The Specialist in Blood Banking administered by the American Society of Clinical Pathologists for Blood Banking and Immunohematology.

3. The Specialist in Cytology administered by the American Society of Clinical Pathologists for Cytology supervisors.

4. The Specialist in Chemistry administered by the American Society of Clinical Pathologists for licensure by endorsement for supervisors in Clinical Chemistry.

5. The Specialist in Hematology administered by the American Society of Clinical Pathologists for licensure by endorsement for supervisors in Hematology.

6. The Clinical Laboratory Supervisor administered by the National Certification Agency for Clinical Laboratory Personnel (NCA).

(c) A licensed supervisor may add a specialty by passing one of the specialty examinations specified in Subsection (6) below.

(6) For licensure as a Technologist:

(a) A state ~~A~~ examination in one or more of the following specialties: microbiology, serology/immunology, clinical chemistry, hematology, immunohematology, blood banking/immunohematology, ~~and~~ histology, or examinations prepared by the American Society of Clinical Pathologists, the

American Medical Technologists (AMT), or the National Certification Agency for Clinical Laboratory Personnel (NCA);

(b) through (g) No change.

~~(h) A candidate may choose to take one of the generalist medical technologist examinations administered by the American Society of Clinical Pathologists (ASCP), the National Certification Agency for Medical Laboratory Personnel (NCA), or American Medical Technologists (AMT). Upon passage the applicant shall be licensed as a technologist in microbiology, serology/immunology, clinical chemistry, hematology and immunohematology.~~

(7) No change.

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

~~(d) There shall be no examination for cytology technicians. The applicant shall be licensed as a Technician in cytology based upon education and training only.~~

~~(d)(e) There is no not technician level radioassay, blood banking, blood gas analysis, cytology, histocompatibility or cytogenetics examination.~~

Specific Authority 456.017, 455.574, 483.809(2) FS. Law Implemented 456.017, 455.574, 483.809(2) FS. History--New 5-12-93, Formerly 21KK-7.001, 61F3-7.001, Amended 12-5-95, Formerly 590-7.001, Amended 3-19-98, 6-23-98, 7-1-99, _____.

64B3-7.004 Examination Failure.

A candidate for licensure who, upon sitting for the licensure examinations, fails to pass one of the examinations shall be only required to retake and pass the examination or examinations failed upon meeting the following requirements:

(1) through (3) No change.

(4) If a candidate fails to pass the examination after the candidate's third attempt to do so, the applicant shall not reapply to take the examination until the applicant has satisfactorily completed laboratory theory and clinical retraining or 25 additional hours of continuing education.

Specific Authority 456.017, 455.574, 483.809(2) FS. Law Implemented 456.017, 455.574, 483.809(2) FS. History--New 12-5-95, Formerly 590-7.004, Amended 3-19-98, _____.

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: September 13, 2000

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Citations

RULE NO.: 64B3-12.002

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

SUMMARY: The proposed change adds a violation to acts or omissions that constitute violations.

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 cost, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.617(1),(2), 483.805(4) FS.

LAW IMPLEMENTED: 455.617(1),(2), 483.827 FS.

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

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, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-12.002 Citations.

(1) through (3) No change.

(4) The Board designates the following as citation violations, which shall result in a penalty of \$100:

(a) Failure to renew license during which time the person continues to practice up to 60 days.

(b) Issuing a bad check to the Department of payment of licensure or renewal.

(c) Failure to notify the Department of a change of address within sixty days.

(d) Failure to respond to a continuing education audit.

(5) through (6) No change.

Specific Authority 456.077(1),(2), 455.617(1),(2), 483.805(4), 483.827 FS. Law Implemented 456.077(1),(2), 455.617(1),(2), 483.827 FS. History--New 8-3-93, Formerly 61F3-12.002, 590-12.002, Amended _____.

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Responsibilities of Technologists

RULE NO.: 64B3-13.003

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

SUMMARY: Conflicts with national standards and requirements.

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 cost, 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) FS.

LAW IMPLEMENTED 483.800, 483.813, 483.813, 483.823, 483.825 FS.

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

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, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-13.003 Responsibilities of Technologists.

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

(j) In the specialty of Cytology, in addition to the above responsibilities, the technologist shall:

1. Document slide interpretation results of each gynecologic and nongynecologic cytology case he or she examined or reviewed as specified in Rule Chapter 59A-7, F.A.C., and the clinical laboratory's policies and procedure.

2. Documents for each 24 hours period the total number of slides examined or reviewed.

3. Document the number of hours spent examining slides in each 24 hour period.

4. ~~When affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "CT" to designate Cytotechnologist immediately following their name or signature if holding a current Florida license in the specialty of Cytology. The holder of temporary licensure must use the designation "GCT" to designate Graduate Cytotechnologist until such time as licensure is granted by the Board.~~

~~(k) In the specialties of Microbiology, Serology/Immunology, Clinical Chemistry, Hematology, Blood Banking, and Immunohematology shall, when affixing their name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "MT" to designate Medical Technologist immediately following their name or signature if holding a current Florida license in any one or more of these specialties.~~

~~The holder of temporary licensure must use the designation "GMT" to designate Graduate Medical Technologist until such time as licensure is granted by the Board.~~

~~(l) In the specialty of Histology, when affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "HT" to designate Histotechnologist immediately following the name or signature if holding a current Florida license in the specialty of Histology. The holder of temporary licensure must use the designation "GHT" to designate Graduate Histotechnologist until such time as licensure is granted by the Board.~~

~~(m) In the specialties of Blood Gas and Radioassay shall when affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "ST" to designate Specialist Technologist immediately following the name or signature if holding a current Florida license in these specialties. The holder of temporary licensure must use the designation "GST" to designate Graduate Specialist Technologist until such time as licensure is granted by the Board.~~

~~(n) In the specialty of Cytogenetics shall, when affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "CGT" to designate Cytogenetics Technologist immediately following the name or signature if holding a current Florida license in this specialty. The holder of temporary licensure must use the designation "GCGT" to designate Graduate Cytogenetics Technologist until such time as licensure is granted by the Board.~~

~~(o) In the specialty of Histocompatibility, shall, when affixing their name or signature to any laboratory record or patient report, indicate their professional status by adding the designation "CHT" to designate Histocompatibility Technologist immediately following their name or signature if holding a current Florida license in this specialty. The holder of temporary licensure must use the designation "GCHT" to designate Graduate Histocompatibility Technologist until such time as licensure is granted by the Board.~~

Specific Authority 483.805(4), 483.823 FS. Law Implemented 438.800, 483.813, 483.823, 483.825 FS. History-New 12-6-94, Amended 3-28-95, 7-12-95, 12-4-95, Formerly 590-13.003, Amended _____

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

RULE TITLE: RULE NO.:

Alternate Service Procurement Method (ASPM) 65-28.001

PURPOSE AND EFFECT: The purpose of this rule is to implement the provisions of Section 402.73(3), Florida Statutes (F.S.), to provide procedures for a methodology for the competitive procurement of contracted client services, which represents an alternative to the request-for-proposal or the invitation-to-bid process.

SUMMARY: The alternate service procurement method (ASPM) involves a two-phase process which may be used when continuous open exchange regarding the service requirement and the approach used to meet that requirement is essential or in the best interest of the department. In the first phase offerors may submit Statements of Qualification (SOQs) for assessment by the department. In the second phase, the department will evaluate detailed service proposals from qualified offerors (selected in Phase I) and will conduct negotiations with one or more offerors to determine which service proposal or combination of service proposals best meets the needs of the department.

At the conclusion of negotiations, the department shall request that each qualified offeror submit a Best And Final Offer (BAFO) which takes into consideration all of the information contained in the original Service Proposal Request (SPR) as well as that provided through the negotiations. In those cases where negotiations generated a need for further clarification or restatement of the department's requirement, such clarification shall be clearly stated in the request for BAFO. The department shall review the BAFOs submitted in accordance with the evaluation criteria contained in the SPR. Award, if any, shall be made to the Offeror(s) whose BAFOs present the greatest value to the state.

SPECIFIC AUTHORITY: 402.73(3) FS.

LAW IMPLEMENTED: 402.73(3) FS.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not prepared for this rule.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joy Neves, Policies and Procedures Team Leader, (850)413-7464 or Suncom 293-7464

THE FULL TEXT OF THE PROPOSED RULE IS:

65-28.001 Alternate Service Procurement Method (ASPM).

(1) Definitions. For the purposes of this rule, the following definitions shall apply:

(a) "Advertisement" means an announcement designed to give notice of a procurement opportunity.

(b) "Alternate Service Procurement Method" or "ASPM" means a method of procurement that allows the department to solicit SOQs from offerors and to assess such statements before requesting service proposals.

(c) "Best And Final Offer" or "BAFO" means the last substantial concession made by a qualified offeror which conveys the message that there is no further room for movement – that the present offer is the final one and the provisions contained therein are the most advantageous provisions that will be offered to the department.

(d) "Call" means a formal published document requesting information about a person's or firm's qualifications including resumes, personnel information, organizational structures or histories, individual or organizational descriptions and financial information from prospective providers of contractual services.

(e) "Department" means the Department of Children and Families.

(f) "Project" means the entire body of contractual services and associated or implied requirements described in any solicitation issued pursuant to this rule.

(g) "Qualified offeror" means a person or firm that is deemed to have described the capability to fully perform the project requirements and has provided evidence that it possesses the integrity and reliability to successfully complete the project.

(h) "Offeror" means any person or firm that timely responds to all applicable provisions of any procurement of contractual services conducted pursuant to this rule.

(i) "Service Proposal Request" or "SPR" means a document requesting information from persons or firms regarding their detailed plans for delivering the services necessary under the project.

(2) The ASPM consists of a two-phase process. In the first phase prospective offerors will be required to submit SOQs to the department as required by the Call issued by the department. In the second phase the department will receive and evaluate detailed service proposals from qualified offerors that have been identified as a result of the Phase I submissions. Following the evaluation of the detailed service proposals, the department will conduct negotiations with one or more qualified offerors to determine which service proposal or combination of service proposals best meets the needs of the state. At any time during the conduct of the ASPM the department may reject any or all SOQs or service proposals, and may modify its statement of services sought, tasks to be performed, or project description to meet the needs of the department. The department may negotiate with more than one prospective offeror at a time, but is under no obligation to do so.

(a) Phase I, Qualification Phase. The department shall prepare a Call for SOQs containing the general description, purpose, and scope of the project(s) and will advertise the department's desire to receive SOQs from prospective offerors. Any potential offerors may submit an SOQ for assessment by the department. The department shall assess the SOQs in accordance with the criteria stated in the Call and applicable laws or administrative rules, and will determine which of the prospective offerors will be invited to submit service proposals.

(b) Phase II, Solicitation and Evaluation Phase. The department will invite the offerors deemed to be the most highly qualified as a result of Phase I to submit detailed service proposals. The invitation will be made through the issuance of a Service Proposal Request (SPR) which describes the required contents of the detailed service proposal, a description of the evaluation and selection process, and the basis for contract award, if any. The department will evaluate all detailed service proposals in accordance with the criteria set forth in the SPR.

(3) Qualification Phase and Procedure.

(a) To start Phase I, the department shall advertise the project(s). The advertisement shall appear in the Florida Administrative Weekly publication or on the Florida Communities Network. The department may advertise the project in newspapers of general circulation, professional journals, or in other publications or in electronic format. The advertisement shall run for a period of no less than 10 days and shall include the project's general description and the name and location from which further information of the solicitation may be obtained:

(b) The Call shall contain the assessment criteria that will be used to determine qualified potential offerors. The assessment criteria will include:

1. The professional qualifications of offerors or offerors' staff, including appropriate licensure and certification.
2. The offeror's professional experience.
3. Business information demonstrating that the offeror is capable of providing the required service or services.

(c) The department shall assess the SOQs submitted in accordance with the criteria set forth in the Call, and shall give notice of the results of its decision by posting at the location at which the SOQs were opened. The department shall prepare a list of the most highly qualified offerors that are selected to participate in Phase II.

(d) The SOQs submitted will remain valid for a period of one hundred and eighty (180) days and the department may issue one or more SPRs against a single Call for SOQs.

(4) Solicitation and Evaluation Phase.

(a) The department will invite those offerors selected to participate in Phase II of a procurement to provide detailed service proposals. The department may limit the firms invited to submit detailed service proposals to only those firms that have demonstrated the highest level of professional capability

to provide the services under consideration. The department may invite no fewer than three firms to submit detailed service proposals, unless fewer than three firms submit satisfactory SOQs. If two firms submit satisfactory SOQs, the department shall review the facts and circumstances in order to determine the reason, if any, that fewer than three satisfactory SOQs were submitted. The department shall document the reason that requesting detailed service proposals from fewer than three firms is in the best interest of the state, and proceed with the issuance of the SPR.

(b) If only one satisfactory SOQ is received, the department shall review the facts and circumstances in order to determine the reason, if any, that only one SOQ was submitted. If the department determines that re-solicitation would *not* be in the best interest of the state, the department shall explain in writing the basis for its determination and the documentation shall be maintained in the department's contract files. Thereafter, the department may proceed directly to negotiations with the offeror who submitted the satisfactory SOQ to determine the best contract terms and conditions.

(c) The invitation for the submission of service proposals will be made through the issuance of a Service Proposal Request (SPR). The SPR shall contain the following:

1. The service requirements;
2. The terms and conditions that will apply to the resultant contract;
3. The instructions for submission of service proposals, including formats and a listing of required contents;
4. A description of the evaluation process;
5. The evaluation criteria, along with their relative importance;
6. The schedule of significant events and deadlines;
7. The methods and timing of allowable communications between the department and entities remaining in the competition; and
8. The date, time, and location for service proposal submission.

(c) The department shall perform an evaluation of each service proposal in accordance with evaluation methodology described in the SPR. At the conclusion of the evaluation, the department may negotiate with one or more offerors sequentially or simultaneously. Negotiations shall be considered open meetings in accordance with s. 286.011, F.S. An award may be made without negotiation based upon the evaluation of the service proposals.

(d) A written record of any negotiations which may be held shall be maintained and shall include the following:

1. A description of the major issues addressed;
2. A summary of the negotiations;
3. Copies of any documentation provided;

(e) In accordance with Chapter 287.057(4), if fewer than two responsive service proposals are received, the department may negotiate on the best terms and conditions that are in the best interest of the state. The department shall document the reasons that such action is in the best interest of the state in lieu of re-solicitation.

(4) The department may terminate negotiations at any time with any or all qualified offerors. When the department determines in writing that it is in the best interest of the state, it shall request that each qualified offeror submit a BAFO which takes into consideration all of the information contained in the original SPR as well as that provided through the negotiations. In those cases where negotiations generated a need for further clarification or restatement of the department's requirement, such clarification shall be clearly stated in the request for the BAFO. The department shall review the BAFOs submitted in accordance with the evaluation criteria contained in the SPR. The award, if any, shall be made to the qualified offeror whose BAFO represents the best value to the state.

(5) When it is in the best interest of the state, the department may award multiple contracts. The contract(s) resulting from this procurement process may cover all or part of the requirement described in the SPR. The department may split the service procurement requirements into smaller components and may award different components to different qualified offerors.

Specific Authority 402.73(3) FS. Law Implemented 402.73(3) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joy Neves
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Chatel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: October 15, 1999

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-507.201
RULE TITLE: Substance Abuse Program Services – Determination of Need

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 50, December 15, 2000, issue of the Florida Administrative Weekly:

33-507.201 Substance Abuse Program Services – Determination of Need.

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

(b) Inmates refusing placement in traditional substance abuse programs due to their objection of the inclusion of deity based program participation requirements, shall not be subject to disciplinary action for that initial refusal; however, inmates who, after refusing the traditional substance abuse program on the basis of the deity programming, also refuse an alternative substance abuse program which is non-deity, cognitive and behavioral modification based shall be subject to disciplinary action.

(6) through (9) No change.

Specific Authority 397.754, 944.09 FS. Law Implemented 397.754, 944.09 FS. History--New 1-18-95, Formerly 33-37.003, Amended 7-1-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-9.004
RULE TITLE: Certificate holders and Registrants
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 29, July 21, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-7.001
RULE TITLE: Seals, Signatures and Certificates of Authorization
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 3, January 19, 2001, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE CHAPTER NO.: 64B12-11
RULE CHAPTER TITLE: Fee Schedule
RULE NO.: 64B12-11.0045
RULE TITLE: Examination Review Fee
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 36, September 8, 2000, Florida Administrative Weekly, has been withdrawn in response to comments received from the Joint Administrative Procedures Committee.