

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2000

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.: RULE TITLE:
4-137.002 Annual Audited Financial Reports
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, of the Florida Administrative Weekly. This change is being made to correct a clerical error, as requested by the Joint Administrative Procedures Committee.

Paragraph (c) of subsection (8) is changed to read: (c) No change.

The remainder of the rule reads as previously published.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-12.001 Grounds for Disciplinary Proceedings
NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 38, September 22, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. Subsection (4) of this rule shall now read as follows:

(4) An architect, firm, or business holding a certificate of authorization may not be negligent in the practice of architecture. The term negligence is defined as the failure, by an architect, to exercise due care to conform to acceptable standards of architectural practice in such a manner as to be detrimental to a client or to the public at large.

(a) Plans, drawings, specifications and other related documents prepared by an architect shall be of a sufficiently high standard to inform the users thereof of the requirements intended to be illustrated or described by them. Such documents shall clearly and accurately indicate the design of all essential parts of the work to which they refer. An architect shall meet a standard of practice which demonstrates his knowledge and ability to assure the safety and welfare of his clients and the public.

(b) An architect shall be required to coordinate his activities with other professionals involved in those projects wherein the architect is engaged to provide plans, drawings and specifications which result in the production of working documents which are used or intended to be used for the construction of a structure.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-12.006 List of Approved Forms; Incorporation
NOTICE OF CHANGE

Notice is hereby given that changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 34, of the August 25, 2000, issue of the Florida Administrative Weekly. The changes are based upon written comments submitted by the staff of the Joint Administrative Procedures Committee with regard to the proposed forms incorporated by reference in the rule. Copies of the revised forms are available by contacting the Construction Industry Licensing Board at the address shown below. When changed, the rule shall read as follows:

61G4-12.006 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are hereby adopted and incorporated by reference, and can be obtained from the Board at the following address:

Florida Construction Industry Licensing Board
7960 Arlington Expressway
Suite 300
Jacksonville, Florida 32211-7467

(1) Registrations:

(a) Application for Contractor Registration, DBPR/CILB/031-(Rev. 01/01),

(b) Registration Change of Status, DBPR/CILB/017-(Rev. 01/01),

(2) Certifications: Certification Change of Status DBPR/CILB/025-(Rev. 01/01),

(3) Examinations:

(a) Applicant Information Booklet – Construction Examinations DBPR/CILB/007-(Rev. 01/01),

(b) Application for Certification Examination, DBPR/CILB/001-(Rev. 01/01),

(c) Application for Retake Certification Examination, DBPR/CILB/002-(Rev. 7/00),

(4) Continuing Education:

- (a) Sponsor/Course Approval Application, DBPR/CILB/057/2/98,
- (b) CILB Continuing Education for Contractors Attendance Roster, DBPR/CILB/055-(Rev. 1-95),
- (c) Instructors' Qualifications Form, DBPR/CILB/058/1-94,
- (d) CILB Disciplinary Hearings Attendance Sheet, DBPR/CILB/056/1-94,
- (5) Licensing:
 - (a) Application for Qualified Business Organization (QB) License Number, DBPR/CILB/029/-(Rev. 01/01),
 - (b) Qualified Business Organization (QB) Change of Status Application, DBPR/CILB/030/-(Rev. 01/01),
 - (c) Financially Responsible Officer (FRO) Application, DBPR/CILB/021/-(Rev. 01/01),
 - (d) Application to Qualify An Additional Business Organization, DBPR/CILB/020/-(Rev. 01/01),
 - (e) Limited Non-Renewable Registration Requirements and Application, DBPR/CILB/033-(Rev. 01/01).
- (6) Construction Industries Recovery Fund: Construction Industries Recovery Fund Claim Form, DBPR/CILB/022-(Rev. 01/01).
- (7) Application for Certification of Registered Contractors, DBPR/CILB/032/-(Rev. 01/01).

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-19.001	Definitions
65C-19.002	Claiming Allowable Expenditures

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. 40, October 6, 2000, issue of the Florida Administrative Weekly:

65C-19.001 Definitions.

For purposes of this rule chapter, the following definitions shall apply.

(1) "Allowable expenditures" means those expenditures which meet the requirements of Title IV-E of the Social Security Act and OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments (Federal Register, Vol. 60, No. 95, at page 26484 (May 17, 1995) and amended (August 29, 1997)), or OMB Circular A-122, Cost Principles for Non-Profit Organizations (Federal Register 60 FR 52516), or 45 CFR 74.81 Prohibition against profit (Federal Register

59 at page 43760, Aug. 25, 1994, as amended at 61 FR 11747, Mar. 22, 1996) and Administration for Children and Families ACYF-CB-PA-97-01 Policy Announcement, incorporated by reference. Copies of the documents incorporated by reference can be obtained from the Department of Children and Families, Family Safety Program Office, 1317 Winewood Boulevard, Tallahassee, FL, 32399-0700.

65C-19.002 Claiming Allowable Expenditures.

In order for a local agency to claim Title IV-E reimbursement for an allowable expenditure related to the maintenance and administrative costs for the care of eligible Title IV-E children, the agency must:

- (1) Enter into an interagency agreement with the Department of Children and Families by executing the Interagency Agreement with the Florida Department of Children and Families, CF-FSP 5251, Sep, 2000, which is incorporated by reference. This agreement must be executed prior to submission of any Title IV-E claims. Copies of the documents incorporated by reference can be obtained from the Department of Children and Families, Family Safety Program Office, 1317 Winewood Boulevard, Tallahassee, FL, 32399-0700.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Cobia

RULE NO.:	RULE TITLE:
68B-19.004	Designation as Restricted Species; Bag and Possession Limits

NOTICE OF CHANGES TO PROPOSED RULES

The Fish and Wildlife Conservation Commission announces changes to proposed amendments and new rule for Rule Chapter 68B-19, F.A.C., as published in the December 22, 2000 issue of the Florida Administrative Weekly. The changes are in response to public comment, testimony, and Commission discussion contained in the record of the public hearing held by the Commission on January 25, 2001, in Miami, Florida. The proposed amendments to Rule 68B-19.001 and Rule 68B-19.002 were not changed. The proposed amendments to Rule 68B-19.004 were changed to read as follows:

68B-19.004 Designation as Restricted Species; Bag and Possession Limits ~~Limit~~.

(1) Cobia are hereby designated as a restricted species pursuant to s. 370.01(21), Florida Statutes.

(2) Bag Limits:

(a) Recreational Daily Bag Limit – Except as provided in paragraph (b), no person shall harvest more than 1 ½ cobia per day from waters of the state. No such person shall possess

more than 1 2 cobia while fishing in, on, or above the waters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters.

(b) Commercial Daily Bag Limit – No person who fishes pursuant to a valid saltwater products license with a restricted species endorsement shall harvest more than 2 cobia per day from waters of the state. No such person shall possess more than 2 cobia while fishing in, on, or above the waters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters.

(c) Vessel Possession Limit – Whether fishing pursuant to paragraph (a) or (b), the possession of more than the applicable daily bag limit of cobia multiplied by the number of persons fishing aboard any vessel, or 6 cobia, whichever is less, is prohibited. On any single trip aboard a vessel, harvest of cobia shall either be recreational pursuant to paragraph (a) or commercial pursuant to paragraph (b), and the possession of recreational and commercial bag limits simultaneously aboard a vessel is prohibited.

(3) The possession limits of this rule ~~limit~~ shall not apply to any licensed seafood dealer or customer thereof possessing a receipt evidencing purchase of cobia.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 1-1-90, Formerly 46-19.004, Amended.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received a Petition for Waiver on January 24, 2001, from Charlotte County. The petitioner seeks a waiver of a portion of Rule 9K-4.0031(9), Fla. Admin. Code, and Letter of Intent for FCT Project #00-027-P10, the Dotzler Project.

A copy of the Petition, which has been assigned the number DCA01-WAI-003, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on January 25, 2001, the Florida Public Service Commission received a Petition from Verizon Florida Inc. and Verizon Select Services, Inc. (Docket No. 010030-TL), seeking waiver of Rule 25-4.118, Florida Administrative Code. The rule requires that the provider of a telephone customer’s local, local toll or toll service shall not be changed without the customer’s authorization. The rule also provides that another local provider or interexchange carrier shall submit a change request only if one of the following has occurred: (a) The provider has a letter of agency from the customer requesting the change; (b) The provider has received a customer-initiated call requesting service; or (c) A third-party firm has verified the customer’s requested change.

A copy of the Petition can be obtained from: Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, or by calling (850)413-6770.

Comments on the Petition should be filed with the Division of Records and Reporting within 14 days of publication of this notice.

For additional information, contact: Tim Vaccaro, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6181.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS GIVEN that the Agency for Health Care Administration received a request for a waiver from Tender Care Centers, Inc., a pediatric extended care facility. The request was filed January 23, 2001. Tender Care Centers seeks a waiver of Rule 59A-13.010(5) to allow resident care to be provided by “Licensed Practical Nurses” in lieu of “Registered Nurses”.

A copy may be received from and comments submitted to: R. S. Power, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Fort Knox Building III, Suite 3431, Mail Stop 3, Tallahassee, Florida 32308. Comments must be received no later than 14 days from the date of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Professional Surveyors and Mappers hereby gives notice that on December 26, 2000 it received a petition from Donald Edward Keene seeking a variance from Rule 61G17-4.007, Florida Administrative Code, which sets forth the re-examination requirements if an applicant fails to take the examination on two consecutive regularly scheduled examination dates.