

The full text of this notice is published on the Internet at the Department of Environmental Protection’s home page at http://www.dep.state.fl.us/ under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: Sudden Infant Death Syndrome Recognition and Response

RULE CHAPTER NO.: 64F-5

RULE TITLES: Definitions 64F-5.001 State Health Office Responsibilities 64F-5.003

PURPOSE AND EFFECT: To repeal definitions deemed unnecessary and repeal provisions regarding internal management.

SUMMARY: Chapter 64F-5, F.A.C., adopts, by rule, curriculum that includes training in the nature of SIDS, standard procedures to be followed by law enforcement agencies in investigating cases involving sudden deaths of infants, and training in responding appropriately to the parents or caretakers who have requested assistance. Certain definitions in Rule 64F-5.001, F.A.C., have been deemed unnecessary. Rule 64F-5.003, F.A.C., has also been deemed unnecessary, as it outlined department responsibilities that can be addressed by departmental policies and guidelines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs.

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: 383.3362 FS.

LAW IMPLEMENTED: 383.3362 FS.

IF REQUESTED WITHIN 21 DAYS 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., May 15, 2002

PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. Telephone: (850)245-4444, ext. 2965

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 64F-5.001 follows. See Florida Administrative Code for present text.)

64F-5.001 Definition.

For the purpose of this rule chapter, “Emergency responder” means the law enforcement officers, paramedics, firefighters, emergency medical technicians, or other medical personnel who respond to the initial report of an unresponsive infant.

Specific Authority 383.3362 FS. Law Implemented 383.3362 FS. History—New 2-10-94, Amended 4-25-96, Formerly 10D-126.002, Amended.

64F-5.003 State Health Office Responsibilities.

Specific Authority 383.3362 FS. Law Implemented 383.3362 FS. History—New 2-10-94, Amended 4-25-96, Formerly 10D-126.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. Telephone: (850)245-4444, ext. 2965

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Annette Phelps, Director, Family Health Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2002

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.027
RULE TITLE: Clear Indication of Voter’s Choice on a Ballot

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.027, published in the Florida Administrative Weekly, Pages 4617-4618, Vol. 27, No. 43, on October 5, 2001, has been changed to reflect comments received from the public. Changes were made to section 1S-2.027 so that it now reads:

1S-2.027 Clear Indication of Voter’s Choice on a Ballot.

(4) Notwithstanding (1), (2) or (3), the following circumstances apply to determining whether there is a clear indication on the ballot that the voter has made a definite choice:

(a) With the exception of (4)(f).1., if a voter marks more candidates than there are positions to be elected for that office in one or more of the manners prescribed in (1), (2), or (3), the marks do not constitute a valid vote for any candidate in that race.

(b) If a voter marks fewer candidates than there are positions to be elected for those offices, the votes for all of those marked candidates shall count. For example, if the voter is allowed to vote for 5 candidates in a special district election ("Vote for 5") and the voter marks 2 candidates, the votes for those two marked candidates shall count.

(c) Where one oval or arrow is marked as provided in (1), (2) or (3), and one or more other ovals or arrows are similarly marked and but contain an "X," a cross-out, or another mark obscuring the filled in area, and/or express contain words of error or affirmative choice directed to one of the ovals or arrows markings, such as "no," "not this," "ignore this," "don't want," or "wrong," or "vote for Smith," "Vote yes," the choice without the additional markings, or in the absence of additional markings, the choice indicated by the written words shall constitute a valid vote.

(d) Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate must be disregarded in determining the validity of a write-in vote.

(e) The write-in of the last name of the candidate for Governor or the write-in of the last name of the candidate for Lieutenant Governor shall be sufficient to cast a write-in vote for joint office. The write-in of the last name of the candidate for President or the write-in of the last name of the candidate for Vice President shall be sufficient to cast a write-in vote for the joint office.

(f) If a voter designates a vote for a named candidate on the ballot and also provides for a write-in candidate in the same race it shall be treated as follows:

1. If a voter designates a vote for a named candidate on the ballot and writes-in the same candidate in the write-in area, the vote shall count for that candidate.

2. If a voter designates a vote for a named candidate on the ballot and writes in the name of a qualified write-in candidate or the name of a different named candidate on the ballot in that race, it shall be considered an overvote with neither candidate receiving credit for the vote.

3. If a voter designated a vote for a named candidate on the ballot and writes in the name of a person who is not a qualified write-in candidate and not a named candidate on the ballot in that race, it shall be considered an over vote with no candidate receiving credit for the vote.

(g) If a voter does not mark a candidate, judicial retention choice, or issue choice, the valid votes for other candidates or issues on the same ballot shall be counted.

DEPARTMENT OF INSURANCE

RULE NO.: 4-211.043
 RULE TITLE: Effective Date

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. 27, No. 44, November 2, 2001, of the Florida Administrative Weekly. This change is being made to address concerns expressed by the Joint Administrative Procedures Committee.

Rule 4-211.043 is added to read:

4-211.043 Effective Date.

This part shall be effective October 1, 2002.

Specific Authority 624.308, 626.207 FS. Law Implemented 624.307(1), 626.207 FS. History—New

The remainder of the rule reads as previously published.

DEPARTMENT OF INSURANCE

Division of Treasury

RULE NO.: 4C-6.003
 RULE TITLE: The Plan; Prescribed Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed rule published in Vol. 27, No. 50, December 14, 2001, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

The rule has been changed to read:

4C-6.003 The Plan; Prescribed Forms.

(1) Form DI4-1176 (rev. 1/02) (~~5/98~~), State of Florida Employees Deferred Compensation Plan, is hereby established and incorporated into this rule by reference as the plan contemplated in section 112.215, Florida Statutes.

(2) The forms listed below are incorporated into and made a part of this rule chapter by reference and shall take effect on the effective date of these rules. The forms can be obtained from investment providers servicing the plan. A listing of authorized investment providers can be obtained from the Deferred Compensation Section, Division of State Treasury, 200 East Gaines Street, Tallahassee, Florida 32399-0346.

- (a) Form DI4-1163 (rev. 01/02 ~~3/98~~) Participant Action Form
- (b) Form DI4-1164 (rev. 01/02 ~~3/98~~) Enrollment Information Form
- (c) Form DI4-1165 (rev. 01/02 ~~3/98~~) Company to Company Transfer and/or Replacement Authorization
- (d) Form DI4-1166 (rev. 01/02 ~~4/95~~) Company to Company Transfer Invoice
- (e) ~~Form DI4-1167 (rev. 3/98)~~ ~~Form for Transferring Funds out of Florida Plan~~
- (f) ~~Form DI4-1168 (rev. 3/98)~~ ~~Form for Transferring Funds into Florida Plan~~

(e)(g)	Form DI4-1169	(rev. 01/02 4-95)	Plan to Plan Transfer Invoice
(f)(h)	Form DI4-1152	(rev. 01/02 3-98)	Application to Participate in the <u>Standard</u> Catch-Up Provision
(i)	Form DI4-1170	(4-95)	Unforeseeable Emergency — Request for — Distribution/Suspension Form
(g)(j)	Form DI4-1171	(rev. 01/02 4-95)	Request for Unforeseeable Emergency Withdrawal
(h)(k)	Form DI4-1172	(rev. 01/02 3-98)	Request for Distribution (or Delayed Distribution)
(j)	Form DI4-1173	(rev. 3-98)	Deferrals from Special Supplemental Pay
(i)(m)	Form DI4-1174	(rev. 01/02 4-95)	Commonly Asked Questions with Answers
(j)(n)	Form DI4-1175	(rev. 01/02 4-95)	Forms Procedures
(k)	Form DI4-1525	(rev. 01/02)	Purchase of Prior Service Credits
(l)	Form DI4-1526	(rev. 01/02)	Rollover Form

(3) The state of Florida Employees Deferred Compensation Plan shall be construed to conform to the requirements of 26 USC 457 (2001-1997 USCA Supplementary Pamphlet as modified by the USCA September 2001 Pamphlet Number 1) and 26 CFR 1.457 (4-1-97 Edition), which are hereby incorporated by reference into this rule.

(4) The following portions of the Internal Revenue Code and Code of Federal Regulations are also hereby incorporated by reference:

(a) 26 USCA 401 (2001 Supplementary Pamphlet as modified by the USCA September 2001 Pamphlet Number 1);

(b) 26 USCA 403(b) (2001 Supplementary Pamphlet as modified by the USCA September 2001 Pamphlet Number 1);

(c) 26 USCA 911 (2001 Supplementary Pamphlet);

(d) 26 CFR 1.457-2 (April 1, 2001).

~~26 USC Sections 403(b) (26 USCA 403(b), 1995 pocket part), and 911 (26 USCA 911 (1986)) are incorporated herein by reference.~~

Specific Authority 112.215(11) FS. Law Implemented 18.125(4)(c), 112.215 FS. History—New 1-1-87, Amended 10-7-87, 2-14-88, 2-19-89, 6-21-89, 8-7-95, 9-21-98.

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-8.010	Reimbursement Contract
19-8.012	Ineligibility/Exemption From the FHCF
19-8.029	Insurer Reporting Requirements

NOTICE OF CHANGE TO RULES 19-8.010 AND 19-8.012, F.A.C. AND TO THE FORM INCORPORATED INTO RULES 19-8.010 and 19-8.029, F.A.C.

NOTICE IS HEREBY GIVEN by the Florida State Board of Administration of changes to Rules 19-8.010 and 19-8.012, F.A.C, and to the forms incorporated into proposed amended Rule 19-8.010, F.A.C., and proposed amended Rule 19-8.029, F.A.C. The proposed amendments to Rules 19-8.010 and 19-8.012, F.A.C., and the forms incorporated into Rules

19-8.010 and 19-8.029, F.A.C., were noticed in the Florida Administrative Weekly, Vol. 26, No. 6, issued February 8, 2002, and a Rule Hearing was held on March 5, 2002. The additional changes to the rules and the incorporated form, as noticed herein, are based on comments made by the Joint Administrative Procedures Committee, comments received prior to the public hearing held on March 5, 2002, and comments received in a public meeting of the Advisory Council regarding these Rules. All comments have been made part of the public record. The changes noticed have been underlined and are numbered 1. through 6., below.

1. Rule 19-8.010, F.A.C.: A new sentence was added to the end of paragraph (8) stating the beginning date and the ending date of the contract. This paragraph now reads as follows:

Rule 19-8.010(8)

(8) The reimbursement contract for the 2002-2003 contract year required by Section 215.555(4), Florida Statutes, which is called Form FHCF-2002K – “Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC #() and The State Board of Administration of the State of Florida (“SBA”) which Administers the Florida Hurricane Catastrophe Fund (“FHCF”), is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2002 through May 31, 2003.

2. FHCF-2002K Reimbursement Contract, Article X, Paragraph (4)(c): The language requiring notarization has been removed. This paragraph now reads as follows:

(c) The information outlined herein shall be supplied in the form of a ~~notarized~~ letter signed by two executive officers of the Company, with the supporting information attached.

3. FHCF-2002K Reimbursement Contract, Article XIII, Introductory Paragraph: The words “or retain” have been stricken and the word “may” has been replaced with “shall” as follows:

Failure to provide ~~or retain~~ any of the information required for audits constitutes a violation of Section 215.555, Florida Statutes, and shall ~~may~~ result in a referral to DOI.

4. Rule 19-8.012, F.A.C.: The words “if any” have been added to the first sentence in paragraph (2)(a) to address unusual situations in which the DOI does not issue an order when an insurer surrenders its certificate. Paragraph (2)(a) of Rule 19-8.012, F.A.C., now reads as follows:

(2) Procedures to Determine Ineligibility for Participation in the Fund.

(a) An insurer seeking ineligibility from participation in the Fund because it has surrendered its certificate of authority to write insurance in Florida shall submit a written request for ineligibility stating that it will have no covered policies, as that term is defined in Section 215.555(2)(c), Florida Statutes, after May 31 of the year for which the ineligibility is sought and provide a copy of the Department of Insurance Order, if any, revoking the insurer’s authority to write insurance in Florida.

The request shall be sent to the Fund’s Administrator, Paragon Reinsurance Risk Management Services, Inc., 3600 West 80th Street, Minneapolis, Minnesota 55431.

5. Rule 19-8.029, F.A.C.: Changes to the Forms Incorporated Therein Form FHCF-D1A, at pages 6 and 7 and Form FHCF-DIB, at pages 4 and 5, have been amended to include the word “Preliminary” before the references to “Validation Software.”

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

RULE CHAPTER NO.: 29I-6
RULE NO.: 29I-6.002
RULE CHAPTER TITLE: Strategic Regional Policy Plan
RULE TITLE: Strategic Regional Policy Plan

NOTICE OF CORRECTION

The following correction is being made to proposed rule published in the April 5, 2002, Vol. 28, No. 14, Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: ~~March 8~~ April 5, 2002.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-508.101
RULE TITLE: Hobbycraft Programs
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed rule, as noticed in the Florida Administrative Weekly, Vol. 28, No. 13, March 29, 2002, will be held at 9:00 a.m. on Tuesday, April 23, 2002, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida, 32399-2500.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.711
RULE TITLE: Legal Visitors
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. 28, No. 2, January 11, 2002, issue of the Florida Administrative Weekly, and amended in Vol. 28, No. 9, March 1, 2002 issue of the Florida Administrative Weekly:

- 33-601.711 Legal Visitors.
(1) through (5) No change.

(6) ~~Legal documents~~ will not be exchanged between the attorney and the inmate unless the attorney notifies the officer in charge warden that the exchange of legal documents is necessary, ~~demonstrates a need for document transfer (e.g., time constraints, documents too bulky to mail, mental handicap of inmate)~~ and allows a cursory inspection of the legal documents. The officer in charge warden is authorized to

disapprove any legal document exchange if such exchange would present a threat to the security and order of the institution or to the safety of any person. If the attorney disagrees with the decision of the officer in charge, the duty warden shall be contacted to make the final decision.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-1.007
RULE TITLE: List of Approved Forms; Incorporation
NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 3, of the January 18, 2002, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held on April 6, 2002, in Ft. Lauderdale, Florida voted to delete the proposed new subsection (18) of the rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001
RULE TITLE: Disciplinary Guidelines
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. 27, No. 51, of the December 21, 2001, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting on April 6, 2002, in Ft. Lauderdale, Florida, voted to make changes to the rule. The changes are as follows:

- 1. Subsection (2)(a)2. shall read:
2. Attempting to renew a license with bribery or fraud. 2. From revocation of the license with ability to reapply upon payment of a \$10,000.00 fine to permanent revocation and a \$10,000 fine.

2. Subsection (2)(a)3. shall read:
 3. Obtaining or renewing a license by bribery or fraud. 3. From revocation of the license with ability to reapply upon payment of a \$10,000.00 fine to permanent revocation and a \$10,000 fine. 3. Revocation and a \$10,000.00 fine.

3. Subsection (2)(g)4.b.(II) shall read:
 (II) fraudulently making misleading, untrue, deceptive or fraudulent representations on a profile, credentialing, or initial licensure or renewal application. (II) Referral to State Attorney for prosecution pursuant to Sections 456.067 and 456.066, F.S. and from suspension and a reprimand and a \$10,000.00 fine to revocation or denial and a \$10,000 fine. (II) Referral to State Attorney for prosecution and revocation or denial and a \$10,000.00 fine.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0075
 RULE TITLE: Standards of Practice in Certain Office Settings

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. 27, No. 48, of the November 30, 2001, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting on April 6, 2002, in Ft. Lauderdale, Florida, voted to change subsection (3) of the rule to read as follows:

(3) Licensed physicians and physician assistants in a clinic registered under Section 456.0375, Florida Statutes, may reasonably rely upon a Florida licensed medical director to ensure compliance with the responsibilities set out in section (2), only if the medical director has specifically agreed to accept the -responsibilities set forth in Section 456.0375(3)(b), F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-13.004
 RULE TITLE: Requirements for Reactivation of an Inactive License

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. 27, No. 39, of the September 28, 2001, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting on April 6, 2002, in Ft. Lauderdale, Florida, voted to change the word “may” to “shall” in subsection (2) of the rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-15.007
 RULE TITLE: Aggravating and Mitigating Factors

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 10, of the March 8, 2002, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held on April 5, 2002, in Ft. Lauderdale, Florida, voted to delete all of subsection (2) of the rule and to renumber subsections (3) and (4) to subsections (2) and (3).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-19.005
 RULE TITLE: Releasing Psychological Records

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 7, of the February 15, 2002, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held on March 22, 2002, voted to change subsection (3) of the rule to read as follows:

(3) The psychologist's notes pertaining to psychological services rendered may be considered raw data as provided by Rule 64B19-18.004(3) at the discretion of the psychologist and therefore can be released only (1) to a licensed psychologist or school psychologist licensed pursuant to Chapter 490 or Florida certified, or (2) when the release of the material is otherwise required by law.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-2.001
 RULE TITLE: Licensure by Certification of Credentials

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. 28, No. 7, February 15, 2002 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Speech-Language Pathology & Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

64B20-2.001 Licensure by Certification of Credentials.

(1) Any person desiring to be licensed as a speech-language pathologist or audiologist shall apply to the Department of Health and pay the fee required by Rule 64B20-3.002, F.A.C. The application shall be made on Form SPA-1, Application for Licensure, which is incorporated by reference herein, will be effective March 25, 1991, and can be obtained from the Board of Speech-Language Pathology & Audiology, Department of Health, 4052 Bald Cypress Way 2020 Capital Circle S. E., Bin #C068, Tallahassee, Florida 32399-3256 3258. The Department shall notify the applicant by letter of any deficiencies in the application within 30 days after the application is filed. The applicant shall rectify all deficiencies in the application within one year from the date of such letter or the application will be processed as an incomplete application and the application file will be closed.

(2) No change.

(3) Effective January 1, 2002, all applicants for initial or renewal of initial license or licensure by endorsement shall submit to the Board proof of completion of a two (2) hour continuing education course relating to the prevention of medical errors. The 2-hour course shall count toward the total number of continuing education hours required for the profession. The course shall be provided by a Board-approved continuing education provider and shall include a study of root-cause analysis, error reduction and prevention, and patient

safety. An applicant who has not taken a course at the time of licensure shall, upon submission of an affidavit showing good cause, be allowed 6 months to complete this requirement. The address of the Board of Speech Language Pathology & Audiology is 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256.

Specific Authority 468.1135(4), 456.013(7) FS. Law Implemented 468.1185, 468.1145(2), 456.013(7) FS. History--New 3-14-91, Amended 5-25-92, Formerly 21LL-2.001, Amended 11-30-93, Formerly 61F14-2.001, 59BB-2.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech-Language and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 15, 2002

DEPARTMENT OF HEALTH

Family Health Services

RULE CHAPTER NO.: 64F-8
 RULE CHAPTER TITLE: Comprehensive Health Improvement Projects

RULE NOS.: 64F-8.001, 64F-8.002
 RULE TITLES: Definitions, Minimum Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 35, August 31, 2001, Florida Administrative Weekly, has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.004
 RULE TITLE: Permits for Hunting or Other Recreational Use on Type I Wildlife Management Areas

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subparagraphs 68A-9.004(1)(b)3., 4., 5., 6., (c)3., 4., 5., 6. of this proposed rule which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

- ~~3. Moore's Pasture WMA - \$125~~
- ~~3.4. Blue Water Creek Bluewater Creek - \$180~~
- ~~4.5. Flint Rock - \$206~~
- ~~5.6. Twelve Mile Swamp - \$550 \$240~~
- (c)
- ~~3. Moore's Pasture WMA - 550~~

- 3.4. ~~Blue Water Creek~~ ~~Bluewater Creek~~ – 400
- 4.5. Flint Rock – 450
- 5.6. ~~Twelve Mile Swamp~~ – 150 ~~375~~

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.004
 RULE TITLE: General Regulations Relating to Type I Wildlife Management Areas

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subsection 68A-15.004(16) of this proposed rule which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

(16) is deleted in its entirety.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.062
 RULE TITLE: Specific Regulations for Type I Wildlife Management Areas – North Central Region

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subparagraph 68A-15.062(1)(a)2. of this proposed rule which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

2. Spring turkey – April 14-18 in Spring Turkey Zones A, B, and C and March 17-21 in Spring Turkey Zones D, E, and F.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.063
 RULE TITLE: Specific Regulations for Type I Wildlife Management Areas – Northwest Region

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subparagraphs 68A-15.063(11)(a)5., 8., 9., (d)3., 6., 8., 9., (12) of this proposed rule which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

(11) Point Washington Wildlife Management Area

- (a) Open season:
- 5. Muzzleloading gun – November 22-24.
- 8. Trapping – January 1 through February 1.
- 9. ~~Fox, raccoon, opossum and bobcat – November 9 through March 3 in that portion of the dog hunt area west of S.R. 79, and March 4 through March 14 and April 21 through July 15 in that portion of the dog hunt area east of S.R. 79.~~

(d) General regulations:

- 3. Hunting with dogs other than bird dogs is prohibited.
- 6. ~~During the November 9 through March 2 period in all areas where hunting with the use of deer dogs is permitted, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted.~~
- 6.7. No change.

7.8. Taking of wildlife by use of a gun on or from rights-of-way of U.S. 98 is prohibited as provided by Rule 68A-4.008, F.A.C.

8.9. Persons operating vehicles shall enter and exit at designated entrances only.

Subsection (12) is deleted.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.064
 RULE TITLE: Specific Regulations for Type I Wildlife Management Areas – South Region

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subparagraph 68A-15.064(7)(d)1. of this proposed rule which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

1. Hunting with dogs is prohibited except bird dogs and retrievers may be used on posted dove fields during established dove hunts and throughout the area during small game season.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.065
 RULE TITLE: Specific Regulations for Type I Wildlife Management Areas – Northeast Region

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subsections 68A-15.065(5)(d)12., (18)(a)1., (22), (23), (24), (25), (26), (27), (28), (29), (30), (31), (32), and (33)(b) of

this proposed rule which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

~~(5)(d)12. Hunting with dogs is prohibited in that portion of the area lying east of State Road 471 and north of the North Grade and Carters Island Road.~~

(18)(a)1. Archery – September 21-29.

(22) Triple N Ranch Wildlife Management Area.

(a) Open season:

1. General gun hog – January 24-26, January 31 through February 2, and February 7-9.

2. Special-opportunity deer – October 26 through November 1, and November 9-15.

3. Small game – November 23 through January 19.

4. Special-opportunity turkey – March 15-21, March 29 through April 4 and 12-18.

5. Fishing and frogging – Permitted throughout the year.

6. Trapping – Prohibited.

(b) Legal to take: Wild hogs, with a daily bag of 2, no size limit. One antlered deer may be taken per special-opportunity deer hunt permit. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Turkey during the special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit. Fish and frogs throughout the year.

(c) Camping: Permitted only at designated campsites during periods open to hunting.

(d) General regulations:

1. Only tents, trailers or self-propelled camping vehicles may be used for camping.

2. Vehicles or horses may be used only on named and numbered roads except that horses are not restricted to roads during the small game season.

3. Horses are prohibited during periods when hunting is allowed except that hunters may hunt from horseback during the small game season.

4. Hunting with dogs is prohibited except bird dogs and dogs with a shoulder height of 15 inches or less may be used during the small game season.

5. The use of tracked vehicles, airboats, motorcycles or all-terrain vehicles is prohibited.

6. Hunters shall enter and exit the area at the designated entrance and register at the hunt headquarters. Persons entering the area for purposes other than hunting shall register upon entering and exiting the area. During periods when the area is closed to hunting, public access other than on foot (pedestrian), horseback (equestrian), or by bicycle is prohibited, except that vehicular access is permitted to the parking area at the hunt headquarters on Road 1 and the parking area at the south end of Crabgrass Road.

7. Individuals in possession of a special-opportunity hunt permit may have vehicle access to the area from sunrise to sunset on the Saturday and Sunday preceding the hunt.

8. Hogs, deer and turkeys must be checked at the hunt headquarters prior to being dismembered and taken from the area.

9. Public access to the area is prohibited during the period from 8 p.m. to 5 a.m., unless camping at designated camping areas during hunts.

(23) Etoniah Creek Wildlife Management Area.

(24) Little Big Econlockhatchee Wildlife Management Area – Kilbee Unit.

(25) Lake Panasoffkee Wildlife Management Area.

(26) Ross Prairie Wildlife Management Area.

(27) Buck Lake Wildlife Management Area.

(28) Nassau Wildlife Management Area.

(29) Cary Wildlife Management Area.

(30) Fort Drum Wildlife Management Area.

(31) Ocklawaha River Wildlife Management Area.

(32) Seminole Forest Wildlife Management Area.

(33) Twelve Mile Swamp Wildlife Management Area.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking antlered deer not having at least one antler with three or more points one inch or more in length is prohibited.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:
68A-17.005

RULE TITLE:
Specific Regulations for Wildlife
and Environmental Areas

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to paragraph 68A-17.005(4)(e) of this proposed rule which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

(e) John C. and Marianna Jones WEA – Palm Beach and Martin counties.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:
68A-20.005

RULE TITLE:
Specific Fish Management Area
Regulations

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to paragraph 68A-20.005(2)(k) of this proposed rule

which was published in Vol. 28, No. 9, Florida Administrative Weekly, March 1, 2002, so that when adopted, it will read as follows:

~~(k) Lake Rachael, Madison County:~~

~~1. The use of boats propelled by gasoline motors is prohibited.~~

~~2. No person shall kill or possess any black bass.~~

~~3. Discharge of firearms is prohibited.~~

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER NO.: 68B-13
 RULE NO.: 68B-13.010
 RULE CHAPTER TITLE: Stone Crabs
 RULE TITLE: Stone Crab Trap Limitation Program

NOTICE OF CHANGES TO PROPOSED RULES

The Fish and Wildlife Conservation Commission announces changes to proposed amendments to Rule 68B-13.010, F.A.C., as published in the March 1, 2002 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 April 4, 2002, in Tallahassee, Florida. The proposed rule amendment will now read as follows:

68B-13.010 Stone Crab Trap Limitation Program.

(5) INCIDENTAL TAKE ENDORSEMENT. Persons possessing valid crawfish or blue crab endorsements may land and sell 5 gallons of stone crab claws per day if the stone crab claws are harvested from legal crawfish or blue crab traps and the crawfish or blue crab endorsement holder also possesses a valid stone crab incidental take endorsement. Application for an incidental take endorsement shall be on Commission Form DMF-SL2800 (07-01) (Application for a Stone Crab Incidental Take Endorsement (I#)), incorporated herein by reference.

(7) TRAP CERTIFICATE ADVISORY AND APPEALS BOARD. There is hereby established the Trap Certificate Advisory and Appeals Board. Such board shall consider and advise the Commission on disputes and other problems arising from the implementation of the stone crab trap limitation program. The board may also provide information to the Commission on the operation of the trap limitation program.

(a)1. Board Composition. The board shall consist of a member of the Commission staff appointed by the executive director, and eight members appointed by the executive director according to the following criteria, except as otherwise provided in subparagraph 2.:

a. All appointed members other than the commission staff person, shall be stone crab trap certificate holders, none of whom are appealing their trap certificate allotment. Two shall hold fewer than 200 certificates, two shall hold at least 200 but

no more than 750 certificates, two shall hold more than 750 but not more than 2,000 certificates, and two shall hold more than 2,000 certificates.

b. At least one member shall come from each of the following regions:

(I) Wakulla, Taylor, Dixie, or Levy Counties;

(II) Citrus, Hernando, Pasco, Pinellas, or Hillsborough Counties; and

(III) Manatee, Sarasota, Charlotte, or Lee Counties.

c. The remaining five members of the board shall come from Collier, Monroe and Dade Counties.

d. At least one appointed member shall be a person of Hispanic origin capable of speaking conversational English and Spanish.

2. If there are not enough individuals that meet the above-referenced criteria, the executive director of the Commission may fill any position on the initial board with an individual who does not fulfill the requirements of subparagraph 1. However, as soon as individuals are available that meet the requirements of subparagraph 1, the executive director must replace any individual who does not meet the above-referenced criteria, and fill the position on the board with the qualified appointees. The executive director of the commission shall replace any board member who is cited for and convicted of a violation of Chapter 68B-13, F.A.C. or who misses more than two scheduled meetings of the board without approval from the board chair with another stone crab fisherman from any region.

3. Stone crab endorsement holders wanting to be considered for appointment to the Trap Certificate Technical Advisory and Appeals Board shall make their request on Commission form DMF-SL3080 (07-01) (Application for Stone Crab Trap Certificate Technical Advisory and Appeals Board), incorporated herein by reference.

(b) Meetings. The staff member of the Commission appointed by the executive director shall sit on the board as a voting member, and shall call the organizational meeting of the board. The board shall annually elect a chair and a vice chair. There shall be no limitation on successive terms that may be served by a chair or vice chair. The board shall meet at the call of its chair, at the request of a majority of its membership, at the request of the Commission, or at such times as may be prescribed by its procedural rules. Official action of the board shall require a majority vote of the total membership of the board present at the meeting.

(c) Expenses. Members of the board shall receive no compensation, however, they shall be reimbursed for per diem and travel expenses as provided in s. 112.061, Florida Statutes.

(d) Final Action. Upon reaching a decision on any dispute or problem brought before it, including any decision involving the initial allocation of certificates under paragraph (f), the board shall submit such decision as a recommendation to the executive director of the Commission. The executive director

may accept, alter, or disapprove any decision of the board, with notice given in writing to the board and to each party in the dispute explaining the reasons for the alteration or the disapproval. The action of the executive director of the Commission constitutes final agency action, and is appealable pursuant to the requirements of Chapter 120, Florida Statutes.

(e) Board Authority. In addition to those certificates allotted pursuant to the initial eligibility provisions established in subparagraph (2)(a), up to 180,000 ~~100,000~~ trap certificates may be allotted by the board to make recommendations on allocations to settle disputes or other problems arising from implementation of the trap limitation program, and for special circumstances.

1. Disputes arising from the implementation of the trap limitation program shall cover those problems arising from implementation of the program during the 2000-2001 and 2001-2002 fishing seasons.

2. Special circumstances shall include but are not limited to the following:

a. Fishermen who can demonstrate that they were affected by Chapter 73-432, Laws of Florida (1973), which limited fishermen in Citrus, Dixie, Levy, and Taylor Counties to 600 stone crab traps per boat.

b. Persons who had landings, but did not record any traps on their saltwater products license application during the qualifying years and therefore did not receive an initial trap certificate allocation.

c. Persons who can demonstrate through copies of trip tickets, legitimate sales to a licensed wholesale dealer which were not reported by the dealer or included in the agency landings database.

d. Persons who worked together on the same boat but operated as separate business entities, each with their own SPL and stone crab endorsement, but who reported their landings or who had their landings reported on a single SPL. Under such circumstances the boards may divide the number of certificates allotted between the two people; however, each person must agree to the division prescribed by the board.

e. Persons displaced by Article X, Section 16, of the Florida Constitution who do not otherwise qualify for the stone crab limited entry program and who can demonstrate through landings that their net fishing occurred from Wakulla through Monroe Counties. Such persons shall qualify for 100 trap certificates if they can demonstrate that they:

(I) Sold nets to the state according to the provisions of the net buy back program, s. 370.0805(5), Florida Statutes;

(II) Invested money in the stone crab fishery by the 1999/2000 fishing season;

(III) Produced at least 300 pounds of claws since July 1, 1995; and

(IV) Have no record of net violations since July 1, 1995.

3. Any trap certificates not allotted by July 1, 2002, shall become permanently unavailable.

4. All appeals for additional certificates or other disputes must be filed with the board, on a form established by the commission, before October 1, 2001.

(f) In determining eligibility and initial allotment of traps for the trap reduction program, when a fisherman disagrees with commission records regarding the number of traps fished by the fisherman during a particular qualifying year, the burden of proof shall be on the fisherman to establish the number of traps fished, through trip tickets or copies of his or her SPL applications.

(g) Dissolution. On July 1, 2003 ~~2002~~, the board shall be dissolved.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 7-1-00, Amended 7-22-01, _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Bay Scallops

RULE NO.:
68B-18.003

RULE TITLE:
Statewide Open and Closed
Seasons and Areas for
Harvesting Bay Scallops

NOTICE OF CHANGES TO PROPOSED RULES

The Fish and Wildlife Conservation Commission announces changes to proposed amendments to Rule 68B-18.003, F.A.C., as published in the March 1, 2002 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 April 4, 2002, in Tallahassee, Florida. The proposed rule amendment will now read as follows:

68B-18.003 Statewide Open and Closed Seasons and Areas for Harvesting Bay Scallops.

(1) Bay scallops shall only be harvested during the open season, which is from July 1 through September 10 of each year.

(2) No person shall harvest in or from the waters of the state, land, or possess while in or on the waters of the state any bay scallop during the period beginning on September 11 of each year and continuing through June 30 of the following year.

(3)(a) The harvest of bay scallops is allowed only in state waters along the Gulf of Mexico north of the Pasco-Hernando County Line (latitude 28 29 degrees, 26.016 17 minutes, and 02 seconds North ~~(from the south bank of the mouth of the Suwannee River to near channel marker 21 westward to the outer limits of state waters)~~ and east and southeast of a line extending due south from the west bank at the mouth of Mexico Beach Canal in Bay County (longitude 85 degrees, 25.84 minutes West). Any bay scallops harvested and possessed pursuant to this subsection shall only be landed within the area where harvest is herein allowed. The

possession while in or on the waters of the state or landing of bay scallops outside the open area specified by this subsection is prohibited.

(b) It is the intent of the Fish and Wildlife Conservation Commission to annually review and evaluate the status and health of the bay scallop fishery. Should it become necessary to close any area presently open to bay scalloping, or should the bay scallop resource recover sufficiently to allow the opening of an area presently closed to bay scalloping, the Commission shall initiate remaking to amend paragraph (a) of this subsection.

(4) The prohibition against possession in subsection (3) of this rule shall not apply to:

(a) Bay scallops that have been legally harvested in another state and have entered the State of Florida in interstate commerce. The burden shall be upon any person possessing such bay scallops for sale or exchange, to establish the chain of possession from the initial transaction after harvest by appropriate receipt(s), bill(s) of sale, or bill(s) of lading, and to show that such bay scallops originated from a point outside the waters of the State of Florida and entered the state in interstate commerce. Failure to maintain such documentation or to promptly produce such documentation at the request of any duly authorized law enforcement officer shall constitute a violation of this rule.

(b) Bay scallops that are possessed for experimental, scientific, or exhibitional purposes pursuant to a permit issued by the Fish and Wildlife Conservation Commission ~~Department of Environmental Protection~~ as authorized by Section 370.10(2), Florida Statutes, or as stock for artificial cultivation pursuant to a special activity License issued by the commission department as authorized by Section 370.101(2), Florida Statutes.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-13-85, Amended 6-15-94, 3-1-95, 7-15-96, 7-1-97, Formerly 46-18.003, Amended _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER NO.: 68B-24
 RULE NO.: 68B-24.0045
 RULE CHAPTER TITLE: Spiny Lobster (Crawfish) and Slipper Lobster
 RULE TITLE: Importation of Spiny Lobster During Open Season; Documentation Requirements

NOTICE OF CHANGES TO PROPOSED RULES

The Fish and Wildlife Conservation Commission announces changes to proposed amendments to Rule 68B-24.0045, F.A.C., as published in the March 1, 2002 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 April 4, 2002, in Tallahassee, Florida. The proposed rule amendment will now read as follows:

Rule 68B-24.0045, F.A.C. Importation of Spiny Lobster ~~During Open Season~~; Documentation ~~and Other~~ Requirements.

(1) Documentation Requirements During Open Season – During the open season specified in subsection 68B-24.005(1), F.A.C., a person may possess wrung spiny lobster tails or possess spiny lobster in excess of the bag limit specified in subsection 68B-24.004(1), F.A.C., while on state waters, if such person is also in possession of appropriate receipt(s), bill(s) of sale, or bill(s) of lading to show that the spiny lobster were purchased in a foreign country and are entering the state in international commerce. Failure to maintain such documentation or to promptly produce same at the request of any duly authorized law enforcement officer shall constitute violation of this rule.

(2) Sale of Imported Spiny Lobster During the Closed Season, Documentation – Notwithstanding the provisions of Section 370.14(7)-(9), Florida Statutes, spiny lobster tails that have been imported into Florida from a foreign country may be sold during the closed harvesting season of April 1 through August 5 of each year, if such spiny lobster tails are accompanied with the appropriate receipts(s), bill(s) of sale, or bill(s) of lading to show that the spiny lobster were harvested and purchased in a foreign country and are entering the state in international commerce. Such documentation shall accompany the lobster through retail or restaurant sale. Failure to maintain such documentation or to promptly produce same at the request of any duly authorized law enforcement officer shall constitute violation of this rule.

(3) Each spiny lobster imported pursuant to this rule shall comply with the minimum size requirements specified in subsection 68B-24.003(1), F.A.C., and the prohibitions relating to eggbearing spiny lobster specified in subsection 68B-24.007(1), F.A.C.

Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 7-2-90, Amended 10-4-95, Formerly 46-24.0045, Amended _____.

**Section IV
 Emergency Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE TITLE: Temporary Restriction on Importation of Cervidae
 RULE NO.: 5CER02-1

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: Chronic Wasting Disease (CWD) is a progressive neurological, debilitating disease that belongs to a family of