

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE CHAPTER TITLE: Elections
RULE CHAPTER NO.: 1S-2

RULE TITLE: Polling Place Accessibility Survey
RULE NO.: 1S-2.035

PURPOSE AND EFFECT: The purpose of rule development is to provide a survey for county supervisors of elections to determine the accessibility of polling places.

SUBJECT AREA TO BE ADDRESSED: Poll place survey.

SPECIFIC AUTHORITY: 101.715 FS., Section 17, Chapter 2002-281, Laws of Florida.

LAW IMPLEMENTED: 101.715 FS., Section 17, Chapter 2002-281, Laws of Florida.

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

TIME AND DATE: 2:00 p.m., Friday, September 27, 2002

PLACE: Room 102, 107 West Gaines Street, The Collins Building, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy Tuck Whitman, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399, (850)245-6200 or atuckwhitman@mail.dos.state.fl.us

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

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLES: Merchandise Trust Funds – Status of Accounts
Trust Agreements and Trustees
RULE NOS.: 3F-7.007
3F-7.015

PURPOSE AND EFFECT: The Board proposes to amend Rule 3F-7.007 to remove obsolete language and Rule 3F-7.015 is being amended to add a new subsection (5) regarding the transfer of assets to another trust fund.

SUBJECT AREA TO BE ADDRESSED: Merchandise Trust Funds – Status of Accounts and Trust Agreements and Trustees.

SPECIFIC AUTHORITY: 20.05(5), 497.103 FS.

LAW IMPLEMENTED: 497.237, 497.337 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-7.007 Merchandise Trust Funds – Status of Accounts.
For purposes of merchandise trust funds, under the provisions of the Funeral and Cemetery Act prior to implementation of 93-399, Laws of Florida, a merchandise trust fund created in uniformity with the requirements of the Florida Cemetery Act is in the nature of a master account (“the Fund”) used for investment purposes and is made up of commingled individual accounts deposited into the Fund in connection with the individual contracts between the cemetery company and its customers. Each of these accounts is are to be established and retained in the Fund together with any income it might earn until certain events shall occur and it is determined to whom the principal of the account plus any earnings should be distributed. The Under the Florida Cemetery Act, the principal of the account plus any earnings may be paid to the cemetery company upon the delivery of the merchandise or performance of the services or to the purchaser or his legal representative in the event that the cemetery company does not deliver the merchandise or perform the services when needed.
The principal and any accrued earnings or losses in such separate account is to be held in suspense until the final determination is made to which party the account will be paid. At the time of withdrawal of the amount in the account, either the seller, cemetery company, or the purchaser or his representative is entitled to not only the principal amount deposited in the account, but also any accrued earnings on the account from the time of the deposit until the time of withdrawal.

Specific Authority 20.05(5), 497.103 FS. Law Implemented 497.337 FS. History–New 11-15-83, Formerly 3D-30.31, 3D-30.031, Amended

- 3F-7.015 Trust Agreements and Trustees.
(1) through (4)(c) No change.
(5) Transfer of assets to another trust agreement is permissible provided the trust agreement was approved by the Board, if applicable, and the terms of both trust agreements are consistent and meet the requirements of Rule 3F-7.020, F.A.C.
(6)(5) No change.

Specific Authority 497.103 FS. Law Implemented 497.237 FS. History–New 4-25-94, Amended

(III) The “Medicare Supplement Refund Calculation Form”, Form DI4-MSR (rev. 7/02), completed in compliance with the instructions for the form. An issuer shall collect and file with the Department, in compliance with the instructions to the form, by May 31 of each year the data contained in the “Medicare Supplement Refund Calculation Form”, Form DI4-MSR (6/96), for each type in a standard Medicare supplement benefit plan, and each type of pre-standardized business.

2. Form DI4-MSB-I (7/02), Form DI4-MSB-G (7/02), and Form DI4-MSR (rev. 7/02) are hereby adopted and incorporated by reference, and may be obtained by writing to the Department of Insurance, Division of Insurer Services, Bureau of Life and Health Forms and Rates, 200 East Gaines Street, Tallahassee, FL 32399-0328.

3.a. Filings The forms shall be mailed to: Bureau of Life and Health Forms & Rates, Division of Insurer Services, Department of Insurance, 2800 South Adams Street, Post Office Box 8040, Tallahassee, FL 32301-8040 32314-5320, or submitted electronically to <https://iportal.fldoi.com>.

b. All filings sent to the Department by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0328.

(b)1. No change.

2. In particular, for policies and certificates issued as pre-standardized business:

a.(4) In the preparation of the “Reporting Form for the Calculation of the Benchmark Loss Ratio Since Inception for Individual Policies” Form DI4-MSB-I (7/02), (rev. 6/96) and “Reporting Form for the Calculation of the Benchmark Loss Ratio Since Inception for Group Policies” Form DI4-MSB-G (7/02), the insurer shall consider January 1, 1992, to be the date of inception for all policies and certificates and first year premium shall be the 1992 earned premium.

(II) Form DI4-MSB is hereby adopted and incorporated by reference, and may be obtained by writing the Department of Insurance, Division of Insurer Services, Bureau of Life and Health Forms and Rate, 200 East Gaines Street, Tallahassee, FL 32399-0328.

b. The insurer shall prepare pages 1 through 3 of Form DI4-MSR (rev. 7/02) for the two types of pre-standardized business. Since all policies and certificates are considered to have been issued on January 1, 1992, only experience since that date shall be included in this exhibit.

c. All individual businesses, regardless of issue date, shall use the factors on the individual policy page of the “Reporting Form for the Calculation of the Benchmark Loss Ratio Since Inception for Individual Policies” (Form DI4-MSB (7/02)).

(c) No change.

(3) through (4) No change.

Specific Authority 624.308, 627.674(2) FS. Law Implemented 624.307(1), 627.410, 627.673, 627.674, 627.6745, 627.6746 FS. History—New 1-1-92, Amended 7-14-96, 12-17-96, 7-26-99, 3-4-01.

DEPARTMENT OF INSURANCE

RULE TITLE: Workers Compensation: Application and Audit Procedures

RULE NO.: 4-189.003

PURPOSE AND EFFECT: This is a second Notice of Proposed Rule Development to update Rule 4-189.003 due to changes required by SB 108. SB 108 requires that the application that insurers use be changed by including a sworn statement by the agent attesting that the agent explained to the employer or officer the classification codes that are used for the premium calculations. SB 108 also requires that the audit procedures insurers use be changed by mandating at the completion of an audit, the employer or officer of the corporation and the auditor must print and sign their names on the audit document and attach proof of identification to the audit document.

SUBJECT AREA TO BE ADDRESSED: Workers’ Compensation applications and procedures.

SPECIFIC AUTHORITY: 440.381 FS.

LAW IMPLEMENTED: 440.381, 624.307, 624.308(1) FS.

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

TIME AND DATE: 2:00 p.m., September 24, 2002

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Theresa Eaton, (850)413-3821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Theresa Eaton, Property & Casualty Forms and Rates, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-3821

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE CHAPTER TITLE: Preservation of Native Flora of Florida

RULE CHAPTER NO.: 5B-40

RULE TITLE: Regulated Plant Index

RULE NO.: 5B-40.0055

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate changes to the Regulated Plant Index Rule as a result of the public meetings conducted by the Endangered Plant Advisory Council.

SUBJECT AREA TO BE ADDRESSED: This amendment revises the Regulated Plant Index. Eight plants will be listed as endangered, three species will be de-listed from the endangered list. Three plants will have name changes.

SPECIFIC AUTHORITY: 570.07(23), 581.185(4),(9),(11) FS.

LAW IMPLEMENTED: 570.07(13), 581.185(4),(9),(11) FS.

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

TIME AND DATE: 10:00 a.m., September 16, 2002

PLACE: Doyle Conner Building, 1911 S.W. 34th Street, Gainesville, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Richard Gaskalla, Director, Division of Plant Industry, P. O. Box 147100, Gainesville, FL 32614-7100

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5B-40.0055 Regulated Plant Index.

(1) No change.

(a) Endangered Plant List. The following plants shall be included in the Endangered Plant List:

1. *Acacia choriophylla* (tamarindillo).
2. *Acacia tortuosa* (poponax) Presumed Extirpated.
3. *Actaea pachypoda* (baneberry).
4. *Adiantum melanoleucum* (fragrant maidenhair fern).
5. *Adiantum tenerum* (brittle maidenhair fern).
6. *Aeschynomene pratensis* (meadow jointvetch).
7. *Ageratum littorale* (Cape Sable whiteweed).
8. *Agrimonia incisa* (harvest-lice).
9. *Aletris bracteata* (bracted colicroot).
10. *Alvaradoa amorphoides* (alvaradoa).
11. *Amorpha crenulata* (Miami lead plant).
12. *Anemia wrightii* (parsley fern).
13. *Aquilegia canadensis* (columbine).
14. *Arabis canadensis* (sicklepod).
15. *Argusia gnaphalodes* (sea-lavender).
16. *Argythamnia blodgettii* (Blodgett's wild-mercury).
- ~~17. *Aristida simpliciflora* (southern three-awn).~~
- ~~17.18. *Aristolochia pentandra* (Marsh's dutchman's pipe).~~
- ~~18.19. *Aristolochia tomentosa* (pipevine).~~
19. *Arnica acaulis* (leopard's-bane).
20. *Arnoglossum album* (white-flowered plantain).
- ~~21.20. *Asclepias curtissii* (Curtiss's milkweed).~~
22. *Asclepias viridiflora* (green-flower milkweed).
- ~~23.24. *Asimina tetramera* (four-petal pawpaw).~~
- 24.22. *Asplenium auritum* (auricled spleenwort) (fern).

~~25.23. *Asplenium dentatum* (slender spleenwort).~~

~~26.24. *Asplenium monanthes* (San Felasco spleenwort).~~

~~27.25. *Asplenium pumilum* (dwarf spleenwort).~~

~~28.26. *Asplenium serratum* (bird's-nest spleenwort).~~

~~29.27. *Asplenium verecundum* (delicate spleenwort).~~

~~30.28. *Aster hemisphericus* (aster).~~

~~31.29. *Aster spinulosus* (pinewoods aster).~~

~~32.30. *Baccharis dioica* (broom-bush) Presumed Extirpated.~~

~~33.34. *Balduina atropurpurea* (purple balduina).~~

~~34.32. *Baptisia megacarpa* (Apalachicola wild-indigo).~~

~~35.33. *Basiphyllaea corallicola* (Carter's orchid).~~

~~36.34. *Bigelowia nuttallii* (Nuttall's rayless goldenrod).~~

~~37.35. *Blechnum occidentale* (sinkhole fern).~~

~~38.36. *Bonamia grandiflora* (Florida bonamia).~~

~~39.37. *Bourreria cassinifolia* (little strongback).~~

~~40.38. *Bourreria radula* (rough strongbark).~~

~~41.39. *Bourreria succulenta* (bodywood).~~

~~42.40. *Brassia caudata* (spider orchid).~~

~~43.44. *Brickellia cordifolia* (Flyr's nemesis).~~

~~44.42. *Brickellia mosieri* (Brickell-bush).~~

~~45.43. *Bulbophyllum pachyrrachis* (rat-tail orchid).~~

~~44. *Bumelia anomala* (Clark's buckthorn).~~

~~45. *Bumelia lycioides* (gopherwood buckthorn).~~

~~46. *Bumelia thornei* (Thorne's buckthorn).~~

~~46.47. *Burmannia flava* (Fakahatchee burmannia).~~

~~47.48. *Caesalpinia major* (yellow nicker).~~

~~48.49. *Caesalpinia pauciflora* (fewflower holdback).~~

~~49.50. *Calamintha georgiana* (Georgia calamint).~~

~~50.51. *Callirhoe papaver* (poppy mallow).~~

~~51.52. *Calopogon multiflorus* (many-flowered grass-pink).~~

~~52.53. *Calycanthus floridus* (sweet shrub).~~

~~53.54. *Calyptanthus zuzygium* (myrtle of the river).~~

~~54.55. *Calystegia catesbaeiana* (Catesby's bindweed).~~

~~55.56. *Campanula robinsiae* (Chinsegut bellflower).~~

~~56.57. *Campylocentrum pachyrrhizum* (leafless orchid).~~

~~57.58. *Campyloneurum angustifolium* (narrow swamp fern).~~

~~58.59. *Campyloneurum costatum* (tailed strap fern).~~

~~59.60. *Campyloneurum latum* (wide strap fern).~~

~~60.61. *Canella winterana* (wild cinnamon).~~

~~61.62. *Carex chapmanii* (Chapman's sedge).~~

~~62.63. *Carex microdonta* (little-tooth sedge).~~

~~63.64. *Cassia keyensis* (= *Chamaecrista lineata* var. *keyensis*) (Key cassia).~~

~~64.65. *Catesbaea parviflora* (dune lily-thorn).~~

~~65.66. *Catopsis beteroniana* (airplant).~~

~~66.67. *Catopsis floribunda* (many-flowered airplant).~~

~~67.68. *Catopsis nutans* (nodding catopsis).~~

- ~~68.69.~~ *Celosia nitida* (West Indian cock's-comb).
~~69.70.~~ *Celtis iguanaea* (Iguana hackberry).
~~70.71.~~ *Celtis pallida* (spiny hackberry).
~~71.72.~~ *Centrosema arenicola* (sand butterfly pea).
~~72.73.~~ *Cereus robinii* (tree cactus).
~~73.74.~~ *Chamaesyce cumulicola* (sand dune spurge).
~~74.75.~~ *Chamaesyce deltoidea* (~~=*Euphorbia deltoidea*~~) (rockland spurge).
~~75.76.~~ *Chamaesyce garberi* (Garber's spurge).
~~76.77.~~ *Chamaesyce porteriana* (Porter's spurge).
~~77.78.~~ *Cheilanthes microphylla* (southern lip fern).
~~78.79.~~ *Chionanthus pygmaeus* (pygmy fringe-tree).
~~79.80.~~ *Chrysopsis cruiseana* (Cruise's golden-aster).
~~80.81.~~ *Chrysopsis floridana* (Florida's golden-aster).
~~81.82.~~ *Chrysopsis godfreyi* (Godfrey's golden-aster).
~~82.83.~~ *Cienfuegosia yucatonensis* (~~=*Cienfuegosia heterophylla*~~) (yellow-hibiscus).
~~83.84.~~ *Cissampelos pareira* (pareira brava) Presumed Extirpated.
~~84.85.~~ *Cladonia perforata* (Florida perforate cladonia).
~~85.86.~~ *Clitoria fragrans* (pigeon wings).
~~86.87.~~ *Colubrina arborescens* (greenheart).
~~87.88.~~ *Colubrina cubensis* (colubrina).
~~88.89.~~ *Colubrina elliptica* (soldierwood).
~~89.90.~~ *Conradina brevifolia* (short-leaved rosemary).
~~90.91.~~ *Conradina etonia* (etonia rosemary).
~~91.92.~~ *Conradina glabra* (Apalachicola rosemary).
~~92.93.~~ *Corallorhiza odontorhiza* (autumn coralroot).
~~93.94.~~ *Cordia globosa* (Curacao bush).
~~94.95.~~ *Coreopsis integrifolia* (dye-flower).
~~95.96.~~ *Cornus alternifolia* (pagoda dogwood).
~~96.97.~~ *Cranichis muscosa* (moss orchid).
~~97.98.~~ *Crataegus phaenopyrum* (Washington thorn).
~~98.99.~~ *Croomia pauciflora* (croomia).
~~99.100.~~ *Crotalaria avonensis* (Avon Park harebells).
~~100.101.~~ *Croton humilis* (pepperbush).
~~101.102.~~ *Cryptotaenia canadensis* (honestwort).
~~102.103.~~ *Ctenitis sloanei* (Florida tree fern/red-hair comb fern).
~~103.104.~~ *Ctenitis submarginalis* (brown-hair comb fern).
~~104.105.~~ *Ctenium floridanum* (Florida toothache grass).
~~105.106.~~ *Cucurbita okeechobeensis* (Okeechobee gourd).
~~106.107.~~ *Cupania glabra* (cupania).
~~107.108.~~ *Cuphea aspera* (tropical waxweed).
~~108.109.~~ *Cynoglossum virginianum* (wild comfrey).
~~109.110.~~ *Cyperus floridanus* (Florida flatsedge).
~~110.111.~~ *Cyperus fuliginus* (limestone flatsedge).
~~111.112.~~ *Cyrtopodium punctatum* (cowhorn or cigar orchid).
~~112.113.~~ *Dalbergia brownii* (Brown's Indian rosewood).
~~113.114.~~ *Dalea carthagenensis* (Florida prairie clover).
~~114.115.~~ *Deeringothamnus pulchellus* (white squirrel-banana).
~~115.116.~~ *Deeringothamnus rugelii* (yellow squirrel-banana).
~~116.117.~~ *Delphinium carolinianum* (Carolina larkspur).
~~117.118.~~ *Dennstaedtia bipinnata* (cuplet fern).
~~118.119.~~ *Desmodium ochroleucum* (trailing tick-trefoil).
~~119.120.~~ *Dicerandra christmanii* (Christmann's mint).
~~120.121.~~ *Dicerandra cornutissima* (Robin's mint).
~~121.122.~~ *Dicerandra frutescens* (Lloyd's mint).
~~122.123.~~ *Dicerandra immaculata* (Olga's mint).
~~123.~~ *Dicerandra thinicola* (Titusville balm).
124. *Digitaria pauciflora* (Florida pineland crabgrass).
125. *Dirca palustris* (leatherwood).
126. *Dodecatheon meadia* (shooting-star).
127. *Dodonaea elaeagnoides* (Keys hopbush).
128. *Drosera filiformis* (dew-thread).
129. *Drypetes diversifolia* (milkbark).
130. *Echinacea purpurea* (purple coneflower).
131. *Eleocharis rostellata* (beaked spikerush).
132. *Eltroplectris calcarata* (~~=*Centrogenium setaceum*~~) (spurred neottia).
133. *Encyclia boothiana* (*Epidendrum boothianum*) (dollar orchid).
134. *Encyclia cochleata* (Florida clamshell orchid).
135. *Encyclia pygmaea* (dwarf epidendrum).
136. *Epidendrum acunae* (Acuna's epidendrum).
137. *Epidendrum anceps* (dingy-flowered epidendrum).
138. *Epidendrum difforme* (umbelled epidendrum).
139. *Epidendrum nocturnum* (night-scented epidendrum).
140. *Epidendrum rigidum* (rigid epidendrum).
141. *Epidendrum strobiliferum* (matted epidendrum).
142. *Epigaea repens* (trailing arbutus).
143. *Eragrostis tracyi* (Sanibel lovegrass).
144. *Eriocaulon nigrobracteatum* (dark-headed hatpins).
145. *Eriogonum floridanum* (~~=*Eriogonum longifolium*~~ var. ~~*gnaphalifolium*~~) (scrub buckwheat).
146. *Ernodea cokeri* (one-nerved ernodea).
147. *Eryngium cuneifolium* (scrub eryngium).
148. *Erythronium umbilicatum* (dimpled dogtooth-violet).
149. *Eugenia confusa* (redberry eugenia).
150. *Eugenia rhombea* (red stopper).
151. *Euonymus atropurpurea* (burning bush).
152. *Eupatorium frustratum* (Cape Sable thoroughwort).
153. *Eupatorium villosum* (Keys thoroughwort).
154. *Euphorbia commutata* (wood spurge).
155. *Euphorbia telephioides* (spurge).
156. *Evolvulus convolvuloides* (dwarf bindweed).
157. *Evolvulus grisebachii* (Grisebach's bindweed).

158. *Exostema caribaeum* (Caribbean princewood).
 159. *Forestiera godfreyi* (Godfrey's swamp privet).
 160. *Fothergilla gardenii* (dwarf witch-alder).
 161. *Galactia smallii* (Small's milkpea).
 162. *Galeandra beyrichii* (helmet orchid).
 163. *Gentiana pennelliana* (wiregrass gentian).
 164. *Goodyera pubescens* (downy rattlesnake orchid).
 165. *Gossypium hirsutum* (wild cotton).
 166. *Govenia utriculata* (Gowen's orchid).
 167. *Guaiacum sanctum* (lignum vitae).
 168. *Guzmania monostachia* (Fuch's bromeliad).
 169. *Gyminda latifolia* (West Indian falsebox).
 170. *Habenaria distans* (distans habenaria).
 171. *Harperocallis flava* (Harper's beauty).
 172. *Harrisia eriophora* (Indian River prickly-apple).
 173. *Harrisia gracilis* (West coast prickly-apple).
 174. *Hasteola robertorum* (Gulf hammock indian-plantain).
 175. *Helianthus carnosus* (flatwoods sunflower).
 176. *Heliotropium fruticosum* (Key West heliotrope)
 Presumed Extirpated.
 177. *Hepatica nobilis* (= *Hepatica americana*) (liverleaf).
 178. *Hexalectris spicata* (crested coral-root).
 179. *Hibiscus poeppigii* (Poeppig's rosemallow).
 180. *Hippomane mancinella* (manchineel).
 181. *Hybanthus concolor* (green violet).
 182. *Hydrangea arborescens* (wild hydrangea).
 183. *Hymenocallis godfreyi* (Godfrey's spiderlily).
 184. *Hymenocallis henryae* (Mrs. Henry's spiderlily).
 185. *Hypelate trifoliata* (inkwood).
 186. *Hypericum cumulicola* (Highlands scrub hypericum).
 187. *Hypericum edisonianum* (Edison ascyrum).
 188. *Hypericum lissophloeus* (smooth-barked St. Johns-wort).
 189. *Illicium parviflorum* (star anise).
 190. *Indigofera keyensis* (Keys' indigo).
 191. *Ionopsis utricularioides* (delicate ionopsis orchid).
 192. *Ipomoea microdactyla* (wild-potato morning-glory).
 193. *Ipomoea tenuissima* (rocklands morning-glory).
 194. *Isoetes engelmannii* (Engelmann's quillwort).
 195. *Isopyrum biternatum* (false rue-anemone).
 196. *Isotria verticillata* (whorled pogonia).
 197. *Jacquemontia havanensis* (Havana clustervine).
 198. *Jacquemontia pentantha* (skyblue clustervine).
 199. *Jacquemontia reclinata* (beach jacquemontia).
 200. *Juncus gymnocarpus* (Coville's rush).
 201. *Justicia cooleyi* (Cooley's justicia).
 202. *Justicia crassifolia* (thick-leaved water-willow).
 203. *Kosteletzkya depressa* (white fen).
 204. *Lantana canescens* (hammock shrub verbena).
 205. *Lantana depressa* (pineland lantana).
 206. *Lechea divaricata* (spreading pinweed).
 207. *Lechea lakelae* (Lakela's pinweed).
 208. *Leiphaimos parasitica* (parasitic ghostplant).
 209. *Leochilus labiatus* (lipped orchid).
 210. *Lepanthopsis melanantha* (tiny orchid).
 211. *Lepuropetalon spathulatum* (little-people).
 212. *Liatris ohlingerae* (scrub blazing-star).
 213. *Liatris provincialis* (Godfrey's blazing-star).
 214. *Licaria triandra* (licaria).
 215. *Lilium iridollae* (panhandle lily).
 216. *Lilium michauxii* (Carolina lily).
 217. *Lilium superbum* (Turk's-cap lily).
 218. *Lindera melissifolia* (pondberry) Presumed Extirpated.
 219. *Lindera subcoriacea* (bog spicebush).
 220. *Linum arenicola* (sand flax).
 221. *Linum carteri* (Everglades flax).
 222. *Linum westii* (West's flax).
 223. *Liparis nervosa* (tall twayblade).
 224. *Litsea aestivalis* (pond-spice).
 225. *Lobelia boykinii* (Boykin's lobelia).
~~226-225. *Lomariopsis kunzeana* (climbing holly-fern).~~
~~227-226. *Lupinus aridorum* (= *Lupinus westianus* var. *aridorum*) (McFarlin's lupine).~~
 228-227. *Lycopodium dichotomum* (hanging clubmoss).
 229-228. *Lythrum curtissii* (Curtis' loosestrife).
 230-229. *Lythrum flagellare* (lowland loosestrife).
 231-230. *Macbridea alba* (white birds-in-a-nest).
 232-231. *Macradenia lutescens* (Trinidad macradenia).
 233-232. *Macranthera flammea* (hummingbird-flower).
 234-233. *Magnolia acuminata* (cucumber-tree).
 235-234. *Magnolia ashei* (Ashe's magnolia).
 236-235. *Magnolia pyramidata* (pyramid magnolia).
 237-236. *Magnolia tripetala* (umbrella magnolia).
 238-237. *Malaxis unifolia* (green adder's-mouth orchid).
 239-238. *Marshallia obovata* (Barbara's buttons).
 240-239. *Marshallia ramosa* (Barbara's buttons).
 241-240. *Matelea alabamensis* (Alabama spiny pod).
 242-241. *Matelea baldwyniana* (Baldwin's spiny pod).
 243-242. *Matelea flavidula* (yellow-flowered spiny pod).
 244-243. *Matelea floridana* (Florida spiny pod).
 245-244. *Matelea publiflora* (sandhill spiny pod).
 246-245. *Maxillaria crassifolia* (hidden orchid).
 247-246. *Maxillaria parviflora* (minnie-max).
 248-247. *Medeola virginiana* (Indian cucumber).
 249-248. *Microgramma heterophylla* (climbing vine fern).
 250-249. *Minuartia godfreyi* (Godfrey's sandwort).
 251-250. *Monotropa hypopithys* (pine-sap).
 252-251. *Monotropis reynoldsiae* (pygmy-pipes).

- ~~253.252.~~ *Nemastylis floridana* (celestial lily).
~~254.253.~~ *Neurodium lanceolatum* (ribbon fern).
~~255.254.~~ *Nolina brittoniana* (Britton's bear-grass).
~~256.255.~~ *Nymphaea jamesoniana* (Jameson's water lily).
~~257.256.~~ *Ocimum campechianum* (ocimum).
~~258.257.~~ *Okenia hypogaea* (burrowing four-o'clock).
~~259.258.~~ *Oncidium bahamense* (dancing-lady orchid).
~~260.259.~~ *Oncidium floridanum* (Florida orchidium).
~~261.260.~~ *Oncidium luridum* (mule-ear orchid).
~~262.261.~~ *Ophioglossum palmatum* (hand fern).
~~263.262.~~ *Opuntia corallicola* (semaphore cactus).
~~264.263.~~ *Opuntia triacantha* (Keys Joe-jumper).
~~265.264.~~ *Oxypolis greenmanii* (giant water-dropwort).
~~266.265.~~ *Pachysandra procumbens* (Allegheny-spurge).
~~267.266.~~ *Panicum abscissum* (cut-throat grass).
~~268.267.~~ *Parnassia caroliniana* (Carolina grass-of-Parnassus).
~~269.268.~~ *Parnassia grandifolia* (grass-of-Parnassus).
~~270.269.~~ *Paronychia chartacea* (papery whitlow-wort).
~~271.270.~~ *Passiflora multiflora* (white-flowered passionvine).
~~272.271.~~ *Passiflora pallens* (pineland passionvine).
~~273.272.~~ *Passiflora sexflora* (goat's foot leaf).
~~274.273.~~ *Pavonia paludicola* (swampbush).
~~275.274.~~ *Pellaea atropurpurea* (hairy cliff-brake fern).
~~276.275.~~ *Peperomia amplexicaulis* (clasping peperomia).
~~277.276.~~ *Peperomia glabella* (cypress peperomia).
~~278.277.~~ *Peperomia humilis* (peperomia).
~~279.278.~~ *Peperomia magnoliifolia* (spathulate peperomia).
~~280.279.~~ *Peperomia obtusifolia* (Florida peperomia).
~~281.~~ *Peperomia rotundifolia* (round peperomia).
~~282.280.~~ *Pharus glaber* (creeping leafstalk grass).
~~283.281.~~ *Phoradendron rubrum* (mahogany mistletoe).
~~284.282.~~ *Phyla stoechadifolia* (southern matchsticks).
~~285.283.~~ *Phyllanthus leibmannianus* (pine woods dainties).
~~286.284.~~ *Physocarpus opulifolius* (ninebark).
~~287.285.~~ *Picramnia pentandra* (Florida bitterbush).
~~288.286.~~ *Pilosocereus bahamensis* (Bahamian treecactus).
~~289.287.~~ *Pinguicula ionantha* (Panhandle butterwort).
~~290.288.~~ *Pinguicula primuliflora* (primrose-flowered butterwort).
~~291.289.~~ *Pisonia rotundata* (devil's smooth claws).
~~292.290.~~ *Pityopsis flexuosa* (Florida golden-aster).
~~293.291.~~ *Platanthera clavellata* (green rein orchid).
~~294.292.~~ *Platanthera integra* (orange rein orchid).
~~295.293.~~ *Pleopeltis astrolepis* (star-scaled fern).
~~296.294.~~ *Pleurothallis gelida* (frosted orchid).
~~297.295.~~ *Podophyllum peltatum* (mayapple).
~~298.296.~~ *Poinsettia pinetorum* (~~=*Euphorbia pinetorum*~~) (Everglades poinsettia).
~~299.297.~~ *Polygala lewtonii* (Lewton's polygala).
~~300.298.~~ *Polygala smallii* (tiny polygala).
~~301.299.~~ *Polygonella basiramia* (tufted wireweed).
~~302.300.~~ *Polygonella myriophylla* (sandlace).
~~303.301.~~ *Polygonum meisnerianum* (Mexican tear-thumb).
~~304.302.~~ *Polymnia laevigata* (Tennessee leaf-cup).
~~305.303.~~ *Polypodium dispersum* (widespread polypody).
~~306.304.~~ *Polypodium plumula* (plume polypody).
~~307.305.~~ *Polypodium ptilodon* (swamp plume polypody).
~~308.306.~~ *Polypodium lindenii* (ghost orchid).
~~309.307.~~ *Polystachya concreta* (pale-flowered polystachya).
~~310.308.~~ *Ponthieva brittoniae* (Mrs. Britton's shadow witch).
~~311.309.~~ *Potamogeton floridanus* (Florida pondweed).
~~312.310.~~ *Prescottia oligantha* (small-flowered orchid).
~~313.311.~~ *Prunus geniculata* (scrub plum).
~~314.312.~~ *Pseudophoenix sargentii* (Sargent's cherry palm).
~~315.313.~~ *Psychotria ligustrifolia* (Bahama wildcoffee).
~~316.314.~~ *Remirea maritima* (beach-star).
~~317.315.~~ *Rhexia parviflora* (Apalachicola meadow-beauty).
~~318.316.~~ *Rhipsalis baccifera* (mistletoe cactus).
~~319.317.~~ *Rhododendron alabamense* (Alabama azalea).
~~320.318.~~ *Rhododendron austrinum* (Florida flame azalea).
~~321.319.~~ *Rhododendron chapmanii* (Chapman's rhododendron).
~~322.320.~~ *Rhus michauxii* (Michaux's sumac) Presumed Extirpated.
~~323.321.~~ *Rhynchosia swartzii* (Swartz' snoutbean).
~~324.322.~~ *Rhynchospora crinipes* (hairy peduncled beakrush).
~~325.~~ *Rhynchospora megaplumosa* (hairy spikelet beakrush).
~~326.323.~~ *Ribes echinellum* (Miccosukee gooseberry).
~~327.324.~~ *Roystonea elata* (Florida royal palm).
~~328.325.~~ *Rudbeckia nitida* (St. John's-Susan).
~~329.326.~~ *Rudbeckia triloba* (a browneyed Susan).
~~330.327.~~ *Ruellia noctiflora* (night-flowering wild-petuni).
~~331.328.~~ *Salix eriocephala* (heart-leaved willow).
~~332.329.~~ *Salix floridana* (Florida willow).
~~333.330.~~ *Salvia urticifolia* (nettle-leaved sage).
~~334.331.~~ *Sarracenia leucophylla* (white-top pitcher-plant).
~~335.332.~~ *Savia bahamensis* (Bahama maidenbush).
~~336.333.~~ *Schaefferia frutescens* (Florida boxwood).
~~337.334.~~ *Schisandra coccinea* (bay star vine).

- ~~338.335.~~ *Schizachyrium niveum* (scrub bluestem).
~~339.336.~~ *Schizachyrium sericatum* (silky bluestem).
~~340.337.~~ *Schizaea germanii* (ray fern).
~~341.338.~~ *Schwalbea americana* (chaff-seed).
~~342.339.~~ *Scleria lithosperma* (Keys' nutrush).
~~343.340.~~ *Scutellaria floridana* (Florida skullcap).
~~344.341.~~ *Scutellaria havanensis* (Havana skullcap).
~~345.342.~~ *Selaginella eatonii* (pygmy spikemoss).
~~346.343.~~ *Setaria chapmanii* (coral panic grass).
~~347.~~ *Sideroxylon alachuense* Anderson (Clark's buckthorn).
~~348.~~ *Sideroxylon lycioides* (gopherwood buckthorn).
~~349.~~ *Sideroxylon thornei* (Thorne's buckthorn).
~~350.344.~~ *Silene polypetal* (fringed pink).
~~351.345.~~ *Silene virginica* (fire pink).
~~352.346.~~ *Sphenomeris clavata* (wedgelet fern).
~~353.347.~~ *Sphenostigma coelestinum* (Bartram's ixia).
~~354.348.~~ *Spigelia gentianoides* (gentian pinkroot).
~~355.349.~~ *Spigelia loganioides* (Levy pinkroot).
~~356.350.~~ *Spiranthes adnata* (pelexia).
~~357.351.~~ *Spiranthes brevilabris* (small ladies'-tresses).
~~358.352.~~ *Spiranthes costaricensis* (Costa Rican ladies'-tresses).
~~359.353.~~ *Spiranthes elata* (tall neottia).
~~360.354.~~ *Spiranthes ovalis* (lesser ladies'-tresses).
~~361.355.~~ *Spiranthes polyantha* (Ft. George ladies'-tresses).
~~362.356.~~ *Spiranthes torta* (southern ladies'-tresses).
~~363.357.~~ *Stachydeoma graveolens* (= *Hedeoma graveolens*) (mock pennyroyal).
~~364.358.~~ *Stachys crenata* (shade betony).
~~365.359.~~ *Stachys tenuifolia* (narrow-leaved betony).
~~366.360.~~ *Staphylea trifolia* (bladder nut).
~~367.361.~~ *Stewartia malacodendron* (silky camellia).
~~368.362.~~ *Strumpfia maritima* (pride-of-Big-Pine).
~~369.363.~~ *Stylisma abdita* (hidden stylisma).
~~370.364.~~ *Stylosanthes calcicola* (Everglades pencilflower).
~~371.365.~~ *Taxus floridana* (Florida yew).
~~372.366.~~ *Tectaria fimbriata* (least halberd fern).
~~373.367.~~ *Tephrosia angustissima* (hoary pea).
~~374.368.~~ *Thalictrum cooleyi* (Cooley's meadow rue).
~~375.369.~~ *Thalictrum thalictroides* (= *Anemonella thalictroides*) (Rue-anemone).
~~376.370.~~ *Thelypteris grandis* (Collier County maiden fern).
~~377.371.~~ *Thelypteris patens* (grid-scale maiden fern).
~~378.372.~~ *Thelypteris reptans* (creeping star-hair fern).
~~379.373.~~ *Thelypteris reticulata* (lattice-vein fern, cypress fern).
~~380.374.~~ *Thelypteris sclerophylla* (stiff star-hair fern).
~~381.375.~~ *Thelypteris serrata* (dentate lattice-vein fern).
~~382.376.~~ *Thrinax morrisii* (= *T. microcarpa*) (brittle thatch palm).
~~383.377.~~ *Thrinax radiata* (= *T. floridana*) (Florida thatch palm).
~~384.378.~~ *Tillandsia fasciculata* (common or stiff-leaved wild-pine).
~~385.379.~~ *Tillandsia pruinosa* (fuzzy-wuzzy or hoary air-plant).
~~386.380.~~ *Tillandsia utriculata* (giant wild-pine).
~~381.~~ *Tithymalus telephioides* (spurge).
~~387.382.~~ *Torreya taxifolia* (Florida torreya).
~~388.383.~~ *Tournefortia hirsutissima* (chiggery grapes).
~~389.384.~~ *Trema lamarckianum* (Lamarck's trema).
~~390.385.~~ *Trichomanes holopterum* (entire-winged bristle fern).
~~391.386.~~ *Trichomanes krausii* (Kraus's bristle fern).
~~392.387.~~ *Trichomanes lineolatum* (lined bristle fern).
~~393.388.~~ *Trichomanes punctatum* (Florida bristle fern).
~~394.389.~~ *Trichostigma octandrum* (hoop vine) Presumed Extirpated.
~~395.390.~~ *Trillium lancifolium* (lance-leaved wake-robin).
~~396.391.~~ *Triphora craigheadii* (Craigheads's orchid).
~~397.392.~~ *Triphora latifolia* (wide-leaved triphora).
~~398.393.~~ *Tropidia polystachya* (young-palm orchid).
~~399.394.~~ *Uvularia floridana* (Florida merrybells).
~~400.395.~~ *Vallesia antillana* (tear shrub).
~~401.396.~~ *Vanilla barbellata* (worm-vine orchid).
~~402.397.~~ *Vanilla dilloniana* (Dillon's vanilla).
~~403.398.~~ *Vanilla mexicana* (unscented vanilla).
~~404.399.~~ *Vanilla phaeantha* (leafy vanilla).
~~405.400.~~ *Veratrum woodii* (false hellebore).
~~406.401.~~ *Verbena maritima* (coastal vervain).
~~407.402.~~ *Verbena tampensis* (Tampa vervain).
~~408.403.~~ *Vicia ocalensis* (Ocala vetch).
~~409.404.~~ *Viola tripartita* (yellow violet).
~~410.405.~~ *Warea amplexifolia* (clasping warea).
~~411.406.~~ *Warea carteri* (Carter's mustard).
~~412.407.~~ *Xanthorhiza simplicissima* (yellow-root).
~~413.408.~~ *Xyris chapmanii* (Chapman's yellow-eyed-grass).
~~414.409.~~ *Xyris isoetifolia* (quillwort yellow-eyed-grass).
~~415.410.~~ *Xyris longisepala* (Karst pond yellow-eyed-grass).
~~416.~~ *Yucca gloriosa* (moundlily yucca).
~~417.411.~~ *Zanthoxylum americanum* (prickly-ash).
~~418.412.~~ *Zanthoxylum coriaceum* (leathery prickly-ash).
~~419.413.~~ *Zanthoxylum flavum* (yellowheart).
~~420.414.~~ *Zigadenus leimanthoides* (coastal death camas).

421.415- *Ziziphus celata* (scrub ziziphus).

(b) Threatened Plant List. The following plants shall be included in the Threatened Plant List:

1. *Acanthocereus pentagonus* (barbed-wire cactus).
2. *Acoelorrhaphe wrightii* (Everglades palm).
3. *Acrostichum aureum* (golden leather fern).
4. *Andropogon arctatus* (pine-woods bluestem).
5. *Angadenia berteroi* (pineland golden trumpet).
6. *Arnoglossum diversifolium* (Indian-plantain).
7. *Asclepias viridula* (green milkweed).
8. *Athyrium filix-femina* (southern lady fern).
9. *Baptisia hirsuta* (hairy wild-indigo).
10. *Baptisia simplicifolia* (scare-weed).
11. *Bletia purpurea* (pine-pink orchid).
12. *Byrsonima lucida* (locust berry).
13. *Calamintha ashei* (Ashe's calamintha).
14. *Calamintha dentata* (toothed savory).
15. *Calamovilfa curtissii* (Curtis' sandgrass).
16. *Calyptanthes pallens* (pale lidflower).
17. *Carex baltzellii* (Baltzell's sedge).
18. *Chamaesyce pergamena* (rocklands spurge).
19. *Chaptalia albicans* (white sunbonnets).
20. *Chrysophyllum oliviforme* (satin leaf).
21. *Cleistes divaricata* (spreading pogonia).
22. *Coccothrinax argentata* (silver palm).
23. *Coelorachis tuberculosa* (piedmont joint grass).
24. *Conradina grandiflora* (large-flowered rosemary).
25. *Crossopetalum ilicifolium* (Christmas berry).
26. *Crossopetalum rhacoma* (rhacoma).
27. *Cynanchum blodgettii* (Blodgett's swallowwort).
28. *Digitaria dolichophylla* (Caribbean crabgrass).
29. *Drosera intermedia* (water sundew).
30. *Drypetes lateriflora* (Guiana plum).
31. *Erithralis fruticosa* (blacktorch).
32. *Eulophia ecristata* (non-crested eulophia).
33. *Garberia heterophylla* (garberia).
34. *Harrisella filiformis* (threadroot orchid).
35. *Hartwrightia floridana* (hartwrightia).
36. *Hexastylis arifolia* (heartleaf wild ginger).
37. *Ilex amelanchier* (serviceberry holly).
38. *Ilex krugiana* (Krug's holly).
39. *Jacquemontia curtissii* (pineland jacquemontia).
40. *Jacquinia keyensis* (joewood).
41. *Kalmia latifolia* (mountain laurel).
42. *Lachnocaulon digynum* (Panhandle bogbuttons).
43. *Lechea cernua* (scrub pinweed).
44. *Leitneria floridana* (corkwood).
45. *Lilium catesbaei* (Catesby lily).
46. *Listera australis* (southern twayblade).
47. *Lobelia cardinalis* (cardinal flower).
48. *Lupinus westianus* (Gulfcoast lupine).
49. *Malus angustifolia* (crabapple).
50. *Manilkara jaimiqui* (wild dilly).
51. *Matelea gonocarpos* (angle pod).
52. *Maytenus phyllanthoides* (Florida mayten).
53. *Melanthera parvifolia* (small-leaved melanthera).
54. *Myrcianthes fragrans* (~~(=Eugenia simpsonii)~~) (Simpson's stopper).
55. *Najas filifolia* (slender naiad).
56. *Nephrolepis biserrata* (giant sword fern).
57. *Nolina atopocarpa* (Florida beargrass).
58. *Opuntia stricta* (shell mound prickly-pear).
59. *Panicum nudicaule* (naked-stemmed panic grass).
60. *Phoebanthus tenuifolius* (pineland false sunflower).
61. *Physostegia godfreyi* (Apalachicola dragonhead).
62. *Pinckneya bracteata* (fever-tree).
63. *Pinguicula caerulea* (blue-flowered butterwort).
64. *Pinguicula lutea* (yellow-flowered butterwort).
65. *Pinguicula planifolia* (swamp butterwort).
66. *Pithecellobium keyense* (Keys' blackbead).
67. *Platanthera blephariglottis* (white-fringed orchid).
68. *Platanthera ciliaris* (yellow-fringed orchid).
69. *Platanthera cristata* (crested fringed orchid).
70. *Platanthera flava* (gypsy-spikes).
71. *Platanthera nivea* (snowy orchid).
72. *Pogonia ophioglossoides* (rose pogonia).
73. *Polygonella macrophylla* (large-leaved jointweed).
74. *Prunus myrtifolia* (West Indian cherry).
75. *Psidium longipes* (mangrove berry).
76. *Pteris bahamensis* (Bahama ladder brake fern).
77. *Pycnanthemum floridanum* (Florida mountain-mint).
78. *Quercus arkansana* (Arkansas oak).
79. *Reynosia septentrionalis* (Darling plum).
80. *Rhexia salicifolia* (Panhandle meadow beauty).
81. *Rhynchosia parvifolia* (small-leaf snoutbean).
82. *Rhynchospora stenophylla* (narrow-leaf beakrush).
83. *Sachsia bahamensis* (Bahama sachsia).
84. *Sarracenia minor* (hooded pitcher plant).
85. *Sarracenia psittacina* (parrot pitcher plant).
86. *Sarracenia purpurea* (decumbent pitcher plant).
87. *Sarracenia rubra* (red-flowered pitcher plant).
88. *Scaevola plumieri* (inkberry).
89. *Senna mexicana* (Chapman's sensitive plant).
90. *Smilax havanensis* (Everglades greenbrier).
91. *Solanum donianum* (mullein nightshade).
92. *Spermacoce terminalis* (false buttonweed).
93. *Spiranthes laciniata* (lace-lip ladies' tresses).
94. *Spiranthes longilabris* (long-lip ladies' tresses).
95. *Spiranthes tuberosa* (little pearl-twist).
96. *Stenorrhynchos lanceolatus* (leafless beaked orchid).

- 97. *Swietenia mahagoni* (mahogany).
- 98. *Tectaria heracleifolia* (broad halberd fern).
- 99. *Tephrosia mohrii* (pineland hoary-pea).
- 100. *Tetrazygia bicolor* (tetrazygia).
- 101. *Thelypteris augescens* (abrupt-tipped maiden fern).
- 102. *Tillandsia balbisiana* (inflated & reflexed wildpine).
- 103. *Tillandsia flexuosa* (twisted or banded air plant).
- 104. *Tillandsia valenzuelana* (soft-leaved wildpine).
- 105. *Tipularia discolor* (crane-fly orchid).
- 106. *Tragia saxicola* (rocklands noseburn).
- 107. *Triphora trianthophora* (three-birds orchid).
- 108. *Tripsacum floridanum* (Florida tripsacum).
- 109. *Verbesina chapmanii* (Chapman's crownbeard).
- 110. *Xyris scabrifolia* (Harper's yellow-eyed grass).
- 111. *Zephyranthes atamasco* (rainlily).
- 112. *Zephyranthes simpsonii* (Simpson's zephyr-lily).
- 113. *Zephyranthes treatiae* (Treat's zephyr-lily).

(c) through (2) No change.

Specific Authority 570.07(23), 581.185, FS. Law Implemented 570.07(13), 581.185, FS. History--New 12-3-91, Amended 9-20-93, 5-21-96, 12-10-96, 1-7-98, 9-20-00_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Performance Specifications and Standards for Motor Vehicle Brake Fluid

RULE NO.:

5F-6.001

PURPOSE AND EFFECT: The purpose of Rule 5F-6.001, F.A.C., is to adopt the most recent version of Motor Vehicle Safety Standard No. 116, Motor Vehicle Brake Fluid, revised October 1, 2001.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-6.001, F.A.C., will specify that the Motor Vehicle Safety Standard No. 116, Motor Vehicle Brake Fluid, revised October 1, 2001, is the accepted standard for implementation of Chapter 526, Florida Statutes.

SPECIFIC AUTHORITY: 526.52(1) FS.

LAWS IMPLEMENTED: 526.53(1),(2), 526.54 FS.

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

TIME AND DATE: 10:00 a.m., Monday, September 16, 2002

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-6.001 Performance Specifications and Standards for Motor Vehicle Brake Fluid.

(1) The performance specifications and standards for brake fluid adopted by the United States Department of Transportation and contained in Motor Vehicle Safety Standard No. 116, Motor Vehicle Brake Fluid, revised October 1, 2001 ~~March 15, 1991~~, are hereby adopted as rules of the Department of Agriculture and Consumer Services.

(2) The violation of any provisions or standards of this rule is subject to penalties, provided in Chapter 526, Part II, Florida Statutes.

Specific Authority 526.52(1) FS. Law Implemented 526.53(1)(2), 526.54 FS. History--New 5-8-78, Formerly 5F-6.01, Amended 12-9-98_____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Rest Area Information (RestInfo)

RULE CHAPTER NO.:

Program 14-99

RULE TITLE: RestInfo Program

RULE NO.:

14-99.001

PURPOSE AND EFFECT: This rule is to implement the Rest Area Information (RestInfo) Program authorized under Section 479.28, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 14-99.001 is established as authorized by Section 479.28, Florida Statutes.

SPECIFIC AUTHORITY: 334.044(2), 479.28 FS.

LAW IMPLEMENTED: 479.28 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: 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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-99.001 RestInfo Program.

(1) General.

(a) The Florida Department of Transportation shall implement a rest area information program, hereafter referred to as "RestInfo Program," to be implemented in selected full service rest areas along the Interstate Highway System, to present information of specific interest to the traveling public and to promote tourist-oriented businesses.

(b) Facilities for the display of information, hereinafter referred to as display areas, shall be designed to accommodate the names, locations, and short messages regarding tourist attractions, points of interest, events, public service, lodging, camping, and retail sales in Florida.

(c) A minimum of 40 percent of the display areas must be devoted to providing public service information announcements by the Department for the traveling public. The remaining 60 percent of the display areas shall contain only information which is of specific interest and benefit to the traveling public.

(d) The Department has contracted with Florida Logos, Inc., 4706 Capital Circle, S. W., Tallahassee, Florida 32305, phone number (888)608-0833, to provide the services required by this rule chapter including the construction, marketing, operation, collection of fees, and maintenance of the display areas.

(2) Definitions.

(a) "Business" as used in this rule chapter shall include points of interest, not-for-profit entities, events, and other facilities which are of specific interest to the traveling public.

(b) "Department" means the Florida Department of Transportation.

(c) "Display Area" refers to a facility located at selected full service rest areas that provides information to the traveling public.

(d) "Full Service Rest Area" refers to rest areas along the Interstate Highway System that provide public restrooms, lighting, and telephone service.

(e) "Program Participant" means a business that is authorized to display messages at display areas.

(f) "Public Service Information" means any information related to safety, recreation, or assistance for the traveling public provided by the Department.

(g) "Public Telephone" means a coin-operated or business-owned telephone available for use by the public.

(h) "RestInfo" refers to the rest area information program.

(3) Qualification of Program Participants. To qualify for space on the display area, a business must meet all of the following conditions:

(a) Serve the public without regard to race, color, religion, sex, age, or national origin.

(b) Have all required state and local occupational licenses, health permits, and any other permits, licenses, or approvals required by state, local, or other governmental entities.

(c) Provide a public telephone.

(d) Provide access to and from the business including access for handicapped patrons as required by all applicable laws and regulations.

(e) Provide sufficient on-site parking as required by local ordinances.

(f) Allow admission to the general public.

(4) Permit Application.

(a) A business wishing to participate in the RestInfo program must complete and submit a RestInfo Permit Application, Form FLI-163-RI, Rev. 11/02, incorporated herein by reference, which may be obtained from Florida Logos, Inc., 4706 Capital Circle, S.W., Tallahassee, FL 32305, phone number (888)608-0833.

(b) Approval of applications for participation in the Restinfo program shall be prioritized as follows:

1. Qualified applicants located closest to a rest area shall have first priority for display space.

2. Whenever space is not available, qualified applicants will be placed on a waiting list in priority order.

3. Waiting list applicants shall be approved as space becomes available with priority based upon the distance from the rest area to the applicant's location. Distance will be measured along the main traveled way.

(5) Fees and Costs.

(a) Program participants shall be charged a permit fee for each display area at which a message is displayed. Such permit fees shall not exceed \$1800.00 per year for a 14"x 22" message, depending upon the location of the message within the display area. A \$50.00 production fee shall be charged for each message. An additional \$50.00 production fee will be charged for any requested changes to the initial message, or for any requested changes of message location. Discounts may be given for the purchase of additional space within a display area or for purchase of space in multiple display areas.

(b) RestInfo program participants shall be responsible for remitting payment of the annual permit fee prior to the expiration date on the face of the permit. Payment must be received by the RestInfo Program Administrator, Florida Logos, Inc., on or before the expiration date, or the permit will expire and the message will be removed from the display area.

(c) The permit period shall be for a period of 12 months based on the date of issuance of the permit.

Specific Authority 334.044(2), 479.28 FS. Law Implemented 479.28 FS. History--New

COMMISSION ON ETHICS

RULE TITLE:

List of Forms and Instructions

RULE NO.:

34-7.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to promulgate the 2002 version of CE Form 1 and CE Form 6, which will become effective on January 1, 2003. Pursuant to Chapter 2002-180, Laws of Florida, the instructions for CE Form 1 and CE Form 6 need to be amended to add and delete certain boards statutorily required to file the forms. Forms CE Form 1F and CE Form 6F are also being amended, and the "Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" is being

repealed as a rule since it merely contains a compilation of existing authority and is not, by definition, a "rule." The Commission may propose other changes to these forms.

SUBJECT AREA TO BE ADDRESSED: CE Form 1, CE Form 6, CE Form 1F, CE Form 6F, and the "Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" will be affected by this proposed rule development.

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS.

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

TIME AND DATE: 10:00 a.m., Thursday, September 19, 2002

PLACE: Commission on Ethics, 2822 Remington Green Circle, Suite 101, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia Cobb Costas, Staff Attorney

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Section 112.3145(2) and (3), Florida Statutes. Effective 1/2003 ~~1/2002~~.

(b) No change.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8 of these rules. Effective 1/2003 ~~1/2002~~.

(d) No change.

~~(e) A Guide to the Sunshine Amendment and Code of Ethics for Public Officers, Candidates, and Employees. Instructions to be utilized by public officers, public employees, candidates for public office, and other interested persons in complying with the Sunshine Amendment and the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes. Effective 1/2002.~~

(f) through (o) renumbered (e) through (n) No change.

~~(o)(p)~~ Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2003 ~~1/2002~~.

~~(p)(q)~~ Form 6F, Final Full and Public Disclosure of Financial Interests. To be filed within 60 days of leaving public office. Effective 1/2003 ~~1/2002~~.

(r) through (s) renumbered (q) through (r) No change.

(2) No change.

Specific Authority Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS. Law Implemented 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a),(f),(h), Fla. Const. History—New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 11-19-98, 12-28-99, 1-1-00, 12-4-00, 12-21-00, 10-14-01, 11-22-01, 1-1-02.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

PURPOSE AND EFFECT: The purpose and effect of the rule development is to modify and update the District's Water Use Rules to reflect new legislative direction, new policy development and regional water supply plan implementation.

SUBJECT AREA TO BE ADDRESSED: The following topics will be discussed: supplemental irrigation requirement, pollution remediation; interference with existing legal uses; offsite land use impacts; pasture irrigation; use of reclaimed water; wellfield operational plans; diversion/impoundment allocation; permit duration; permit renewal process; impact evaluations; local sources first; aquifer storage and recovery; wetland protection; areas with maximum developable limits; water conservation; water shortage plan; and fees.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: Parts I and II, Chapter 373 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 12:00 p.m., September 16, 2002

PLACE: Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Shingle Creek Conference Room, Orlando, Florida 32809, (407)858-6100, 1(800)250-4250

TIME AND DATE: 10:00 a.m. – 12:00 p.m., September 18, 2002

PLACE: Miami Field Station, 9001 N. W. 58th Street, Miami, Florida 33178, (305)513-3420

TIME AND DATE: 10:00 a.m. – 12:00 p.m., September 19, 2002

PLACE: Fort Myers Service Center, 2301 McGregor Boulevard, Fort Myers, Florida 33901, (941)338-2929, 1(800)248-1201

TIME AND DATE: 10:00 a.m. – 12:00 p.m., September 20, 2002

PLACE: Stuart City Hall Commission Chambers, 121 S. W. Flagler Avenue, Stuart, Florida 34994, (561)682-6261

TIME AND DATE: 2:00 p.m. – 4:00 p.m., September 23, 2002

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6261

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Regarding procedural questions: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet:jjenniso@sfwmd.gov); regarding substantive questions: Scott Burns, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6817 or (561)682-6817

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DISTRICT’S WEBSITE AT http://www.sfwmd.gov/org/wsd/wateruse/b_list.html OR CONTACT RUFINO OSORIO, (561)682-6261, rosorio@sfwmd.gov.

LAND AND WATER ADJUDICATORY COMMISSION

Gateway Services District

RULE CHAPTER TITLE: Gateway Services Community Development District
RULE CHAPTER NO.: 42F-1

RULE TITLE: Boundary
RULE NO.: 42F-1.002

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend the boundaries of the Gateway Services Community Development District (District). The petition to amend the District’s boundaries submitted by the Board of Supervisors of the District requests that the Florida Land and Water Adjudicatory Commission amend Chapter 42F-1, Florida Administrative Code, to contract approximately 973 acres from the existing boundaries. A Notice of Receipt of Petition for the District was published in the May 17, 2002, edition of the Florida Administrative Weekly. After contraction, the District will consist of approximately 4,501 acres. (At the time the petition was filed, the District was known as the “Gateway Services District” consisting of approximately 5,324 acres. However, on July 29, 2002, a rule

amendment became effective expanding the District to approximately 5,474 acres and renaming the District as the “Gateway Services Community Development District.”) All of the property proposed to be contracted out of the District is located within the City of Fort Myers, Florida. The proposed area to be contracted consists of three parcels generally located in the southeast portion of the City of Fort Myers, south of Colonial Boulevard and bisected by Interstate 75, in sections 34 and 35, township 44 south, range 25 east and sections 2, 3, 4, 10 and 11 of township 45 south, range 25 east. The District has obtained the consent of the owners of 100% of the property proposed to be deleted from the District.

SUBJECT AREA TO BE ADDRESSED: Contraction of the boundaries of the Gateway Services Community Development District.

SPECIFIC AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 FS.

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

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Monday, September 16, 2002

PLACE: Room 1703G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Erin McCormick Larrinaga, Fowler White Boggs Banker, P.A., Suite 1700, 501 E. Kennedy Boulevard, Tampa, Florida 33602, telephone (813)222-1180, or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Home and Community-Based Services Waivers
RULE NO.: 59G-8.200

PURPOSE AND EFFECT: The purpose of this rule amendment is to amend the current paragraph 59G-8.200(6)(b) and (10)(c), F.A.C. This amendment is part of a settlement of a challenge to Rule 59G-8.200, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Home and Community-Based Waivers.

SPECIFIC AUTHORITY: 409.906 (13), 409.912(7) FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

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

TIME AND DATE: 10:00 a.m. – 11:00 a.m., September 16, 2002

PLACE: Conference Room D, Building Three, Knox Office Complex, 2727 Mahan Drive, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Keith Young, Health Systems Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-2618

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-8.200 Home and Community-Based Services Waivers.

(1) through (6)(a) No change.

(b) A person can not receive Medicaid waiver services until he is determined eligible and is enrolled in the appropriate waiver program. To be eligible to receive HCB waiver services, each applicant must receive case management services, plus at least one other HCB waiver service.

(c) through (10)(b) No change.

(c) Recipient Eligibility. Individuals must meet Medicaid eligibility requirements as defined by Chapter 409, F.S., and Florida's Title XIX State Plan; or be physically disabled or aged as defined by Chapter 10C-8, F.A.C., and 42 CFR 435.217 and 435.726, as of October 1, 1994, the latter two hereby incorporated by reference. Recipients must be assessed as meeting level of care criteria for skilled or intermediate nursing home care as defined in sections 59F-4.290 and 59G-4.180, F.A.C., and must be at risk for nursing facility placement without the provision of HCB services. ~~Recipients must receive waiver case management and at least one other HCB service to be Medicaid eligible at the institutional care placement (I.C.P.) level.~~

Specific Authority 409.919 FS. Law Implemented 409.906(12), 409.912(7) FS. History—New 4-20-82, Formerly 10C-7.527, Amended 3-22-87, 11-23-89, Formerly 10C-7.0527, Amended 1-16-96, 7-23-97, 1-6-02, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractor's Licensing Board

RULE TITLE: Disciplinary Guidelines

RULE NO.: 61G6-10.002

PURPOSE AND EFFECT: The Board proposes to review this rule to determine the necessity of amendments.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.2273 FS.

LAW IMPLEMENTED: 455.2273 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Biennial Renewal of License

RULE NO.: 64B1-7.001

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Biennial renewal of license.

SPECIFIC AUTHORITY: 456.033, 456.036, 457.104, 457.107, 457.108 FS.

LAW IMPLEMENTED: 456.033, 456.036, 457.107, 457.108 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen Eaton, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Documentation of Eligibility for Licensure

RULE NO.: 64B14-4.003

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Documentation of eligibility for licensure.

SPECIFIC AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 456.013, 468.803 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLES:	RULE NOS.:
Licensure Renewal	64B14-5.001
Continuing Education Requirement	64B14-5.002
Continuing Education Course Criteria	64B14-5.003

PURPOSE AND EFFECT: The Board proposes to review the existing language in these rules to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Licensure renewal, continuing education requirement and continuing education course criteria.

SPECIFIC AUTHORITY: 456.013, 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.806 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE:	RULE NO.:
Rights and Responsibilities	65A-1.204

PURPOSE AND EFFECT: This proposed rule amendment incorporates by reference client notice and contact forms used in the eligibility determination process.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment incorporates revised Rights and Responsibilities and Hearing Request forms by reference.

SPECIFIC AUTHORITY: 409.212, 409.919, 410.033, 414.45 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.212, 410.033, 414.095, 414.28, 414.295, 414.31 FS.

IF REQUESTED AND DEEMED NECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., September 16, 2002

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700, (850)488-3090

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE TITLES:	RULE NOS.:
Authority	65C-17.001
Definitions	65C-17.002
Planning and Budgeting Functions	65C-17.003
Criteria	65C-17.004
Department Case Worker and Legal Responsibilities	65C-17.006

PURPOSE AND EFFECT: To correct the name of the Family Safety program; the age requirement of the "client beneficiary class"; to delete monthly amount for foster care allowance and; to clarify the responsibilities of caseworkers and child welfare attorneys.

SUBJECT AREA TO BE ADDRESSED: Master Trust.

SPECIFIC AUTHORITY: 402.17(1)(a)9. (1996 Supp.), 402.33(2), 402.33(7)(a) FS.

LAW IMPLEMENTED: 402.17, 402.17(2)(c) (1996 Supp.) FS.

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

TIME AND DATE: 9:00 a.m., September 17, 2002

PLACE: 1317 Winewood Blvd., Building 8, Room 232, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Owens, Operations and Management Consultant, Manager, Policy Support Unit, Family Safety Program Office, 1317 Winewood Blvd., Building 7, Suite 230, Tallahassee, Florida 32399, (850)922-0211

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65C-17.001 Authority.

Section 1 of Chapter 96-402, Laws of Florida, effective October 1, 1996, amended section 402.17, Florida Statutes (F.S.), to clarify the authority of the Department of Children and Family Services to hold in trust, as trustee, money and property of department clients. Pursuant to this clarification, a Master Trust Declaration was promulgated by order of the Leon County Circuit Court dated July 8, 1997 (a copy of the Master Trust Declaration and any subsequent amendments can be obtained from the Department of Children and Family Services Agency Clerk, 1317 Winewood Blvd., Tallahassee, FL 32399-0700). Section 1 of Chapter 96-402 requires the department to "act to protect both the short-term and long-term interests of the clients for whose benefit it is holding such money and property." This rule chapter establishes criteria for balancing the short-term and long-term needs of client beneficiaries within the Family Safety ~~and Preservation Program~~, and includes procedures for fee waiver and change in allowance requests.

Specific Authority 402.17(1)(a)9. (1996 Supp.), 402.33(2), 402.33(7)(a) FS. Law Implemented 402.17, 402.17(2)(c) (1996 Supp.) FS. History—New 4-6-99, Amended.

65C-17.002 Definitions.

For purposes of this rule, the following definitions contained within the Master Trust Declaration shall apply:

(1) through (3) No change.

(4) "Family Safety ~~and Preservation~~ program client beneficiary class" includes those clients under the age of 18 (or 18 to ~~23~~ 24 if enrolled in a full-time educational program under section 409.145(3), F.S. although not in the custody of the department) who are, or who are considered to be, in the legal custody, care or control of the department, and who have received, or will receive, money and tangible or intangible property for their sole use and benefit from any other person or entity that is placed in the possession or control of the department and for whom a separate trust for such individual does not exist, and who are or who become program clients:

(a) No change.

(b) Because they require foster or other substitute care, whether on a short or long-term basis, or are placed in independent living arrangements, as provided under Chapter 39, 393, 394, ~~or 409, 415~~, F.S.

(c) No change.

(d) Because they are awaiting adoption under Chapter 63, F.S., or placement with a relative or other individual in foster care under Chapter 39, ~~or 409, 415~~, F.S.;

(5) No change.

(6) "Foster care allowance" means a monthly stipend, ~~currently \$11.00~~, which is included in the foster care board payment sent to the foster parent for the personal needs of each

foster child living in the home. See ss. 402.33(3), F.S. A child is eligible to apply for a change in the allowance through the fee waiver review process established in Rule 65C-17.005, F.A.C.

(7) through (8) No change.

(9) "Personal Allowance" means an amount (in addition to the ~~\$11.00~~ monthly foster care allowance – See definition (6) above) set aside from a child's Social Security Administration Title II (SSA), Supplemental Security Income (SSI), Veterans' (VA) or other federal benefit payment for the child's personal needs before any amounts are applied to the cost of care. See ss. 402.33(3); Rule 65-6.018, F.A.C. For children in foster care receiving a federal benefit payment, the amount set aside shall be no less than \$15.00 per month. The child is eligible to apply for a change in the monthly allowance through the fee waiver review process. The personal allowance, as well as any other portion of the benefit payment not deducted for cost of care, shall be placed in the child's current needs trust account and shall be available to the child at all times. Pursuant to s. 402.17, F.S., the department is authorized to transfer funds to an account for the long-term and other needs of the child if the amount in the current needs account accumulates to the extent that it endangers the child's eligibility for benefits (the eligibility limit is \$2,000). The personal allowance shall be used to obtain clothing, recreational needs or activities, therapeutic equipment, transportation, and other personal and comfort items for the child. If a child has other special needs which cannot be provided by the department, another local, state or federal source, or from the child's family members or other responsible party, the fee waiver process established in Rule 65C-17.005, F.A.C., shall be used to document the necessity of providing the essential item to the child.

Specific Authority 402.17(1)(a)9. (1996 Supp.), 402.33(2), 402.33(7)(a) FS. Law Implemented 402.17, 402.17(2)(c) (1996 Supp.) FS. History—New 4-6-99, Amended.

65C-17.003 Planning and Budgeting Functions.

Balancing the current and long-term needs of a Family Safety program Master Trust client beneficiary shall involve the following planning and budgeting functions which must be cooperatively performed by district caseworkers and fiscal office personnel.

(1) No change.

(2) Family Safety ~~and Preservation~~ program Master Trust client beneficiaries who are in substitute care, and who receive Supplemental Security Income (SSI) benefits, are eligible to submit a Plan for Achieving Self-Support (PASS) to the Social Security Administration for approval. The approved Plan enables the department to set aside funds for long-term educational or vocational needs of the client as enumerated in the Plan, without affecting SSI eligibility. A PASS, Independent Living, or other case plan shall be developed for each member of this Master Trust client beneficiary group. A copy of the plan shall be kept in the client's case file and a

copy shall also be filed with the court exercising jurisdiction over the client. As part of the PASS or Independent Living plan, the caseworker is responsible for ensuring that a vocational aptitude assessment and report is done on each client who is able to participate. Unless waived or performed in-house, costs of such assessment shall be charged against the client's applicable trust subaccount.

Specific Authority 402.17(1)(a)9. (1996 Supp.), 402.33(2), 402.33(7)(a) FS. Law Implemented 402.17, 402.17(2)(c) (1996 Supp.) FS. History—New 4-6-99, Amended.

65C-17.004 Criteria.

Any determination as to whether funds should be transferred to a different subaccount for the client, or whether, subject to availability of funding, a fee waiver or change in allowance should be granted shall be made by utilizing the following criteria to balance current and long-term needs of Family Safety program Master Trust client beneficiaries:

(1) through (3) No change.

(4) Status of the case (such as goal of reunification, long-term custody, long-term licensed ~~long-term substitute care~~, or independent living). If the goal is reunification, care must be taken to monitor sub-account balances to avoid making the child or family ineligible for benefits when the child returns home. If the goal is long-term custody or long-term license custody ~~long-term substitute care~~, quality-of-life considerations become more critical. When independent living is the case goal, educational and vocational needs, as well as sufficient funds for such needs as an apartment and transportation become primary.

Specific Authority 402.17(1)(a)9. (1996 Supp.), 402.33(2), 402.33(7)(a) FS. Law Implemented 402.17, 402.17(2)(c) (1996 Supp.) FS. History—New 4-6-99, Amended.

65C-17.006 Department Caseworker and Legal Responsibilities.

(1) The caseworker is responsible for ensuring that a copy of the client's most recent quarterly accounting will be filled in the official record of the court having jurisdiction over the client or the client's money and property at the time of each judicial review held in regard to the client.

(2) The department shall apply for an order from the court exercising jurisdiction over the client to direct the disposition of the money and property belonging to that client. The department's attorney of record shall also provide notice of hearing to the Agency for Health Care Administration.

Specific Authority 402.17(1)(a)9. (1996 Supp.), 402.33(2), 402.33(7)(a) FS. Law Implemented 402.17, 402.17(2)(c) (1996 Supp.) FS. History—New _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE TITLE: Okaloosa County Boating Restricted Area

RULE NO.: 68D-24.146

PURPOSE AND EFFECT: After discussions with the Division of Law Enforcement, Office of Boating Safety and Waterway Management, Okaloosa County has requested the Office to amend an existing boating safety zone on the Florida Intracoastal Waterway at Brooks Bridge in Okaloosa County. This amendment will correct an error in the original rulemaking that described the zone in feet rather than yards.

The wakes from passing vessels have caused vessel damage and continue to present a danger to vessels being launched or recovered at public boat ramps in the area. One of the public ramps has fuel distribution and there is a danger of spillage. The local office of the Florida Fish and Wildlife Conservation Commission concurs with this action. This action is being coordinated with the United States Army Corps of Engineers and the United States Coast Guard.

SUBJECT AREA TO BE ADDRESSED: To amend a Slow Speed Minimum Wake zone, shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway from 2,000 yards west(30°24'01N"/86°37'16W")of the centerline of the Brooks Bridge to 900 yards east (30°24'14N"/86°35'30W") of the centerline of the Brooks Bridge in Okaloosa County.

Okaloosa County will be authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within the boating restricted area.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

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

TIME AND DATE: 7:00 p.m. (CENTRAL STANDARD TIME), September 25, 2002

PLACE: Okaloosa County Water and Sewer Administrative Complex, 3rd Floor, 1804 Lewis Turner Boulevard, Fort Walton Beach, Florida

Persons with special requirements should contact (850)651-7515, 48 hours before meeting time.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ms. Tara Alford, Division of Law Enforcement, Office of Boating Safety and Waterway Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0656, Extension 169

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68D-24.146 Okaloosa County Boating Restricted Area.

For the purpose of regulating the speed and operation of vessel traffic on the Florida Intracoastal Waterway within Okaloosa County, Florida, the following boating restricted area is established:

(1) Slow Speed Minimum Wake Zone

(a) Brooks Bridge – A Slow Speed Minimum Wake zone, shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway from 2,000 yards feet west of the centerline of the Brooks Bridge to 900 yards feet east of the centerline of the Brooks Bridge in Okaloosa County, as depicted in Drawing A.

(b) through (2) No change.

Specific Authority 327.04 FS. Law Implemented 321.46 FS. History–New 11-14-01, Amended.

THE FULL TEXT OF THE PROPOSED RULES IS:

3F-5.005 Procedure for Licensing Existing Cemeteries.

Specific Authority 497.103 FS. Law Implemented 497.103, 497.301, 497.237, 497.213 FS. History–New 9-29-75, Amended 11-2-78, 1-27-81, Formerly 3D-30.16, Amended 10-23-91, Formerly 3D-30.016, Amended 6-26-02, Repealed.

3F-5.007 Conversion Procedures.

Specific Authority 497.103 FS. Law Implemented 497.201, 497.213 FS. History–New 9-29-75, Amended 1-27-81, Formerly 3D-30.19, Amended 10-23-91, Formerly 3D-30.019, Amended 6-26-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2002

Section II Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLES: Procedure for Licensing Existing Cemeteries 3F-5.005 Conversion Procedures 3F-5.007

PURPOSE AND EFFECT: The Board proposes to repeal these rules as they are now obsolete.

SUMMARY: These rules set forth procedures and identified forms necessary for licensing existing cemeteries and conversion procedures for existing cemeteries.

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: 497.103 FS.

LAW IMPLEMENTED: 497.103, 497.201, 497.213, 497.301, 497.237 FS.

IF REQUESTED IN WRITING 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 RULES IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, FL 32399-0350

DEPARTMENT OF INSURANCE

RULE TITLES: Reasonableness of Benefits in Relation to Premiums

RULE NOS.: 4-149.005

Actuarial Memorandum and Definitions 4-149.006

Annual Rate Filing Procedures 4-149.007

PURPOSE, EFFECT AND SUMMARY: The amendments accomplish the following:

- Update the definition of Loss Ratio*N – Simplify the definition of loss ratio*N to make the test more efficient and effective. The amendments do not change the loss ratio test, but only the mechanism of demonstrating compliance.
• Technical corrections
• Clarify that rates do not have to be reduced if the loss ratio tests are not met within a 15% margin
• Add some definitions to help clarify the rules
• Enhance annual rate certification filings
• Add provision to allow an updating of the original duration loss ratio table

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 624.308(1), 627.410(6)(b),(d),(e) FS.

LAW IMPLEMENTED: 627.410, 627.410(1),(2),(6), 627.410(6)(d),(e), 627.411(1)(e), 627.9175 FS.

IF REQUESTED IN WRITING 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):