

Filing Unit Size	88 99% of Poverty Guideline	100% of Poverty Guideline	120% of Poverty Guideline	133% of Poverty Guideline
1	\$ 651 665	\$ 739	\$ 886	\$ 982
2	876 896	995	1194	1324
3		1252		1665
4		1509		2007
5		1765		2348
6		2022		2689
7		2279		3031
8		2535		3372
9		2792		3713
10		3049		4055
11		3305		4396
12		3562		4738
Add each add. person		\$ 257		\$ 342

Filing Unit Size	135% of Poverty Guideline	175% of Poverty Guideline	185% of Poverty Guideline	200% of Poverty Guideline
1	\$ 997	\$ 1293	\$ 1366	\$ 1477
2	1344	1742	1841	1990
3			2316	2504
4			2791	3017
5			3266	3530
6			3741	4044
7			4215	4557
8			4690	5070
9			5165	5584
10			5640	6097
11			6115	6610
12			6590	7124
Add each add. person			\$ 475	\$ 514

(2) through (5)(c)3. No change.

4. Food Stamp Standard Utility Allowance: \$1984

5. through (e) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 12-9-99, 2-15-01, 11-26-01.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Rodney McInnis, Operations Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy Bureau – Policy Support Unit

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 24, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: July 6, 2001 and July 19, 2002

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE NO.:

RULE TITLE:

3F-5.007

Conversion Procedures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 35, August 30, 2002, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF INSURANCE

RULE NO.:

RULE TITLE:

4-211.043

Effective Date

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule as noticed in Vol. 28, No. 16, April 19, 2002, of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:

RULE TITLE:

12A-1.094

Public Works Contracts

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 amendments to Rule 12A-1.094, F.A.C., published in Vol. 28, No. 27, pp. 2879-2883, July 5, 2002, issue of the Florida Administrative Weekly.

In response to public comments received at a hearing held on July 31, 2002, and written comments received subsequent to the hearing, the proposed amendments to subsections (1), (2), and (3) of Rule 12A-1.094, F.A.C., have changed, so that, when adopted, those subsections will read as follows:

(1) This rule shall govern the taxability of transactions in which contractors manufacture or purchase supplies and materials for use in public works contracts, as that term is referred to in Section 212.08(6), F.S. This rule shall not apply to non-public works contracts for the repair, alteration, improvement, or construction of real property, as those contracts are governed under the provisions of Rule 12A-1.051, F.A.C. ~~This rule shall also not apply to contractors who entered into road construction contracts during the period from January 1, 1988, through February 11, 1988, and who chose to remit the tax based on 50 percent of the contract price. See Emergency Rule 12AER88-16 for provisions governing such contracts.~~ In applying this rule, the following definitions are used.

(a)1. “Contractor” is one that supplies and installs tangible personal property that is incorporated into or becomes a part who is engaged in the repair, alteration, improvement or construction of a public facility pursuant to a public works contract with a governmental entity exercising its authority in regard to the public property or facility real property. Contractors include, but are not limited to, persons engaged in building, electrical, plumbing, heating, painting, decorating, ventilating, paperhanging, sheet metal, roofing, bridge, road, waterworks, landscape, pier, or billboard work. This definition includes subcontractors.

2. “Contractor” does not include a person that furnishes tangible personal property that is not affixed or appended in such a manner that it is incorporated into or becomes a part of the public property or public facility to which a public works contract relates. A person that provides and installs tangible personal property that is freestanding and can be relocated with no tools, equipment, or need for adaptation for use elsewhere is not a contractor within the scope of this rule.

3. “Contractor” does not include a person that provides tangible personal property that will be incorporated into or become part of a public facility if such property will be installed by another party.

4. Examples.

a. A vendor sells a desk, sofas, chairs, tables, lamps, and art prints for the reception area in a new public building. The sales agreement requires the vendor to place the furniture according to a floor plan, set up the lamps, and hang the art prints. The vendor is not a contractor within the scope of this rule, because the vendor is not installing the property being sold in such a way that that it is attached or affixed to the facility.

b. A security system vendor furnishes and installs low voltage wiring behind the walls, motion detectors, smoke alarms, other sensors, control pads, alarm sirens, and other components of a security system for a new county courthouse. The components are direct wired, fit into recesses cut into the walls or other structural elements of the building, and are held in place by screws. The vendor is a contractor within the scope of this rule. The security system is installed and affixed in such a manner that it has been incorporated into the courthouse.

c. A vendor enters an agreement to provide and install the shelving system for a new public library. The shelves are built to bear the weight of books. The shelf configuration in each unit maximizes the number of books the shelves can hold. The number and size of the units ordered is based on the design for the library space. The units will run floor to ceiling and will be anchored in place by bolts or screws. The vendor is a contractor within the scope of this rule. The shelving system will be affixed in such a manner that it becomes a part of the public library.

d. A vendor agrees to provide and install the computer terminals, monitors, keyboards, servers, and related equipment for a county tax collector’s office in central Florida. The job includes connecting the equipment to the structural cabling system that has been installed by an electrical contractor. The cables running to the computer terminals are held in place by screws that fit into the back of the terminal units. The vendor is not a contractor within the scope of this rule. The computer equipment has not been affixed in such a way as to become a part of the facility. The equipment has not been attached to any structural element of the building.

e. A manufacturer agrees to provide the prestressed concrete forms for a public parking garage. A construction company is awarded the bid to install those forms and build the garage. The manufacturer is not a contractor within the scope of this rule, because the manufacturer will not install any tangible personal property that becomes a part of the garage. The construction company is a contractor within the scope of this rule.

(b) “Governmental entity” includes any agency or branch of the United States government, a state, or any county, municipality, or political subdivision of a state. The term includes authorities created by statute to operate public facilities using public funds, such as public port authorities or public-use airport authorities.

(c)(b) “Public works” are defined as construction projects for public use or enjoyment, financed and owned by the government, in which private persons undertake the obligation to do a specific piece of work that involves installing tangible personal property in such a manner that it becomes a part of a public facility. For purposes of this rule, a public facility includes any land, improvement to land, building, structure, or other fixed site and related infrastructure thereon owned or operated by a governmental entity where governmental or public activities are conducted. The term “public works” is not restricted to the repair, alteration, improvement, or construction of real property and fixed works, although such projects are included within the term where the sale of tangible personal property is made to or by contractors involved in public works contracts. Such contracts shall include, but not be limited to, building, electrical, plumbing, heating, painting, decorating, ventilating, paperhanging, sheet metal, roofing, bridge, road, waterworks, landscape, pier, or billboard contracts.

(d)(e) “Real property” within the meaning of this rule includes all fixtures and improvements to real property. The status of a project as an improvement or fixture affixture to real property will be determined by reference to the definitions contained in Rule 12A-1.051(2), F.A.C. is determined by the objective and presumed intent of the parties, based on the nature and use of the project and the degree of affixation to realty. Mobile homes and other mobile buildings are deemed fixtures if they (1) bear RP license tags, or (2) have the mobile

features (such as wheels and/or axles) removed, and are placed on blocks or footings and permanently secured with anchors, tie-down straps or similar devices.

(2) The purchase or manufacture of supplies or materials by a public works contractor, when such supplies or materials are purchased for the purpose of going into or becoming part of for incorporation into a public works project, whether the purchase or manufacture occurs inside or outside Florida, is taxable to the public works contractor if the public works contractor also installs such supplies or materials, since the public works contractor is the ultimate consumer of such supplies or materials. Public works contractors that purchase or manufacture such supplies and materials in Florida are liable for sales tax or use tax on such purchases and manufacturing costs. A public works contractor that purchases supplies or materials that may be sold as tangible personal property or may be incorporated into a public works project may purchase such supplies or materials without tax by issuing a copy of the contractor's Annual Resale Certificate and accrue and remit tax upon withdrawing such supplies or materials from inventory to go into or become a part of public works. Public works contractors that purchase or manufacture such materials outside the State of Florida are liable for use tax, subject to credit for any sales or use tax lawfully imposed and paid in the state of purchase or manufacture. The applicable tax rate shall be determined on the basis of the invoice date, not the date of the contract, as follows:

(a) If invoiced before February 1, 1988, and delivered within a reasonable period of time the tax rate shall be 5 percent.

(b) If invoiced on or after February 1, 1988, the tax rate shall be 6 percent.

(3)(a) The purchase or manufacture of tangible personal property for resale to a governmental entity body is exempt from tax, provided this exemption shall not include sales of tangible personal property made to, or the manufacture of tangible personal property by, public works contractors employed either directly or as agents of the United States Government, a state, or any county, municipality, or political subdivision of a state when such tangible personal property goes into or becomes a part of public works financed or owned by such governmental bodies or political subdivisions.

(b) With regard to contracts with government entities, the exemption in subsection (3)(a) is appropriate only where the levy would otherwise fall on the government itself, or on an agency or instrumentality so closely connected with that government that the two cannot realistically be viewed as separate entities, at least insofar as the activity being taxed is concerned. A finding of exempt status, however, requires something more than the implication of traditional agency notions, so that to resist a state's taxing power, a private taxpayer must actually stand in the government's shoes as a principal, rather than as a contractor employed either directly

or as the government's agent. A contractor will not be deemed to actually stand in the government's shoes if the contractor has a substantial independent role in making purchases. Accordingly, the fact that title passes directly to the government and payment is made with government funds, in and of itself, cannot characterize the transaction as an exempt purchase if the purchasing entity, in its role as a purchaser, is sufficiently distinct from the government.

In response to comments received from the Joint Administrative Procedures Committee, the proposed amendments to subsection (4) of Rule 12A-1.094, F.A.C., have changed, so that, when adopted, that subsection will read as follows:

(4)(a) The exemption in s. 212.08(6), F.S., subsection (3)(a) is a general exemption for sales made directly to the government. The exception in subsection (2)(a) is a specific exception for sales to contractors. A determination of whether a particular transaction is properly characterized as an exempt sale to a governmental government entity or a taxable sale to or use by a contractor shall be based on the substance of the transaction, rather than the form in which the transaction is cast. The Executive Director or the Executive Director's designee in the responsible program will determine whether the substance of a particular transaction is governed by subsection (2)(a) or is a taxable sale to or use by a contractor or an exempt direct sale to a governmental entity body as provided by subsection (3) of this rule based on all of the facts and circumstances surrounding the transaction as a whole.

(b) The following criteria that The Executive Director or the Executive Director's designee in the responsible division will give special consideration to factors which govern the status of the tangible personal property prior to its affixation to real property will be considered in determining whether a governmental entity rather than a contractor is the purchaser of materials:-

1. Direct Purchase Order. The governmental entity must issue its purchase order directly to the vendor supplying the materials the contractor will use and provide the vendor with a copy of the governmental entity's Florida Consumer's Certification of Exemption.

2. Direct Invoice. The vendor's invoice must be issued to the governmental entity, rather than to the contractor.

3. Direct Payment. The governmental entity must make payment directly to the vendor from public funds.

4. Passage of Title. The governmental entity must take title to the tangible personal property from the vendor at the time of purchase or delivery by the vendor.

5. Assumption of the Risk of Loss. Such factors include provisions which govern bidding, indemnification, inspection, acceptance, delivery, payment, storage, and assumption of the risk of damage or loss for the tangible personal property prior to its affixation to real property. Assumption of the risk of damage or loss by the governmental entity at the time of

purchase is a paramount consideration. A governmental entity will party may be deemed to have assumed the risk of loss if the governmental entity party either; bears the economic burden of posting a bond or obtaining insurance covering damage or loss; or directly enjoys the economic benefit of the proceeds of such bond or insurance. ~~Other factors that may be considered by the Executive Director or the Executive Director's designee in the responsible division include whether the contractor is authorized to make purchases in its own name; the contractor is jointly or severally liable to the vendor for payment; purchases are not subject to prior approval by the government; vendors are not informed that the government is the only party with an independent interest in the purchase; and whether the contractors are formally denominated as purchasing agents for the government.~~

(c) Sales made pursuant to so-called "cost-plus", "fixed-fee", "lump sum", and "guaranteed price" contracts are taxable sales to the contractor unless it can be demonstrated to the satisfaction of the Executive Director or the Executive Director's designee in the responsible division that such sales are, in substance, tax exempt direct sales to the government.

In order to correct omitted citations, the proposed amendments to the history note following the rule text have changed so that, when adopted, the note will read as follows:

Specific Authority 212.08(6), 212.17(6), 212.18(2), 212.183, 213.06(1) FS. Law Implemented 212.02(4), (14), (15), (16), (19), (20), (21), 212.06(1), (2), (14), 212.07(1), 212.08(6), (7)(bbb), 212.085, 212.14(5), 212.18(2), 212.183 FS. History—New 6-3-80, Amended 11-15-82, Formerly 12A-1.94, Amended 1-2-89, 8-10-92.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-1.659 Forms and Instructions

NOTICE OF CORRECTION

The Southwest Florida Water Management District hereby gives notice of correction to the Notice of Public Hearing published in Vol. 28, No. 39, Page 4139 on September 27, 2002 of the Florida Administrative Weekly.

The hearing will be held during the Southwest Florida Water Management District's monthly Governing Board Meeting on:
TIME AND DATE: 9:00 a.m., Tuesday, October 29, 2002

PLACE: Boardroom, Southwest Florida Water Management District, Sarasota Office, 6750 Fruitville Road, Sarasota, FL 34232, (941)377-3722

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:
40E-4 Environmental Resource Permits
RULE NO.: RULE TITLE:
40E-4.091 Publications, Rules, and
Interagency Agreements
Incorporated by Reference

(Proposed amendments to "Appendix 6 – Above Ground Impoundments" of the document entitled "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – June, 2002")

NOTICE OF WITHDRAWAL

Pursuant to Section 120.54(3)(d)1., Florida Statutes, notice is hereby given that the above proposed rule amendment, as noticed in Vol. 28, No. 10, pg. 1131, March 8, 2002, issue of the Florida Administrative Weekly, has been withdrawn in response to the Joint Administrative Procedures Committee's notification that the time for filing this rule with the Department of State has expired.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:
40E-7.538 Establishment of South Florida
Water Management District
Management Areas Open to the
Public

NOTICE OF CORRECTION

Notice is hereby given that the proposed changes to paragraph (5)(a)3. of the above rule were inadvertently incorrectly coded as published in the September 27, 2002, Vol. 28, No. 39, issue of the Florida Administrative Weekly.

Paragraph (5)(a)3. is corrected as follows:

40E-7.538 Establishment of South Florida Water Management District Management Areas Open to the Public.

(5)(4) Lower Reedy Creek Management Area located in Osceola and Polk Counties.

(a) Lake Russell Management Unit.

1. through 2. No change.

3. Airboating is prohibited ~~Camping is permitted only when in the possession of a Special Use License.~~

4. through 5. No change.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:
40E-7 Establishment of South Florida
Water

RULE NO.: RULE TITLE:
40E-7.538 Areas Open to the Public

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 40E-7, Part V, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., as originally published in the Florida Administrative Weekly (Vol. 28, No. 39, September 27, 2002, pg. 4125 & 4127). The changes are in response to oral comments received from the Joint Administrative Procedures Committee of the Florida Legislature and are technical in nature.

A) When adopted, paragraph (3)(c) in Rule 40E-7.538 will read as follows:

~~(3)(2)~~ Lake Marion Creek Management Area located in Osceola and Polk Counties.

(c) Persons may enter the management area on foot at designated access points off County Road 580, Horseshoe Creek Road, Lake Marion Creek Road and at Baltic Adair Court. Motorized vehicle access is allowed via Huckleberry Island Road, during the established hunting season.

B) When adopted, paragraph (13)(a) of 40E-7.538 will read as follows:

~~(13)(12) Hungryland Slough Wildlife Management Area West Jupiter Wetlands Management Area located in Martin and Palm Beach Counties.~~

(a) Public use of this management area is governed by Regulations of the Florida Fish and Wildlife Conservation Commission. Persons may enter the management area on foot at the designated access point off state road 706 (Indiantown Road).

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: 59C-1.045
 RULE TITLE: Long-Term Care Hospital Beds

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule, as published in Vol. 28, No. 35, Florida Administrative Weekly, August 30, 2002, has been withdrawn. The proposed rule would have established criteria to be used in review of certificate of need (CON) applications to establish or expand a long-term care hospital. A notice of development of a revised rule is expected to appear elsewhere in this edition of the F.A.W. A draft text of the revised rule is attached to that notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-21.004
 RULE TITLE: Passing Grade

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 30, of the Florida Administrative Weekly on July 26, 2002, has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.003
 RULE TITLE: Continuing Education

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule development, as notice in Vol. 28, No. 29, July 19, 2002, has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.008
 RULE TITLE: Continuing Education for School Instructors

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule development, as noticed in Vol. 28, No. 29, July 19, 2002, has been withdrawn.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
64E-2	Emergency Medical Services
RULE NOS.:	RULE TITLES:
64E-2.001	Definitions
64E-2.015	Prehospital Requirements for Trauma Care
64E-2.016	Trauma Transport Protocols Approval and Denial Process
64E-2.019	Trauma Agency Formation
64E-2.020	Trauma Agency Plan Approval and Denial Process
64E-2.021	Trauma Agency Implementation and Operation Requirements
64E-2.037	Security of Medications

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to proposed rule 64E-2, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 28, No. 35 on August 30, 2002. The changes reflect comments received from the Joint Administrative Procedures Committee and from the affected parties.

The changes are as follows:

64E-2.015(5)(g) Reinsert existing language: "Trauma alert criteria if met as defined in Rule 64E-2.017 or 64E-2.0175, F.A.C, and". Reletter new "(g)" back to "(h)".

64E-2.037 Law Implemented – Add "401.31(1)".

Incorporation – "Department of Health Trauma Transport Protocols Pamphlet, July 2002". Replace the word "Pamphlet" with "Manual" throughout. Table of Contents – Section 3 – Replace the word "Procedures" with the word "Requirements".

P.O. B00829

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
65A-1	Public Assistance Programs
RULE NO.:	RULE TITLE:
65A-1.601	Food Stamp Program Definitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 11 (March 15, 2002), Florida Administrative Weekly has been withdrawn.

Section IV Emergency Rules

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE TITLES:

Administration	RULE NOS.: 4AER02-2
Scope: Existing Facilities	4AER02-3
Definitions	4AER02-4
Firesafety Inspections	4AER02-5
Serious Life Safety Hazards	4AER02-6
Inspections In General	4AER02-7
Counties, Municipalities, and Special Districts	
Having Firesafety Responsibilities,	
Without Firesafety Inspectors	4AER02-8
Standards and Requirements for Buildings	4AER02-9
Florida School Firesafety Evaluation System	4AER02-10

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Department of Insurance hereby states that the following circumstances constitute an immediate danger to the public health, safety, and welfare.

1. These emergency rules are necessitated by the action of the Florida Legislature in 2002, by transferring the responsibility for adopting rules for firesafety standards for educational facilities from the Department of Education to the Department of Insurance, in House Bill 443.
2. An emergency rule, 4AER02-1, was adopted effective July 1, 2002, in which the rules that were in effect at that time as they relate to firesafety were continued in effect for a period of 90 days to give the Department of Insurance time to engage in permanent rulemaking.
3. The Department of Insurance has engaged in permanent rulemaking with all due haste and diligence; however, due to the constraints and time requirements of Chapter 120, Florida Statutes, and the complexity of the issues involving firesafety in educational facilities, the permanent rules will not become effective until after the expiration of Emergency Rule 4AER02-1, which is September 29, 2002.
4. There was insufficient time from the date Emergency Rule 4AER02-1 expires until the effective date of the permanent rules to fully adopt the permanent rules.
5. Substantial and significant changes to the rules which were in effect as of June 30, 2002, relating to firesafety in educational facilities, embodied in Emergency Rule 4AER02-1 were made in the process of creating the permanent rules in proposed Rule Chapter 4A-58, Florida Administrative Code;

therefore, the adoption of additional emergency rules effective on September 30, 2002, does not constitute a readoption of the emergency rule in existence from July 1, 2002, to September 29, 2002.

6. These emergency rules adopt, in substance, the permanent rules which will become effective after all statutory waiting periods expire.

7. Without these emergency rules, from the expiration of the current emergency rule until the effective date of the permanent rules adopted by the Department of Insurance in Rule Chapter 4A-58, there would be no firesafety standards relating to educational facilities.

8. No firesafety standards relating to educational facilities would create an immediate serious danger to the public health, safety, and welfare because the health and lives of the state's children and adult men and women attending, visiting, employed by, or otherwise located at the educational facility would be at risk, and their health, safety, and welfare is paramount in the view of the State Fire Marshal.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Division of State Fire Marshal believes that adopting emergency rules is the fairest method available to protect the public and particularly the children and adult men and women attending, visiting, employed by, or otherwise located at educational facilities. Due to the time constraints of Chapter 120, Florida Statutes, and the complexity of adopting firesafety standards for educational facilities, there was insufficient time to adopt permanent rules from the date the current emergency rule expires and the expected date that new Rule Chapter 4A-58, Florida Administrative Code, will become effective. Therefore, the Department of Insurance has adopted the emergency rules in a manner that will be substantially similar to the new proposed permanent rules in the process of being adopted in Rule Chapter 4A-58, Florida Administrative Code.

SUMMARY OF THE RULE: These emergency rules adopt rules which are substantially similar to the permanent rules which are planned to be adopted in proposed Rule Chapter 4A-58, Florida Administrative Code, but which will not become effective until approximately three to six weeks after the current emergency rule expires and which relate to firesafety for a period of 90 days from September 30, 2002, to allow the permanent rules to become effective without a hiatus between the date the emergency Rule 4AER02-1 expires, and the date the permanent rules in Rule Chapter 4A-58, Florida Administrative Code, become effective.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: James Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)922-3171