

Specific Authority 402.302, 402.305 FS. Law Implemented 402.302, 402.305 FS. History--New 9-12-04, Amended.

Specific Authority 106.26 FS. Law Implemented 106.25(3) FS. History--New.

Section II Proposed Rules

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

RULE NO.: RULE TITLE:
2B-1.002 Definitions

PURPOSE AND EFFECT: The proposed rule is intended to define terms which will be utilized for determining whether the imposition of a civil penalty is appropriate for a violation of Chapter 104, F.S.

SUMMARY: The proposed rule sets forth definitions for the purpose of determining whether the imposition of a civil penalty is appropriate for a violation of Chapter 104, F.S.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 106.26 FS.

LAW IMPLEMENTED: 106.25(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Linthicum, Executive Director, Florida Elections Commission, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-1.002 Definitions.

For purposes of imposing a civil penalty for violating Chapter 104, F.S. the following definitions shall apply:

(1) A person acts "willful" or "willfully" when he or she showed reckless disregard for whether his or her conduct was prohibited or required by Chapter 104, F.S.

(2) "Knew" means that the person was aware of a provision of Chapter 104, F.S., understood the meaning of the provision, and then performed an act prohibited by the provision or failed to perform an act required by the provision.

(3) "Reckless disregard" means that the person disregarded the requirements of Chapter 104, F.S., or was plainly indifferent to its requirements, by failing to make any reasonable effort to determine whether his or her acts were prohibited by Chapter 104, F.S., or whether he or she failed to perform an act required by Chapter 104, F.S.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Elections Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Elections Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2006

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-208.101 Employee Grooming, Uniform and Clothing Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the dress code for health care employees and to update Form DC2-816, Individual Clothing Record, to include additional clothing articles.

SUMMARY: Amends the rule to update the dress code for health care employees. Clarifies that all health services staff providing direct care to inmates shall wear the department issued ID card, provides that the department no longer furnishes white smocks, clinical coats, surgical gowns or scrub suits, and requires additional employees to wear scrubs or the standard nurse uniform. Provides that earrings are the only body piercing ornaments allowed for females, and artificial fingernails or extenders will not be worn when having direct contact with high risk inmates. Form DC2-816, Individual Clothing Record, is being revised to include additional clothing articles.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) through (5) No change.

(6) The following provisions shall apply to health services employees.

(a) All health services staff providing direct care to inmates at an institution shall wear the department issued ID card in a visible manner that will identify the individual at all times while on duty and a nameplate engraved with the employee's last name, first name initial, and initials of licensure or certification. ~~The nameplate will be issued by the department.~~

(b) Physicians, clinical associates, dentists, dental assistants, dental hygienists, nurse supervisors, nurse consultants, executive nursing directors and pharmacists will have no prescribed uniform. ~~White smocks, clinical coats and surgical gowns as required in the performance of duty will be furnished by the department.~~

(c) Nurses, correctional medical technicians certified, health support workers, unit treatment rehabilitation specialists, ward clerks, radiology technicians and medical technologists shall be required to wear ~~the dark colored~~ scrub suits ~~provided by the department~~ or the standard white nurse uniform. The nurse scrubs or uniform must be provided by the employee. No denim scrubs or uniforms will be permitted.

~~(d) Correctional medical technicians certified, correctional medical technicians, health support workers and medical technologists shall wear the dark colored scrub suit provided by the department.~~

~~(d)(e)~~ Employees in the position of ~~senior~~ registered professional nurse, LPN, correctional medical technician, correctional medical technician certified, medical technologist, radiology technician, UTR and "ward clerk" must wear shoes such as closed toe white leather or leather-like tennis shoes.

~~(e)(f)~~ The following shall apply to health services staff whose duties require providing direct care to inmates in an institution, including physicians, pharmacists, dentists, clinical associates, registered nurses, LPNs, ~~correctional medical technicians~~, correctional medical technicians certified, medical technologists, health support workers, UTR's and "ward clerks".

1. Excessive jewelry shall not be worn with the uniform. ~~No necklaces, chains or medallions shall be worn around the neck such that they are visible while in uniform.~~ Jewelry that could be used to disable an employee, ~~such as hair pins~~, will not be worn. No bulky or ornate jewelry will be worn.

Bracelets or earrings are prohibited for male staff. Female staff shall be allowed to wear earrings; however, only one pair of post or clip-on earrings will be worn at a time and will be worn on earlobes only. Earrings for female staff will constitute the only body piercing ornaments allowed. For safety purposes, earrings shall not be hooped or dangling. ~~Only post or clip on will be worn on earlobes only.~~

2. Fingernails will be neatly trimmed and clean. Fingernails shall not extend more than 1/4 inch past the end of the finger. Artificial fingernails or extenders will not be worn when having direct contact with high risk inmates, i.e., in a licensed hospital facility, intensive care units, operating rooms, or dialysis units. ~~Polish, if worn, shall be clear or solid in color.~~ Hair shall be maintained in a manner consistent with infection control practices and safety considerations.

(7) No change.

(8) Forms. The following forms used in implementing the provisions of this rule are hereby incorporated by reference:

(a) Individual Clothing Record, DC2-816, effective 12-18-00.

(b) Authorization for Uniform Replacement, DC2-817, effective 12-18-00. A copy of these forms may be obtained from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History-New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, 12-28-03, 12-12-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patrick H. Brown, M.D., Director of Health Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2006

DEPARTMENT OF MANAGEMENT SERVICES

Division of Human Resource Management

RULE NO.: 60L-34.0071
 RULE TITLE: Administrative Leave

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify terms for granting administrative leave and compensatory leave during emergency facility closures. Under the provisions of Sections 110.201 and 110.219(5), Florida Statutes, the Department may adopt rules for the provision of administrative leave and compensatory leave during emergency facility closures.

SUMMARY: The rule addresses the eligibility for administrative leave and compensatory leave when facilities are closed during emergencies pursuant to Executive Order of the Governor. The proposed rule amendment clarifies terms for granting administrative leave and compensatory leave during emergency facility closures addresses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated Regulatory Costs has been prepared.

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

SPECIFIC AUTHORITY: 110.201, 110.219(5) FS.

LAW IMPLEMENTED: 110.201, 110.219(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Monday, August 7, 2006, 10:00 a.m. – 12:00 Noon

PLACE: The Department of Management Services, Room 101 (Lobby), 4050 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Faulkenberry, Director, Division of Human Resource Management, Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-5449

THE FULL TEXT OF THE PROPOSED RULE IS:

60L-34.0071 Administrative Leave.

(1) Administrative leave counts as hours of pay, but does not count as hours of work for overtime purposes.

(2) Approval of administrative leave, under subsection (3) of this rule or otherwise, is limited to an amount necessary to bring the employee to full pay for forty hours of work in the workweek, the number of approved hours in the extended work period, or the number of hours in the work period. In no case shall the approval of administrative leave cause the employee to exceed forty hours during the workweek, hours in an approved extended work period, or hours in the regular work period for excluded employees.

(3) An agency shall comply with the following provisions when granting administrative leave for the reasons described.

(a) Jury Duty:

An employee who is summoned as a member of a jury panel shall be granted administrative leave with pay for hours required for such duty not to exceed the number of hours in the employee's normal workday; however, if the jury duty does not require absence for the entire workday, the employee shall return to duty immediately upon release by the court. If the employee's court attendance does not coincide with the

employee's regular work schedule, the employee shall be granted administrative leave based on the total hours served on jury duty, not to exceed the number of hours in the employee's regular workday. Such leave shall be granted on the next scheduled work shift following each day the employee is in court. Jury fees shall be retained by the employee.

(b) Witness:

1. An employee subpoenaed as a witness, or to give a deposition, in a court or an administrative hearing, not involving personal litigation or service as a paid expert witness shall be granted administrative leave with pay, and witness fees shall be retained by the employee.

2. An employee subpoenaed in the line of duty to represent a state agency as a witness or defendant shall not be granted administrative leave, and appearance in such cases shall be considered a part of the employee's job assignment. The employee shall be paid per diem and travel expenses and shall be required to turn over to the agency any fees received from the court.

3. In no case shall administrative leave with pay be granted for court attendance when an employee is engaged in personal litigation or service as a paid expert witness.

(c) Examination for military service:

An employee who is ordered to appear for an examination for entrance into the military service shall be granted leave with pay for this purpose on the day of the examination.

(d) Death in family:

1. An employee, upon request, shall be granted two days of administrative leave with pay on the death of the employee's spouse and on the death of the parents, grandparents, brothers, sisters, children, and grandchildren of either the employee or the spouse.

2. Each employee requesting administrative leave due to death in the family shall submit a statement to the appropriate authority stating the name of, and relationship to, the deceased.

(e) Closing facilities under emergency conditions:

1. When offices are closed pursuant to Executive Order of the Governor:

~~a. When the Governor, by Executive Order, declares an emergency, the agency shall determine which affected facilities or portions thereof are located in the area covered by the Executive Order.~~

~~a. b. Except for those employees the agency determines are necessary for providing essential services, Employees assigned to the facilities the agency has closed shall be released from duty and granted administrative leave for the period the facility is closed, unless and except for those employees whom the agency determines are necessary for providing requires to remain on duty to provide essential services. Those employees whom the agency requires to report for duty to provide essential services shall be granted special compensatory leave credits for the hours worked during the period the facility is closed only if they hold a position below~~

~~that of bureau chief (or bureau chief comparable as defined in Section 20.04, Florida Statutes), and the other employees will be granted administrative leave.~~

b.e. An employee who is on a prior approved leave of absence or scheduled holiday during an emergency shall not have the leave of absence changed to administrative leave.

c.d. If the Executive Order issued by the Governor does not specify an ending time and date, the agency's authority under this subsection shall be limited to two consecutive calendar days. Any action beyond two days shall require approval by the Department.

2. Other:

In any other disaster or emergency condition that may necessitate the closing of facilities in an area, the agency shall have the authority and responsibility to determine whether agency offices or facilities, or any portion thereof, are affected by the emergency and are to be closed. The Department must approve the closing of any agency facility or portion thereof for more than two consecutive work days. The Department must approve the closing of any Department-operated state facility. In such cases, employees' attendance and leave shall be handled as prescribed in subparagraph (e)1. above.

(f) Formal investigation:

An employee under formal investigation by an agency for violation of a rule or statute for which dismissal is a penalty, shall temporarily be assigned other duties if deemed advisable by the agency, or placed on administrative leave if the employee's absence from the work location is essential to the investigation. The agency shall report in writing to the Department whenever it grants such leave.

(g) Elections:

Any employee may be granted up to one hour of leave with pay for the purpose of voting during normal working hours. An employee shall not be granted administrative leave to work at the polls during elections.

(h) Examinations and interviews:

An employee may be granted up to two hours of leave with pay for the purpose of taking examinations before a state agency, provided such examinations are pertinent to state employment or for the purpose of having interviews for positions within the State Personnel System.

(i) Mentoring:

1. Each employee may be granted up to one hour of administrative leave per week, not to exceed five hours per calendar month, to participate in the Governor's Mentoring Initiative, including the following school or community voluntary activities:

a. Mentoring, tutoring, guest speaking and, when participating in an established mentoring program serving a school district, providing any related services at the direction of the program or volunteer coordinator.

b. Participating in community service programs that meet child, elder, or human needs, including Guardian Ad Litem, Big-Brother/Big Sister, Senior Corps, and Adult Literacy.

2. The supervisor may approve the aggregated use of up to four hours in any calendar month, provided the agency deems such usage appropriate for the delivery of services under sub-subparagraph a. and b. In such cases no further administrative leave shall be granted pursuant to sub-subparagraph a. or b. until one week has elapsed for every additional hour taken in the aggregate.

3. In granting administrative leave for any purpose under this section, the supervisor shall take into consideration the impact of such leave on the employees' work unit.

4. If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such leave.

Specific Authority 110.201, 110.219(5) FS. Law Implemented 110.219 FS. History--New 1-1-02, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Faulkenberry, Director, Division of Human Resource Management, Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-5449

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David Faulkenberry, Director Division of Human Resource Management, Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-5449

DATE PROPOSED DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 5, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 2006

Pursuant to the American Disabilities Act, persons needing special accommodations to participate in the rule hearing should advise the Department of Management Services at least two (2) calendar days before the workshop, by contacting David Faulkenberry, (850)922-5449.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.003
RULE TITLE: Standards for Adequacy of Medical Records

PURPOSE AND EFFECT: The proposed rule amendment is intended to remove language with regard to medical records based upon a recent appellate court ruling.

SUMMARY: The proposed rule deletes language which has been found objectionable by an appellate court.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 458.309, 458.331(1)(t), (v) FS.

LAW IMPLEMENTED: 456.061, 458.331(1)(g), (h), (k), (m), (t), (v), (gg), (hh) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.003 Standards for Adequacy of Medical Records.

(1) No change.

(2) A licensed physician shall maintain patient medical records in English, in a legible manner and with sufficient detail to clearly demonstrate why the course of treatment was undertaken ~~or why an apparently indicated course of treatment was not undertaken.~~

(3) through (5) No change.

Specific Authority 458.309, 458.331(1)(t), (v) FS. Law Implemented 456.061, 458.331(1)(g), (h), (k), (m), (t), (v), (gg), (hh) FS. History—New 1-1-92, Formerly 21M-27.003, Amended 1-12-94, Formerly 61F6-27.003, Amended 9-3-95, Formerly 59R-9.003, Amended 8-20-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2006

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-6.004
 RULE TITLE: Retired Licensure Status

PURPOSE AND EFFECT: The purpose and effect is to establish requirements for changing from an active licensure status to a retired licensure status and from a retired licensure status to an active licensure status.

SUMMARY: Requirements for changing from an active licensure status to a retired licensure status and from a retired licensure status to an active licensure status are established.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036(10), (15) FS.

LAW IMPLEMENTED: 456.036(2), (4)(b), (10), (12), (15) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-6.004 Retired Licensure Status.

(1) A licensee wishing to change to retired licensure status during the renewal period must pay the retired license fee. If the change to retired licensure status is outside the renewal period, the change of status fee shall also be paid.

(2) If the licensee holds a Florida retired license eligible for reactivation, the licensee may return the license to active status upon submission of a complete application to the Department, payment of the appropriate fees and compliance with the provisions of Section 456.036(12), F.S.

(3) Any licensee applying for an active status license who has been on retired licensure status for 5 years or more, or if licensed elsewhere and has not been actively practicing nursing during the past 5 years, shall as a condition of licensure demonstrate that he or she is able to practice with the care and skill sufficient to protect the health, safety and welfare of the public by obtaining a passing score on the licensure examination appropriate to the licensure level of the licensee, and

(a) For registered nurses or licensed practical nurses, completing a nursing refresher course with clinical component appropriate to the licensure level of the licensee. The refresher course must be given at a Board-approved program, and must include at least 60 hours of classroom instruction and 96 hours of clinical experience in medical/surgical nursing and any specialty area of practice of the licensee;

(b) For certified nursing assistants, completing a Board-approved training program.

Specific Authority 456.036(10), (15) FS. Law Implemented 456.036(2), (4)(b), (10), (12), (15) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 12, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-7.001
RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose and effect is to establish an initial retired status license fee.

SUMMARY: An initial retired status license fee is established.
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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) through (15) No change.

(16) The initial retired status license fee shall be fifty dollars (\$50.00).

Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History--New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 12, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-7.007
RULE TITLE: Responsibilities of Midwives During the Antepartum Period

PURPOSE AND EFFECT: To update the rule.

SUMMARY: The Department is moving HIV/AIDS screening to one of the tests within the complete history and physical examination provided for each patient.

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: 456.004(5), 467.005 FS.

LAW IMPLEMENTED: 467.015 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3250

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-7.007 Responsibilities of Midwives During the Antepartum Period.

(1) The licensed midwife shall:

(a) Require each patient to have a complete history and physical examination which includes:

- 1. Pap smear.
2. Serological screen for syphilis.
3. Gonorrhea and chlamydia screening.
4. Blood group including Rh factor and antibody screen.
5. Complete blood count (CBC).
6. Rubella titer.
7. Urinalysis with culture.
8. Sickle cell screening for at risk population.
9. Screen for hepatitis B surface antigen (HBsAG).
10. Screen for HIV/AIDS.

(b) Conduct the Healthy Start Prenatal Screen interview or assure that each patient has been previously screened.

(c) Provide counseling and offer screening related to the following:

- 1. Neural tube defects.
- ~~2. HIV/AIDS.~~
- ~~3.~~ Group B Streptococcus.
- ~~4.~~ CVS or genetic amniocentesis for women 35 years of age or older at the time of delivery.
- ~~5.~~ Nutritional counseling.
- ~~6.~~ Childbirth preparation.
- ~~7.~~ Risk Factors.
- ~~8.~~ Common discomforts of pregnancy.
- ~~9.~~ Danger signs of pregnancy.

(d) Follow-up screening:

- 1. Hematocrit or hemoglobin levels at 28 and 36 weeks gestation.
- 2. Diabetic screening between 24 and 28 weeks gestation.
- 3. Antibody screen for Rh negative mothers, at 28 weeks gestation. Counsel and encourage RhoGAM prophylaxis. In those clients declining RhoGAM prophylaxis repeat antibody screen at 36 weeks.

(e) Require prenatal visits every four weeks until 28 weeks gestation, every two weeks from 28 to 36 weeks gestation and weekly from 36 weeks until delivery.

(2) through (7) No change.

Specific Authority 456.004(5), 467.005 FS. Law Implemented 467.015 FS. History—New 7-14-94, Formerly 61E8-7.007, 59DD-7.007, Amended 9-11-02, 7-21-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council of Licensed Midwifery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 3, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Marine Fisheries Management

RULE NOS.:	RULE TITLES:
68B-45.004	Regulation and Prohibition of Certain Harvesting Gear
68B-45.007	Blue Crab Effort Management Program

PURPOSE AND EFFECT: The purpose of these rule amendments is to continue the moratorium on issuance of new blue crab endorsements until July 1, 2007, and to delay until that date the implementation of the Blue Crab Limited Entry Program. The Fish and Wildlife Conservation Commission had

adopted rules that would have implemented the final effort management plan for the commercial blue crab fishery on July 1, 2006. These rule amendments are necessary to delay the program until penalties applicable to specific requirements and prohibitions in the implementing rules of the Commission and fees to be charged by the Commission under the program can be passed by the Florida Legislature and to replace Emergency Rule 68BER06-1 before its expiration. The effect of these rule amendments would be to maintain the commercial fishery in its current regulatory state until the Florida Legislature establishes the appropriate penalties and fees.

SUMMARY: Rule 68B-45.004, F.A.C., is amended to extend the moratorium on the issuance of new blue crab endorsements until July 1, 2007. Rule 68-45.007, F.A.C., is amended to delay for one year the implementation of the program established by the rule and to change the name of the program from the “Blue Crab Limited Entry Endorsement Program” to the “Blue Crab Effort Management Program”. Various filing and qualification deadlines and start dates for program requirements are amended to reflect the one-year delay in implementation of the program. The change in the name of the program necessitates updating the forms incorporated by reference in the rule. The date of dissolution of the blue crab advisory board is extended by one year.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT A PUBLIC RULEMAKING HEARING ON THE PROPOSED RULES DURING THE REGULAR MEETING OF THE COMMISSION TO BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 16, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: Doubletree Hotel, 4500 West Cypress Street, Tampa, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-45.004 Regulation and Prohibition of Certain Harvesting Gear.

(1) through (8) No change.

(9)(a) No change.

(b) Notwithstanding Section 370.135(2)(a), F.S., effective July 1, ~~2006~~ 2002, and until July 1, ~~2007~~ 2006, no blue crab endorsements, except those endorsements that were active during the ~~2005-2006~~ 2001-2002 fiscal year, shall be renewed or replaced. ~~In 2002 and in subsequent years until July 1, 2006,~~ Persons or corporations holding a blue crab endorsement that was active in the ~~2005-2006~~ 2001-2002 fiscal year or an immediate family member of that person must request renewal of the blue crab endorsement before September 30, ~~2006~~ of each year. All provisions of Sections 370.135(2)(c)-(e), F.S., shall continue to apply to the issuance and renewal of blue crab endorsements with the applicable dates specified in this paragraph.

(c) No change.

(10) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Amended 6-1-94, 1-1-95, 10-4-95, 9-30-96, 1-1-98, 6-1-99, Formerly 46-45.004, Amended 2-28-02, 10-21-04, 3-1-05, 3-30-06,_____.

68B-45.007 Blue Crab Effort Management ~~Limited Entry~~ Endorsement Program.

(1) Beginning in the ~~2007/2008~~ 2006/2007 license year, in addition to a valid saltwater products license and a valid restricted species endorsement, a blue crab effort management ~~limited entry~~ endorsement number is required to harvest or possess blue crab in quantities greater than the recreational bag limit or to sell blue crab.

(2) The Commission shall notify all holders of a 2004/2005 commercial saltwater products license with a restricted species endorsement and an existing blue crab endorsement of their initial eligibility or denial of a blue crab effort management ~~limited entry~~ endorsement. Those notified will indicate either their acceptance of the initial award of a blue crab effort management ~~limited entry~~ endorsement number by completion of an acceptance application (Form DMF-SL4500, Blue Crab Effort Management ~~Limited Entry~~ Endorsement Application (~~09-06~~ 01-06), incorporated herein by reference) or submit an application to appeal (Form DMF-SL4510, Application for Appeal of Blue Crab Effort Management ~~Limited Entry~~ Endorsement (~~09-06~~ 05-05), incorporated herein by reference), as specified in paragraph (11)(b).

(3) Except for those qualifying for a non-transferable blue crab effort management ~~limited entry~~ endorsement as specified in subsection (6), the Blue Crab Effort Management ~~Limited Entry~~ Endorsement Application must be received by the Commission no later than September 30, 2006. An applicant may be a person, firm, or corporation.

(a) In order to qualify for a blue crab effort management ~~limited entry~~ endorsement number, an applicant must have held a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application and qualify as specified in paragraph (3)(b). A ~~limited entry~~ blue crab effort management endorsement number will not be issued to an applicant who did not hold a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application.

(b) Except as specified in subsection (6), qualification for a blue crab effort management ~~limited entry~~ endorsement number shall be determined by landings of blue crab reported on a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement, and as specified in paragraph (c).

(c) Qualified blue crab effort management ~~limited entry~~ endorsement number applicants must have documented blue crab landings in quantities as specified in subsection (4) or (5) pursuant to Commission trip ticket records generated under the provisions of Rule Chapter 68E-5, F.A.C., during at least one of the following three license years: July 1, 2000 through June 30, 2001, July 1, 2001 through June 30, 2002, or July 1, 2002 through June 30, 2003. Qualifying landings must have been received by the FWC by August 1, 2003; applicants lacking sufficient blue crab landings during the qualifying years may have their eligibility for a blue crab effort management ~~limited entry~~ endorsement considered by the blue crab effort management ~~limited entry~~ endorsement appeals board as specified in subsection (10).

(4) Hard Shell Blue Crab Endorsement (V-H). The hard shell blue crab effort management ~~limited entry~~ endorsement is required to harvest commercial quantities of hard shell blue crab using gears as authorized in subsection 68B-45.004(1), F.A.C.

(a) through (e) No change.

(5) Soft Shell Blue Crab Endorsement (V-S). The soft shell blue crab effort management ~~limited entry~~ endorsement is required to harvest peeler blue crabs in excess of the bycatch limit established in paragraph (4)(e) using gears as authorized in subsection 68B-45.004(2), F.A.C., or to produce soft shell blue crabs with more than three (3) shedding tanks.

(a) through (e) No change.

(6) Non-transferable blue crab effort management ~~limited entry~~ endorsement (V-N). Persons will qualify for the V-N endorsement if they meet the criteria set forth in paragraph

(3)(a), have had no convictions for violations associated with gears defined in subsection 68B-4.002(3) or (4), F.A.C., since July 1, 1995, and have documented landings using such gears pursuant to Commission trip tickets generated for the Marine Information System under Rule Chapter 68E-5, F.A.C., prior to July 1, 1995, or, sold nets to the state according to the provisions of the net buy back program, Chapter 95-414, Laws of Florida. Qualifying landings must have been received by the Marine Information System no later than August 1, 1995.

(a) The non-transferable blue crab effort management ~~limited-entry~~ endorsement cannot be sold or otherwise transferred to any other person as described in subsection (15) or (16).

(b) The holder of a non-transferable blue crab effort management ~~limited-entry~~ endorsement number shall be entitled to purchase up to 100 hard shell blue crab trap tags that will allow them to deploy a like number of hard shell blue crab traps in any state waters where blue crab traps are allowed.

(c) Applicants qualifying for a V-N blue crab effort management ~~limited-entry~~ endorsement number pursuant to this subsection may apply for the endorsement by completing and submitting application Form DMF-SL4570, Non-Transferable Blue Crab Effort Management Limited Entry Endorsement (09-06 01-06), incorporated herein by reference.

(d) Applicants must submit their application to the Commission no later than September 30, 2007 ~~2006~~. An applicant may be a person, firm, or corporation.

(e) No change.

(f) Applicants initially denied a V-N endorsement number may appeal their denial by submitting a completed appeals application form (DMF-4580, Application for Appeal of the Non-Transferable Blue Crab Limited Entry Endorsement (09-06 01-06), hereby incorporated by reference), to the Director of the Division of Marine Fisheries Management by March 31, 2007 ~~2006~~.

(g) through (h) No change.

(i) The holder of a V-N blue crab effort management ~~limited-entry~~ endorsement number shall be subject to the same trap tag requirements described in subsection (7).

(j) The holder of a V-N blue crab effort management ~~limited-entry~~ endorsement number shall be subject to the same renewal criteria described in subsection (9).

(k) The holder of a V-N blue crab effort management ~~limited-entry~~ endorsement number shall be subject to the renewal criteria described in paragraph (10)(a).

(l) The holder of a V-N blue crab effort management ~~limited-entry~~ endorsement number shall not be eligible to serve either on the blue crab limited entry appeals board described in subsection (11) or the advisory board described in subsection (12).

(m) No change.

(n) If the holder of a V-N blue crab effort management ~~limited-entry~~ endorsement number purchases a V-H endorsement described in subsection (4) or a V-S endorsement described in subsection (5), the non-transferable endorsement shall be forfeited.

(7) Trap Tags.

(a) Trap tags shall only be issued to holders of a current valid saltwater products license with a restricted species endorsement and a blue crab effort management ~~limited-entry~~ endorsement number.

(b) Beginning July 1, 2007 ~~2006~~, each trap used for the directed harvest of blue crabs must have securely fastened thereto a current trap tag issued annually by the Commission. Each such tag shall be manufactured by a Commission vendor and made of durable plastic or similarly durable material and shall have printed thereon the holder's blue crab effort management ~~limited-entry~~ endorsement number. To facilitate enforcement and record keeping, such tags shall be issued each year in a color different from those used in the preceding three years. Traps with tags that are not securely fastened shall be considered untagged for enforcement purposes.

(c) Blue crab trap tags shall only be issued to natural persons. For the purpose of this section, the term "natural person" or "person" refers to a human being and does not include a firm, organization, partnership, association, corporation, or other business or legal entity or group or combination. A corporation that holds a blue crab effort management ~~limited-entry~~ endorsement number shall designate one individual to whom they are assigning their trap tags.

(d) Each person who possesses a blue crab effort management ~~limited-entry~~ endorsement number must annually submit a blue crab effort management ~~limited-entry~~ endorsement trap tag order application form (DMF-SL4520 (05-05), incorporated herein by reference) within the time frame specified in paragraph (e) stating the number of tags they wish to receive, up to the maximum specified in subsection (4) or (5).

(e) Blue crab effort management ~~limited-entry~~ endorsement trap tag order applications for each license year will only be accepted from February 1 through March 15 of the prior license year, except as specified in paragraph (f).

(f) No change.

(g) Blue crab trap tags shall not be issued to blue crab effort management ~~limited-entry~~ endorsement holders until all license fees and any other outstanding fees owed the Commission have been paid in full and are current and the tag holder's saltwater products license with valid restricted species endorsement and blue crab effort management ~~limited-entry~~ endorsement are not otherwise inactive.

(h) No change.

(i) As part of the Blue Crab Trap Tag Replacement Application (DMF-SL 4530 (05-05)), the applicant shall provide the tag holder's name, saltwater products license

number, blue crab effort management limited entry endorsement number, the number of tags that were lost, location or area where the tags were lost, and circumstances under which the tags were lost.

(8) Effective September 30, ~~2007~~ 2006, no additional blue crab effort management limited entry endorsements will be issued except to applicants qualifying as specified in subsection (18), and no blue crab effort management limited entry endorsement will be renewed or replaced except those that were issued pursuant to subsection (4), (5), (6) or (11).

(9) Beginning in the ~~2008/2009~~ 2007/2008 license year, each holder of a blue crab effort management limited entry endorsement number, or an immediate family member of such holder in the case of an individual, must renew the endorsement number each license year before September 30. Failure to renew the endorsement number by September 30 of any year will result in forfeiture of the endorsement number.

(10) Requalification. Beginning with license year ~~2010/2011~~ 2009/2010, the holder of a blue crab effort management limited entry endorsement number, except those qualifying as specified in subsection (18), must requalify for the endorsement number by documenting landings on such endorsement as specified in paragraph (a) or (b) in at least one of the previous three license years. Each endorsement number will then be valid for three years from the date of requalification, but must still be renewed annually as required by subsection (8). Except for the V-I endorsement specified in subsection (18), any blue crab effort management limited entry endorsement number not meeting the requalification criteria as specified in paragraph (a) or (b) will not be renewed.

(a) through (b) No change.

(11) Blue Crab Appeals Board. The Executive Director of the Commission shall appoint an appeals board composed of six blue crab effort management limited entry endorsement holders or wholesale seafood dealers and one Commission staff member to consider disputes or problems arising from the initial denial of a blue crab effort management limited entry endorsement.

(a) The six members of the appeals board will consist of at least four members that qualify for a V-H endorsement number and at least one that qualifies for a V-S endorsement number. No member may have appealed their initial blue crab effort management limited entry endorsement award.

~~(b) An appeal of the initial denial of a blue crab limited entry endorsement number is initiated by submission and receipt of a completed appeals application (Form DMF SL4510 (05-05)) to the Director of the Division of Marine Fisheries Management before September 30, 2005.~~

(b)(e) The burden of proof shall be on an appellant to demonstrate, through copies of trip tickets or other proof of landings, legitimate sales to a licensed wholesale dealer that

were not reported by the wholesale dealer during the qualifying years or included in the agency landings database as of August 1, 2003.

~~(c)(d)~~ Criteria for issuance of blue crab effort management limited entry endorsement numbers by the appeals board on grounds of hardship shall be established by the Blue Crab Advisory Board.

(d)(e) After disputes are considered, a recommendation shall be submitted to the Executive Director of the Commission, or his designee, for resolution of the appeal, which recommendation shall either allot an endorsement number to the appellant or uphold the denial of an endorsement number. Notice will be given in writing to the appellant explaining the reasons for the final decision. The action of the Executive Director of the Commission constitutes final agency action, and is appealable pursuant to the requirements of Chapter 120, F.S.

(12) Blue Crab Advisory Board. There is hereby established the Blue Crab Advisory Board. Such board shall consider and advise the Commission on the operation of the effort management trap limitation program and any problems in the fishery.

(a) The board shall consist of a member of the Commission staff appointed by the Executive Director of the Commission, and eight members appointed by the Executive Director of the Commission according to the following criteria, except as otherwise provided in paragraph (b).

1. All appointed members other than the commission staff person shall be holders of a blue crab effort management limited entry endorsement holders and shall not have been convicted of any violations of Chapter 68B-45, F.A.C., within the last six (6) years. At least two shall have blue crab landings equal to or greater than 5,000 pounds during the preceding license year and at least two shall have landings less than 5,000 pounds during such license year.

2. At least five appointed members shall hold a V-H endorsement number, and at least two shall hold a V-S endorsement number.

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

(I) Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, Franklin, Wakulla counties;

(II) Jefferson, Taylor, Dixie, Levy, Citrus, Hernando, Pasco counties;

(III) Pinellas, Hillsborough, Manatee, Sarasota, Charlotte, Lee, Collier counties;

(IV) Indian River, St. Lucie, Martin, Palm Beach, Broward, Dade, Monroe counties;

(V) Nassau, Duval, Clay, St. Johns, Putnam, Flagler, Volusia, Brevard counties.

(b) No change.

(c) Holders of blue crab effort management ~~limited entry~~ endorsement numbers wanting to be considered for appointment to the Blue Crab Advisory Board shall make their request on Commission Form DMF-SL4540 (09-06 05-05), incorporated herein by reference.

(d) through (h) No change.

(i) On July 1, 2012 ~~2011~~, the board is dissolved unless extended by the Executive Director of the Commission.

(13) Leasing Prohibited. The leasing or renting of blue crab effort management ~~limited entry~~ endorsement numbers, tags, or traps is prohibited.

(14) Endorsement Holder Responsibility. The holder of a blue crab endorsement number is responsible for the actions of anyone working under that endorsement. All monies or proceeds from the sale of blue crabs landed under the blue crab effort management ~~limited entry~~ endorsement holder's saltwater products license shall be issued only to the endorsement holder.

(15) Transferability. After the initial issuance, the hard shell blue crab (V-H) and soft shell blue crab (V-S) effort management ~~limited entry~~ endorsement numbers are transferable upon approval of the Commission under the following conditions:

(a) The buyer must hold a saltwater products license with a valid restricted species endorsement and a blue crab effort management ~~limited entry~~ endorsement number. If a buyer does not possess a blue crab effort management ~~limited entry~~ endorsement number, they must hold a certificate of completion of the blue crab apprentice program as specified in paragraph (b).

(b) Persons not already holding a blue crab effort management ~~limited entry~~ endorsement number and wishing to purchase such an endorsement number shall complete an apprenticeship program consisting of working no fewer than fourteen (14) days fishing for blue crab with a properly licensed blue crab effort management ~~limited entry~~ endorsement number holder. As evidence thereof, such person must possess a blue crab effort management ~~limited entry~~ apprenticeship form (DMF-SL4550 (09-06 05-05), incorporated herein by reference) signed by the endorsement holder attesting to the applicant having worked no fewer than fourteen (14) days fishing for blue crabs on the endorsement holder's vessel.

(c) A person who wishes to transfer an endorsement number shall submit a notarized statement of intent within 72 hours of the final notarized signature, that has been signed by both parties to the transaction, hand delivered, or sent by United States Postal Service certified mail, return receipt requested, to the Commission. The statement of intent (Form DMF-SL 4560 (09-06 05-05), incorporated herein by reference), shall include the following information:

1. The name, address, and SPL number of seller;
2. The name, address, and SPL number of buyer; and

3. The selling price.

(d) A blue crab effort management ~~limited entry~~ endorsement number shall not be issued, transferred, or renewed until all license fees, surcharges, and any other outstanding fees, fines, or penalties owed to the Commission by either party to the transaction have been paid in full.

(16) No change.

(17) No Vested Rights. This blue crab effort management ~~limited entry~~ program does not create any vested rights for endorsement number holders whatsoever and may be altered or terminated by the Commission as necessary to protect the blue crab resource, the participants of the fishery, or the public interest.

(18) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History-New 5-26-05, Amended 3-30-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Robson, Director, Division of Marine Fisheries Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NO.:
5F-13.001

RULE TITLE:
Guidelines for Imposing
Administrative Penalties and Fines
for Violations of Chapter 531,
Florida Statutes

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 32, No. 19,