

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Medicare Supplement Insurance
RULE NO.: 4-156, Part I

PURPOSE AND EFFECT: This Medicare Supplement rule is amended to incorporate changes needed to bring this regulation into compliance with Federal standards. Additionally, the amendments also include clarification of particular issues related to the issuance of Medicare Supplement Insurance.

SUBJECT AREA TO BE ADDRESSED: The subject area of the rule development is the proposed amendments to the minimum standards for Medicare Supplement Insurance in Florida.

SPECIFIC AUTHORITY: 624.308, 627.673, 627.674(2) FS.

LAW IMPLEMENTED: 624.307(1), 627.410, 627.411, 627.647(3), 627.673, 627.674, 627.6741, 627.6745, 627.6746 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., February 3, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jim Bracher, Bureau Chief, Life & Health Forms & Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5110

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 Liz Morris at (850)413-5112.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE UPON REQUEST FROM LIZ MORRIS AT THE ABOVE-LISTED TELEPHONE NUMBER AFTER JANUARY 22, 1999.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Qualified Individual
RULE NO.: 19B-8.001

PURPOSE AND EFFECT: To revise the Board's rules to provide that a grandparent who is a purchaser of a contract may request the transfer of the contract to an eligible substitute beneficiary who is a grandchild of the purchaser.

SUBJECT AREA TO BE ADDRESSED: Transfer of contracts to substitute beneficiaries.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551 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., February 1, 1999

PLACE: Suite 210, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-8.001 Qualified Individuals.

A purchaser may request a transfer of a contract to an eligible substitute beneficiary who is either the brother, sister, half brother, half sister, step-brother, or step-sister of the qualified beneficiary. A purchaser who is the grandparent of the qualified beneficiary may request the transfer of a contract to an eligible substitute beneficiary who is a grandchild of the purchaser. The substitute beneficiary must meet the residency requirement of a qualified beneficiary at the time of substitution. Documentation must also be submitted with the transfer request evidencing the relationship of the transferee. The contract purchaser will be required to sign and notarize any request to substitute beneficiaries on an advance payment contract. The substitution must be made prior to the qualified beneficiary matriculating at a state postsecondary institution.

Specific Authority 240.551(5) FS. Law Implemented 240.551 FS. History--New 3-29-89, Amended 12-5-93, 6-20-96, 8-18-97, 12-15-97, Formerly 4G-8.001, Amended \_\_\_\_\_.

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

The Crossings at Fleming Island Community Development District

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

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to amend The Crossings at Fleming Island Community Development ("District"), a community development district (CDD), pursuant to Chapter 190, F.S. The District currently consists of approximately 2,801.21 acres located entirely within Clay County. It is generally located northwest, southwest, and southeast of the intersection of U.S. 17 and C.R. 220 on Fleming Island. The petition to amend the boundaries of the District submitted by the District requests that the Florida Land and Water Adjudicatory Commission

amend Florida Administrative Code Chapter 42H-1 by adding approximately 46.36 acres (expansion parcel) to the existing CDD. After expansion, the District will consist of approximately 2,847.57 acres. The lands sought to be added have already been added to the land area included within The Crossings at Fleming Island Development of Regional Impact (DRI) and the DRI project has been planned and is already functioning as one interrelated community. Currently the lands to be included within the amended boundaries of the District are designated as Planned Community under the Future Land Use Element of the Clay County Comprehensive Plan. Land uses adjacent to the area to the expansion parcel are classified as Planned Community or Rural Fringe. Currently, the lands within the expansion parcel are undeveloped. The District has written consent to amend the District from the owners of 100% of the real property to be added to the District. The petition evidences the District's intention to participate in the acquisition or construction of certain road and drainage improvements, potable water distribution, wastewater collection systems, and reclaimed water systems for the lands to be added to the District. Certain capital costs associated with these improvements would be borne by the District.

**SUBJECT AREA TO BE ADDRESSED:** Expansion of the boundaries of The Crossings at Fleming Island Community Development District.

**SPECIFIC AUTHORITY:** 190.0050 FS.

**LAW IMPLEMENTED:** 190.004, 190.005 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. – Noon, Monday, February 1, 1999

**PLACE:** Room 2106, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty at (850)488-7793 at least 3 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:** Jonathan Johnson, Hopping Greens Sams & Smith, P.A., 123 South Calhoun Street, P. O. Box 6526, Tallahassee, Florida 32314, or Barbara Leighty, Senior Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**MARINE FISHERIES COMMISSION**

**RULE CHAPTER TITLE:** Gear Specifications and Prohibited Gear **RULE CHAPTER NO.:** 46-4

**RULE TITLE:** Gear Definitions **RULE NO.:** 46-4.002

**PURPOSE AND EFFECT:** The current definition of the term “cast net” in the Marine Fisheries Commission rule chapter governing gear specifications and prohibited gear describes that net as being “cone-shaped”. While a cast net is cone-shaped when held at the center, once it is thrown and when it hits the water and begins to fish, it is more accurately described as “circular” in shape. The purpose of this rule development is to make this minor adjustment to the definition of the term “cast net”. The effect will be to bring the definition in line with general understanding of the shape of the gear and coincide with MFC specifications for cast nets, which establish a maximum radius.

**SUBJECT AREA TO BE ADDRESSED:** Definition of the term “cast net”.

**SPECIFIC AUTHORITY:** 370.027(2) FS.

**LAW IMPLEMENTED:** 370.025, 370.027 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

46-4.002 Gear Definitions.

As used in Title 46, F.A.C., unless otherwise defined:

(1) "Cast net" means a ~~circular cone-shaped~~ net thrown by hand and designed to spread out and capture fish as the weighted circumference sinks to the bottom and comes together when pulled by a line.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New 1-1-89, Amended 11-26-92, 1-1-97, 4-28-98,\_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

**RULE CHAPTER TITLE:** Stone Crabs **RULE CHAPTER NO.:** 46-13

**RULE TITLE:** Stone Crabs, Regulation **RULE NO.:** 46-13.002

**PURPOSE AND EFFECT:** The purpose of this rule development effort is to specify further means by which stone crab trappers can render their wire traps degradable.

Degradability is necessary to make sure that traps that are lost will not continue fishing indefinitely. The effect will be the biological benefits of trap degradability.

SUBJECT AREA TO BE ADDRESSED: Wire stone crab trap specifications.

SPECIFIC AUTHORITY: 370.027(2) FS.

LAW IMPLEMENTED: 370.025, 370.027 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-13.002 Stone Crabs, Regulation.

(2) Gear, Traps, Buoys, Permit Numbers.

(a) No person, firm, or corporation shall transport on the water, fish with, or cause to be fished with, set, or placed, in the harvest of stone crabs, any trap which does not meet the following requirements:

1. Each trap shall be constructed of either wood, plastic, or wire.

2. Such traps shall have a maximum dimension of 24 inches, by 24 inches, by 24 inches or a volume of 8 cubic feet.

3.a. The throats or entrances to all wood and plastic traps shall be located on the top horizontal section of the trap. If the throat is longer in one dimension, the throat size in the longer dimension shall not exceed 5 1/2 inches and in the shorter dimension shall not exceed 3 1/2 inches. If the throat is round, the throat size shall not exceed 5 inches in diameter.

b. Each throat (entrance) in any wire trap used to harvest stone crabs shall be horizontally oriented. The width of the opening where the throat meets the vertical wall of the trap and the opening of the throat at its farthest point from the vertical wall, inside the trap, shall be greater than the height of any such opening. No such throat shall extend farther than 6 inches into the inside of any trap, measured from where the throat opening meets the vertical wall of the trap to the throat opening at its farthest point from the vertical wall, inside the trap.

4. Each wire trap used to harvest stone crabs shall have at least three unobstructed escape rings installed, each with a minimum inside diameter of 2 3/8 inches. One such escape ring shall be located on a vertical outer surface adjacent to each crab retaining chamber.

5. Each plastic or wire trap used to harvest stone crabs shall have a degradable panel.

a. A plastic trap shall be considered to have a degradable panel if it contains at least one sidewall with a rectangular opening no smaller in either dimension than that of the throat. This opening must be obstructed with a cypress or untreated pine slat or slats no thicker than 3/4 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

b. A wire trap shall be considered to have a degradable panel if one of the following methods is used in construction of the trap:

(I) The trap lid tie-down strap is secured to the trap at one end by a single loop of untreated jute twine. The trap lid must be secured so that when the jute degrades, the lid will no longer be securely closed.

(II) The trap lid tie-down strap is secured to the trap at one end with a corrodible ~~loop hook~~ composed of non-coated steel wire measuring 24 gauge or thinner. The trap lid must be secured so that when the ~~loop hook~~ degrades, the lid will no longer be securely closed.

(III) The trap lid tie-down strap is secured to the trap at one end by an untreated pine dowel no larger than 2-inches in length by 3/8-inch in diameter. The trap lid must be secured so that when the dowel degrades, the lid will no longer be securely closed.

(IV) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be laced, sewn, or otherwise obstructed by a single length of untreated jute twine knotted only at each end and not tied or looped more than once around a single mesh bar. When the jute degrades, the opening in the sidewall of the trap will no longer be obstructed.

~~(V)~~(IV) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be obstructed with an untreated pine slat or slats no thicker than 3/8 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

~~(VI)~~(V) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may either be laced, sewn, or otherwise obstructed by non-coated steel wire measuring 24 gauge or thinner or be obstructed with a panel of ferrous single-dipped galvanized wire mesh made of 24 gauge or thinner wire. When the wire or wire mesh degrades, the opening in the sidewall of the trap will no longer be obstructed.

(VII) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may be obstructed with a rectangular panel made of any material, fastened to the trap at each of the four corners of the rectangle by rings made of non-coated 24 gauge or thinner wire or single

strands of untreated jute twine. When the corner fasteners degrade, the panel will fall away and the opening in the sidewall of the trap will no longer be obstructed.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New 4-10-85, Formerly 46-13.02, Amended 4-18-90, 6-17-93, 10-4-95, 9-30-96, 1-1-98, \_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Reef Fish	46-14
RULE TITLE:	RULE NO.:
Regulation and Prohibition of Certain Harvesting Gear	46-14.005

PURPOSE AND EFFECT: The purpose of this rule development effort is to specify further means by which black sea bass trappers can render their wire traps degradable. Degradability is necessary to make sure that traps that are lost will not continue fishing indefinitely. The effect will be the biological benefits of trap degradability.

SUBJECT AREA TO BE ADDRESSED: Black sea bass trap specifications.

SPECIFIC AUTHORITY: 370.027(2) FS.

LAW IMPLEMENTED: 370.025, 370.027 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-14.005 Regulation and Prohibition of Certain Harvesting Gear.

(4) Black sea bass traps. All black sea bass traps shall be constructed of wire and shall meet the dimensions established in Section 370.1105(1)(c), Florida Statutes. Additionally, each such trap shall comply with the following specifications:

(a) Biodegradable panel. For purposes of Section 370.1105(1)(c), Florida Statutes, a black sea bass trap shall be considered to have a "biodegradable panel" or a "degradable panel" if one of the following methods is used in construction of the trap:

1. The trap lid tie-down strap is secured to the trap at one end by a single loop of untreated jute twine. The trap lid must be secured so that when the jute degrades, the lid will no longer be securely closed.

2. The trap lid tie-down strap is secured to the trap at one end with a corrodible ~~loop hook~~ composed of non-coated steel wire measuring 24 gauge or thinner. The trap lid must be secured so that when the loop hook degrades, the lid will no longer be securely closed.

3. The trap lid tie-down strap is secured to the trap at one end by an untreated pine dowel no larger than 2-inches in length by 3/8-inch in diameter. The trap lid must be secured so that when the dowel degrades, the lid will no longer be securely closed.

~~4.3-~~ The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be laced, sewn, or otherwise obstructed by a single length of untreated jute twine knotted only at each end and not tied or looped more than once around a single mesh bar. When the jute degrades, the opening in the sidewall of the trap will no longer be obstructed.

~~5.4-~~ The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be obstructed with an untreated pine slat or slats no thicker than 3/8 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed. "Untreated pine" means raw pine wood that has not been treated with any preservative or pine wood that has been pressure treated with no more than 0.40 pounds of chromated copper arsenate (CCA) compounds per cubic foot of wood.

~~6.5-~~ The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may either be laced, sewn, or otherwise obstructed by non-coated steel wire measuring 24 gauge or thinner or be obstructed with a panel of ferrous single-dipped galvanized wire mesh made of 24 gauge or thinner wire. When the wire or wire mesh degrades, the opening in the sidewall of the trap will no longer be obstructed.

7. The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may be obstructed with a rectangular panel made of any material, fastened to the trap at each of the four corners of the rectangle by rings made of non-coated 24 gauge or thinner wire or single strands of untreated jute twine. When the corner fasteners degrade, the panel will fall away and the opening in the sidewall of the trap will no longer be obstructed.

(b) Escape vents. All black sea bass traps shall have an unobstructed escape vent opening on at least two opposite vertical sides, excluding top and bottom, that complies with one of the following minimum sizes:

1. A rectangular vent, 1.125 inches (2.9 cm) by 5.75 inches (14.6 cm).

- 2. A circular vent, 2 inches (5.1 cm) in diameter.
- 3. A square vent with sides of 1.75 inches (4.4 cm) measures inside the square.

Specific Authority 370.027(2) FS., sections 7 & 9 of Chapter 83-134, Laws of Florida. Law Implemented 370.025, 370.027 FS., sections 7 & 9 of Chapter 83-134, Laws of Florida. History--New 12-11-86, Amended 2-1-90, 3-1-94, 10-4-95, 7-15-96, 1-1-98, 12-31-98,\_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER TITLE: Spanish Mackerel  
 RULE CHAPTER NO.: 46-23  
 RULE TITLES: Size Limit  
 RULE NOS.: 46-23.0035  
 Other Prohibitions 46-23.006  
 PURPOSE AND EFFECT: Spanish mackerel harvested in Florida were traditionally governed by a 12-inch minimum size limit imposed by Florida Statutes, which applied to all "mackerel". When a new 20-inch size limit was adopted by the Marine Fisheries Commission several years ago for king mackerel, the Commission necessarily had to effect the repeal of the statutory size limit. The purpose of this rulemaking is to reimpose the 12-inch minimum size limit for Spanish mackerel. The effect will be to protect juvenile Spanish mackerel until they can spawn and be harvested at larger sizes.  
 SUBJECT AREA TO BE ADDRESSED: Size limit for Spanish mackerel.

SPECIFIC AUTHORITY: 370.027(2) FS.  
 LAW IMPLEMENTED: 370.025, 370.027 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-23.0035 Size Limit.

(1) No person shall harvest from state waters, possess while in or on state waters, or land any Spanish mackerel with a fork length less than 12 inches, measured from the tip of the snout to the rear center edge of the tail.

(2) All Spanish mackerel harvested in or from Florida or adjacent federal Exclusive Economic Zone (EEZ) waters shall be landed in a whole condition. The possession, while in or on state waters, on any public or private fishing pier, on a bridge or catwalk attached to a bridge from which fishing is allowed, or on any jetty, of a Spanish mackerel that has been deheaded,

sliced, divided, filleted, ground, skinned, scaled, or deboned is prohibited. Mere evisceration or "gutting" of Spanish mackerel, or mere removal of gills before landing is not prohibited.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New\_\_\_\_\_.

46-23.006 Other Prohibitions.

(1) It is unlawful for any person to possess, transport, buy, sell, exchange or attempt to buy, sell or exchange any Spanish mackerel harvested in violation of this chapter.

(2) The prohibitions of this chapter apply as well to any and all persons operating a vessel in state waters, who shall be deemed to have violated any prohibition which has been violated by another person aboard such vessel.

~~(3) All Spanish mackerel harvested from Florida waters shall be landed in a whole condition. The possession, while on state waters, of Spanish mackerel that have been deheaded, sliced, divided, filleted, ground, skinned, scaled or deboned is prohibited. Mere evisceration or "gutting" of Spanish mackerel, or mere removal of gills from Spanish mackerel, before landing is not prohibited.~~

Specific Authority 370.027(2) FS., Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, Laws of Florida. Law Implemented 370.025, 370.027, 370.028 FS. History--New 10-30-86, Amended 10-1-88,\_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER TITLE: Spiny Lobster (Crawfish) and Slipper Lobster  
 RULE CHAPTER NO.: 46-24  
 RULE TITLE: Gear: Traps, Buoys, Identification  
 RULE NO.: 46-24.006

Requirements, Prohibited Devices  
 PURPOSE AND EFFECT: Several years ago, the Florida Legislature established a trap reduction program for the spiny lobster commercial fishery, which is primarily located in the Florida Keys. As part of that program, the Legislature eliminated the use of traps as recreational gear. Recreational harvesters primarily harvest these animals by hand while diving. Nonetheless, several references to "recreational traps" still exist in Rule 46-24.006, F.A.C. The purpose of this rule development effort is to eliminate these references from the rule. The effect will be to conform the rule to current Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Spiny lobster recreational gear.

SPECIFIC AUTHORITY: 370.027(2) FS.  
 LAW IMPLEMENTED: 370.025, 370.027 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-24.006 Gear: Traps, Buoys, Identification Requirements, Prohibited Devices.

(4) Each trap and buoy used to harvest spiny lobster shall have the commercial harvester's current crawfish license or trap number permanently affixed in legible figures ~~or the recreational harvester's trap number~~. On each buoy, the affixed number shall be at least 2 inches high. The buoy color and license or trap number shall also be permanently and conspicuously displayed on any vessel used by a commercial harvester for setting traps and buoys, so as to be readily identifiable from the air and water, in the following manner:

(a) From the Air – The buoy design approved by the Department of Environmental Protection shall be displayed and be permanently affixed to the uppermost structural portion of the vessel and displayed horizontally with the painted design up. The display shall exhibit the harvester's approved buoy design, unobstructed, on a circle 20 inches in diameter, outlined in a contrasting color, together with the permit numbers permanently affixed beneath the circle in numerals no smaller than 10 inches in height.

(b) From the Water – The buoy design approved by the Department of Environmental Protection shall be displayed and be permanently affixed vertically to both the starboard and port sides of the vessel near amidship. The display shall exhibit the harvester's approved buoy design, unobstructed, on a circle 8 inches in diameter, outlined in a contrasting color, together with the permit numbers permanently affixed beneath the circle in numerals no smaller than 4 inches in height.

(5) Except as provided herein, no numbers shall be used to identify traps or buoys other than the commercial harvester's current crawfish license or trap numbers, ~~the recreational harvester's trap number~~, or numbers designating federal permits. Ownership of spiny lobster traps used by any commercial harvester may be transferred to other persons, so long as the following conditions are met:

(a) The person acquiring ownership of such traps shall notify the Division of Law Enforcement of the Department of Environmental Protection within five days of acquiring ownership as to the number of traps purchased, the vendor, and the license or trap number currently displayed on the traps, and shall request issuance of a crawfish license or trap number if the person does not possess same.

(b) Buoys shall be renumbered and recolored at the first pulling of traps.

(c) The new license or trap number shall be permanently attached to the traps prior to their being set at the beginning of the next open season.

(d) The new owner shall retain a valid bill of sale.

(7) Permission to pull or work traps belonging to another, during the regular, season may be granted by the Division of Law Enforcement of the Department of Environmental Protection. Such permission shall be granted by the Division only upon receipt of a written statement signed by the commercial harvester ~~or recreational harvester~~ detailing license or trap number and buoy colors. Additionally, the harvester shall list the license or trap number, buoy colors, and audit numbers of the harvester and general locations of the pulling activity of the boat engaged in pulling or working the traps. Permission to pull traps in this manner shall be obtained daily; however, extension of permission may be obtained by telephone for up to a maximum of 5 days.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New 7-2-87, Amended 7-2-90, 3-1-92, 7-1-92, 6-1-94, 10-4-95, 9-30-96, \_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Oysters	46-27
RULE TITLES:	RULE NOS.:
Statewide Bag Limits on Oyster Harvesting	46-27.014
Apalachicola Bay Oyster Harvesting Restrictions	46-27.017

PURPOSE AND EFFECT: The purpose of this rule development effort is to make slight adjustments in the commercial oyster harvesting regime effective in Apalachicola Bay. An additional day each week will be allowed for such harvest during the summer season and the vessel possession limit applicable during the winter season will be increased. The effect will be to relax regulations on commercial oyster harvesters slightly to allow them to take advantage of a healthy and abundant annually renewable resource.

SUBJECT AREA TO BE ADDRESSED: Apalachicola Bay commercial oyster harvest.

SPECIFIC AUTHORITY: 370.027(2) FS.

LAW IMPLEMENTED: 370.025, 370.027 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-27.014 Statewide Bag Limits on Oyster Harvesting.

(1) Commercial Bag Limit.

(a) Except as provided in paragraph (b), in all counties of the state no person shall harvest or take for commercial purposes more than twenty (20) bags of oysters per person or vessel, whichever is less, per day.

(b) Beginning October 1 each year and continuing through June 30 of the following year, in Apalachicola Bay, each person who harvests or takes oysters for commercial purposes shall be subject to a bag limit of twenty (20) bags of oysters per day. On any vessel in the bay during this period, a vessel limit equal to twenty (20) bags of oysters times the number of persons aboard the vessel harvesting or taking oysters for commercial purposes shall apply and possession of more than this number of bags of oysters aboard such a vessel in the bay is prohibited. Paragraph (a) shall apply in Apalachicola Bay to all commercial harvesters during the rest of the year.

(2) In all counties of the state, no person harvesting oysters for recreational purposes shall possess more than two (2) bags per person or vessel, whichever is less, per day. The possession of more than two bags of oysters per person or vessel, whichever is less, per day by such a harvester shall constitute a violation of this rule.

(3) No person shall harvest for recreational and commercial purposes within any one day.

~~(4) The possession of more than two bags of oysters per person or vessel, whichever is less, per day shall constitute a violation of this rule.~~

~~(4)(5)~~ When vessels are connected in any way, for example by towing, no person shall claim more than one bag limit for all vessels so connected.

~~(5)(6)~~ Possession of oysters in excess of the applicable bag limit aboard a vessel harvesting oysters in or on the waters above any public oyster bed is prohibited.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New 3-10-91, Amended 11-29-93, 7-15-96,\_\_\_\_\_.

46-27.017 Apalachicola Bay Oyster Harvesting Restrictions.

In addition to all other provisions of this chapter, the following provisions shall apply to Apalachicola Bay:

(1) No person shall harvest or take oysters for commercial purposes from the waters of Apalachicola Bay:

(a) On any ~~Friday, Saturday, or Sunday~~ or Monday from July 1 through September 30 of each year.

(b) On any Saturday or Sunday from October 1 through November 15 of each year.

(2)(a) Except as provided in paragraph (b) and when Apalachicola Bay is not closed for public health purposes, oysters may be harvested in the bay for commercial purposes

any day of the week during the period beginning on November 16 each year and continuing through June 30 of the following year.

(b) If during the period specified in paragraph (a), the Department's Shellfish Assessment and Enhancement Section, through its regular monitoring of the abundance of oyster resources on Cat Point Bar and East Hole Bar in the bay, through the Standard Resource Management Protocol (a scale based on scientific sampling that provides a predictive index of the number of oysters available for harvest), establishes that such resources cannot sustain a harvest of 300 bags of oysters per acre, the harvest of oysters for commercial purposes from the bay on Saturday and Sunday of each week for the remainder of the period is prohibited. The Secretary of the Department, shall give notice of such weekend closure in the manner provided in Section 120.81(5), Florida Statutes. The weekend closure shall begin no sooner than one week following such notice.

(3) Harvesting oysters for recreational purposes as provided in Rule 46-27.014 shall be permitted on any day provided the Bay is not closed for public health reasons.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New 3-10-91, Amended 11-29-93,\_\_\_\_\_.

MARINE FISHERIES COMMISSION

RULE CHAPTER TITLE: Shrimp  
RULE TITLES: Definitions  
Northwest Region Food Shrimp Production  
Gear Specifications

RULE CHAPTER NO.: 46-31  
RULE NOS.: 46-31.006

PURPOSE AND EFFECT: The purpose of this rule development effort is to allow on a time and area limited basis the use of skimmer trawls for the harvest of shrimp in Apalachicola Bay. The effect will be to give shrimp harvesters in the bay an opportunity to develop another gear type that can be efficiently used to harvest this annually renewable species.

SUBJECT AREA TO BE ADDRESSED: Allowable gear and gear specifications for shrimp harvest.

SPECIFIC AUTHORITY: 370.027(2) FS.  
LAW IMPLEMENTED: 370.025, 370.027 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-31.006 Definitions.

As used in Rules 46-31.005 through the remainder of the chapter:

(20) “Skimmer trawl” means a trawl with the following features:

(a) A rigid “L”-shaped or triangular metal frame that is deployed amidship from either side of the harvesting vessel.

(b) The inboard portion of the frame is attached to the vessel, while the outboard portion runs along the seabed on a skid or “shoe”.

(c) The net mouth or perimeter is hung along the outer edges of the frame and kept open with a bullet weight holding the lower inboard corner of the net mouth on the bottom.

(d) A tickler chain may be attached below the lead line between the shoe and the bullet weight.

(e) The trawl is pushed alongside the harvesting vessel and generally fishes the entire water column.

(21) “Southeast Region” means all state waters of Indian River, St. Lucie, Martin, Palm Beach, Broward, Dade, and Monroe Counties.

(22)~~(24)~~ “Southwest Region” means all state waters of Pinellas, Hillsborough, Manatee, Sarasota, Charlotte, Lee, and Collier Counties.

(23)~~(22)~~ “Tampa Bay” means all waters of the bay east and north of the Sunshine Skyway Bridge (U.S. 19 and Interstate 275).

(24)~~(23)~~ “Trawl” means a net in the form of an elongated bag with the mouth kept open by various means and fished by being towed or dragged on the bottom.

(25)~~(24)~~ “Trip” means a fishing trip of whatever duration which begins with departure of the fishing vessel from a dock, berth, beach, seawall, or ramp and which terminates with return to a dock, berth, beach, seawall, or ramp.

(26)~~(25)~~ “Try net” means a small otter trawl used to test waters for the presence or size of shrimp.

(27)~~(26)~~ “Wing net” means a net in the form of an elongated bag kept open by a rigid frame that is attached to either side of a vessel, and is not towed behind a vessel or dragged along the bottom.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New 1-1-92, Amended 3-16-93, 11-29-93, 10-3-94, 6-3-96, \_\_\_\_\_.

46-31.010 Northwest Region Food Shrimp Production Gear Specifications.

Each person harvesting shrimp in the Northwest Region as a food shrimp producer shall comply with the requirements specified in this rule.

(1) Allowable Gear – No person shall harvest shrimp in the nearshore and inshore Florida waters of the region as a food shrimp producer with any type of gear other than:

(a) A roller frame trawl meeting the following specifications:

1. Neither the upper or lower horizontal beam on a roller frame trawl so used is greater than 16 feet in length.

2. The vertical bars shielding the trawl opening are spaced no further than 3 inches apart.

3. No more than two such trawls, unconnected, shall be towed by a single vessel at any time.

4. The netting of the trawl shall be no larger in mesh area than specified by Rule 46-31.0035(2).

(b) No more than two unconnected otter trawls, each with a perimeter around the leading edge of the net not greater than 66 feet and a net no larger in mesh area than specified by Rule 46-31.0035(2). The two otter trawls allowed in the nearshore and inshore Florida waters of this region shall include any try net being towed.

(c) Until July 1, 2001, and only in the area of the Northwest Region specified herein, no more than two unconnected skimmer trawls meeting the following specifications:

1. The perimeter around the leading edge of any skimmer trawl shall not exceed 56 feet.

2. No more than two skimmer trawls, unconnected other than being attached to the same vessel, shall be deployed from a single vessel at any time.

3. The netting of a skimmer trawl shall be no larger in mesh area than specified by Rule 46-31.0035(2).

4. No skimmer trawl shall be used to harvest shrimp except in the following described area in Apalachicola Bay in the Northwest Region: All waters of Apalachicola Bay in Franklin County bounded on the north by the John Gorrie Memorial Bridge, on the west by the Apalachicola Shipping Channel to Channel Marker No. 2, on the south by ICWW Channel, and on the east by the Bryant Patton Bridge.

(2) No trawl shall be used for food shrimp production in the inshore waters of the Northwest Region that has a mesh size less than 3/4 inch bar measurement in the body of the net and 5/8 inch bar measurement in the cod end. In any trawl with a rigid turtle excluder device (TED), the section of netting surrounding the device shall have a mesh size no smaller than 1/2 inch bar measurement and shall be no more than 50 meshes in total length.

(3) No otter or skimmer trawl shall be used for food shrimp production in the Northwest Region that is not in compliance with Rule 46-31.004.

(4) In the Northwest Region, no person harvesting shrimp as a food shrimp producer shall operate or fish any otter or skimmer trawl, or possess any otter or skimmer trawl that is rigged for fishing aboard any vessel, which trawl does not have a bycatch reduction device (BRD) installed therein meeting the requirements of Rule 46-31.0045.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New 1-1-92, Amended 1-1-96, 8-17-98,\_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER TITLE: Shrimping and Stonecrabbing: Closed Areas and Seasons  
 RULE CHAPTER NO.: 46-38

RULE TITLE: Southwest Florida Seasonal Shrimp Closures  
 RULE NO.: 46-38.002

PURPOSE AND EFFECT: The purpose of this rule development effort is to join two areas north and south of Wiggins Pass in Southwest Florida currently closed to shrimping during all or a portion of stone crab season and make the new full closure area subject to the October 1 through May 31 closure period currently applicable only in the northern area. The effect of this effort will be to reduce conflicts between the shrimp and stone crab fisheries, which in the past have been costly and sometimes violent. The resulting rule changes should separate the fisheries and their incompatible gear types in state waters approximately from Boca Grande Pass to Key West.

SUBJECT AREA TO BE ADDRESSED: Separation of the shrimp and stone crab fisheries in state waters off southwest Florida.

SPECIFIC AUTHORITY: 370.027(2) FS.

LAW IMPLEMENTED: 370.025, 370.027 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-38.002 Southwest Florida Seasonal Shrimp Closures.

(1) From October 1 of each year and continuing through May 31 of the following year, no person shall operate any trawl, except a trawl used for live bait shrimping pursuant to license issued by the Division of Marine Resources as required by Section 370.15(8), Florida Statutes, within the following described area of state waters off the southwest coast of Florida:

Beginning with Bell Buoy No. 8 (Point H) in the Boca Grande ship channel; thence easterly to the northernmost extent of the Colregs Demarcation Line at the northern end of Cayo Costa; thence following the Colregs Demarcation Line southerly and easterly along the shorelines of and across the passes between Cayo Costa, North Captiva Island, Captiva Island, Sanibel Island, Estero Island, the unnamed island southwest of Black Island, Big Hickory Island, Little Hickory Island, and Wiggins Island to the point south of Wiggins Pass where along the Colregs Demarcation Line meets 26° 16.0' North Latitude at the northernmost point of land on the south side of Wiggins Pass; thence due west to Point Z A, and following a continuous line from Point Z A through points A, B, C, D, E, F and G; thence northwesterly to the point of beginning at Bell Buoy No. 8 (Point H). Points Z, A, B, C, D, E, F, and G are expressed as follows by latitude and longitude (~~Loran notations are unofficial and are included only for the convenience of fishermen~~):

Point	North		West		Loran Chain 7980		
	Latitude	Longitude	W	X	Y	Z	
<u>Z</u>	<u>26°16.00'</u>	<u>81°58.50'</u>					
<u>A</u>	<u>26°20.00'</u>	<u>81°61.00'</u>					
	26°17.23'	81°55.55'	14110	30700	43826	62657.5	
B	26°22.31'	81°59.00'	14114.1	30715	43868	62672.8	
C	26°20.25'	82°04.39'	14099.5	30694	43904	62700.5	
D	26°22.00'	82°10.79'	14090.4	30681	43961	62733	
E	26°26.05'	82°15.55'	14089.4	30688	44012	62756	
F	26°34.40'	82°18.90'	14101	30720	44070	62771.4	
G	26°38.28'	82°16.92'	14113.8	30745	44070	62760.8	

(3) Beginning October 1 each year ~~January 1~~ and continuing through May 31 of the following ~~20 each~~ year, no person shall operate any trawl within state waters of the Gulf of Mexico east of a line drawn between the following described points:

Point	North		West	
	Latitude	Longitude	W	X
<u>Z B</u>	26°16.0' N	81°58.5' W		
C	26°00.0' N	82°04.0' W		
D	25°09.0' N	81°47.6' W		
E	24°54.5' N	81°50.5' W		
M	24°49.3' N	81°46.4' W		

X is the point where the line beginning at Point E extended through Point M intersects U.S. Highway 1 just east of Boca Chica Key.

(4) "Trawl" means a net in the form of an elongated bag with the mouth kept open by various means and fished by being towed or dragged on the bottom.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New 10-1-89, Amended 11-16-98,\_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Marine Life	46-42
RULE TITLES:	RULE NOS.:
Purpose and Intent; Designation of Restricted Species; Definition of "Marine Life Species"	46-42.001
Size Limits	46-42.004
Commercial Season, Harvest Limits	46-42.006
Live Rock: Harvest in State Waters Prohibited; Aquacultured Live Rock Harvest and Landing Allowed	46-42.008

**PURPOSE AND EFFECT:** The purpose of this rule development effort is to make minor adjustments to the Commission's rules governing the harvest of tropical ornamental species. Porkfish, a species of grunt, and the blue-legged or tricolor hermit crab are added to the chapter. Porkfish will have new minimum size and daily commercial harvest limits. The blue-legged or tricolor hermit crab and starsnails will have daily commercial harvest and possession limits established. Size limits and daily commercial harvest and possession limits are adjusted for Spanish and Cuban (spotfin) hogfish. Provisions are updated to assure the exemption of aquacultured live rock from prohibitions against the harvest and landing of natural live rock. Most of these changes have been suggested by the tropical ornamental marine life industry. The effect of this effort is the continued protection of these valuable species for future generations of Floridians.

**SUBJECT AREA TO BE ADDRESSED:** Tropical ornamental marine life species.

**SPECIFIC AUTHORITY:** 370.01(20), 370.027(2), 370.06(2)(d) FS.

**LAW IMPLEMENTED:** 370.01(20), 370.025, 370.027 370.06(2)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-42.001 Purpose and Intent; Designation of Restricted Species; Definition of "Marine Life Species".

(2) The following fish species, as they occur in waters of the state and in federal Exclusive Economic Zone (EEZ) waters adjacent to state waters, are hereby designated as restricted species pursuant to Section 370.01(20), Florida Statutes:

- (a) Moray eels – Any species of the Family Muraenidae.
- (b) Snake eels – Any species of the Genera *Myrichthys* and *Myrophis* of the Family Ophichthidae.
- (c) Toadfish – Any species of the Family Batrachoididae.
- (d) Frogfish – Any species of the Family Antennariidae.
- (e) Batfish – Any species of the Family Ogcocephalidae.
- (f) Clingfish – Any species of the Family Gobiesocidae.
- (g) Trumpetfish – Any species of the Family Aulostomidae.
- (h) Cornetfish – Any species of the Family Fistulariidae.
- (i) Pipefish/seahorses – Any species of the Family Syngnathidae.
- (j) Hamlet/seabass – Any species of the Family Serranidae, except groupers of the genera *Epinephalus* and *Mycteroperca*, and seabass of the genus *Centropristis*.
- (k) Basslets – Any species of the Family Grammistidae.
- (l) Cardinalfish – Any species of the Family Apogonidae.
- (m) ~~(n)~~ Porkfish – *Anisotremus virginicus*.
- (n) ~~(m)~~ High-hat, Jackknife-fish, Spotted drum, Cubbyu – Any species of the genus *Equetus* of the Family Sciaenidae.
- (o) ~~(n)~~ Reef Croakers – Any of the species *Odontocion dentex*.
- (p) ~~(o)~~ Sweepers – Any species of the Family Pempheridae.
- (q) ~~(p)~~ Butterflyfish – Any species of the Family Chaetodontidae.
- (r) ~~(q)~~ Angelfish – Any species of the Family Pomacanthidae.
- (s) ~~(r)~~ Damselfish – Any species of the Family Pomacentridae.
- (t) ~~(s)~~ Hawkfish – Any species of the Family Cirrhitidae.
- (u) ~~(t)~~ Wrasse/hogfish/razorfish – Any species of the Family Labridae, except hogfish, *Lachnolaimus maximus*.
- (v) ~~(u)~~ Parrotfish – Any species of the Family Scaridae
- (w) ~~(v)~~ Jawfish – Any species of the Family Opistognathidae.
- (x) ~~(w)~~ Blennies – Any species of the Families Clinidae or Blenniidae.
- (y) ~~(x)~~ Sleepers – Any species of the Family Eleotrididae.
- (z) ~~(y)~~ Gobies – Any species of the Family Gobiidae.
- (aa) ~~(z)~~ Tangs and surgeonfish – Any species of the Family Acanthuridae.
- (bb) ~~(aa)~~ Filefish/triggerfish – Any species of the Family Balistes, except gray triggerfish, *Balistidae capriscus*.
- (cc) ~~(bb)~~ Trunkfish/cowfish – Any species of the Family Ostraciidae.
- (dd) ~~(cc)~~ Pufferfish/burrfish/balloonfish – Any of the following species:
  - 1. Balloonfish – *Diodon holocanthus*.
  - 2. Sharpnose puffer – *Canthigaster rostrata*.
  - 3. Striped burrfish – *Chilomycterus schoepfi*.

(3) The following invertebrate species, as they occur in waters of the state and in federal Exclusive Economic Zone (EEZ) waters adjacent to state waters, are hereby designated as restricted species pursuant to Section 370.01(20), Florida Statutes:

(a) Sponges – Any species of the Class Demospongia, except sheepswool, yellow, grass, glove, finger, wire, reef, and velvet sponges, Order Dictyoceratida.

(b) Upside-down jellyfish – Any species of the Genus *Cassiopeia*.

(c) Siphonophores/hydroids – Any species of the Class Hydrozoa, except fire corals, Order Milleporina.

(d) Soft corals – Any species of the Subclass Octocorallia, except sea fans *Gorgonia flabellum* and *Gorgonia ventalina*.

(e) Sea anemones – Any species of the Orders Actinaria, Zoanthidea, Corallimorpharia, and Ceriantharia.

(f) Featherduster worms/calcareous tubeworms – Any species of the Families Sabellidae and Serpulidae.

(g) ~~Starsnails~~ ~~Star shells~~ – Any of the species *Lithopoma americanum* ~~*Astraea americana*~~ or *Australium phoebium* ~~*Astraea phoebia*~~.

(h) Nudibranchs/sea slugs – Any species of the Subclass Opisthobranchia.

(i) Fileclams – Any species of the Genus *Lima*.

(j) Octopods – Any species of the Order Octopoda, except the common octopus, *Octopodus vulgaris*.

(k) Shrimp – Any of the following species:

1. Cleaner shrimp and peppermint shrimp - Any species of the Genera *Periclimenes* or *Lysmata*.

2. Coral shrimp – Any species of the Genus *Stenopus*.

3. Snapping shrimp – Any species of the Genus *Alpheus*.

(l) Crabs – Any of the following species:

1. Yellowline arrow crab – *Stenorhynchus seticornis*.

2. Furcate spider or decorator crab – *Stenocionops furcatus* ~~*furcata*~~.

3. Blue-legged or tricolor hermit crab – *Clibanarius tricolor*.

~~4.3.~~ Thinstripe hermit crab – *Clibanarius vittatus*.

~~5.4.~~ Polkadotted hermit crab – *Phimochirus operculatus*.

~~6.5.~~ Spotted porcelain crab – *Porcellana sayana*.

~~7.6.~~ Nimble spray or urchin crab – *Percnon gibbesi*.

~~8.7.~~ False arrow crab – *Metoporphaphis calcarata*.

(m) Starfish – Any species of the Class Asteroidea, except the Bahama starfish, *Oreaster reticulatus*.

(n) Brittlestars – Any species of the Class Ophiuroidea.

(o) Sea urchins – Any species of the Class Echinoidea, except longspine urchin, *Diadema antillarum*, and sand dollars and sea biscuits, Order Clypeasteroidea.

(p) Sea cucumbers – Any species of the Class Holothuroidea.

(q) Sea lillies – Any species of the Class Crinoidea.

Specific Authority 370.01(20), 370.027(2), 370.06(2)(d) FS. Law Implemented 370.01(20), 370.025, 370.027, 370.06(2)(d) FS. History—New 1-1-91, Amended 7-1-92, 1-1-95,\_\_\_\_\_.

46-42.004 Size Limits.

(5) Porkfish – No person shall harvest, possess while in or on the waters of this state, or land any porkfish (*Anisotremus virginicus*) of total length less than 1 1/2 inches.

(6) Cuban (Spotfin) and Spanish hogfish

(a) No person shall harvest, possess while in or on the waters of this state, or land any Spanish hogfish (*Bodianus rufus*) of total length less than 2 inches.

(b) No person shall harvest, possess while in or on the waters of this state, or land any Cuban (spotfin) hogfish (*Bodianus pulchellus*) of total length less than 3 inches.

~~(c)(b)~~ No person shall harvest, possess while in or on the waters of this state, or land any Spanish hogfish (*Bodianus rufus*) or Cuban (spotfin) hogfish (*Bodianus pulchellus*) of total length greater than 8 inches.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New 1-1-91, Amended 7-1-92, 1-1-95,\_\_\_\_\_.

46-42.006 Commercial Season, Harvest Limits.

(2) Persons harvesting tropical ornamental marine life species or tropical ornamental marine plants for commercial purposes shall have a season that begins on October 1 of each year and continues through September 30 of the following year. These persons shall not harvest, possess while in or on the waters of the state, or land tropical ornamental marine life species in excess of the following limits:

(a) A limit of 75 angelfish (Family Pomacanthidae) per person per day or 150 angelfish per vessel per day, whichever is less.

(b) A limit of 75 butterflyfishes (Family Chaetodontidae) per vessel per day.

(c) A limit of 75 porkfish (*Anisotremus virginicus*) per person per day, and a maximum possession limit of 150 porkfish at any time aboard a vessel with two or more persons licensed as required in subsection (1).

~~(d)(e)~~ A limit of 50 Spanish hogfish (*Bodianus rufus*) and 50 Cuban (spotfin) hogfish (*Bodianus pulchellus*) per person per day, and a maximum possession limit of 100 of either at any time aboard a vessel with two or more persons licensed as required in subsection (1).

(e) There shall be no limits on the harvest for commercial purposes of octocorals unless and until the season for all harvest of octocorals in federal Exclusive Economic Zone (EEZ) waters adjacent to state waters is closed. At such time, the season for harvest of octocorals in state waters shall also close until the following October 1, upon notice given by the Secretary of the Department of Environmental Protection, in the manner provided in Section 120.81(5), Florida Statutes. Each person harvesting any octocoral as authorized by this rule

may also harvest substrate within 1 inch of the perimeter of the holdfast at the base of the octocoral, provided that such substrate remains attached to the octocoral.

~~(f)(4)~~ A limit of 400 giant Caribbean or "pink-tipped" anemones (Genus *Condylactus*) per vessel per day.

(g) A limit of one gallon of starsnails (*Lithopoma americanum* or *Australium phoebium*) per person per day, and a maximum possession limit of 2 gallons at any time aboard a vessel with two or more persons licensed as required in subsection (1).

(h) A limit of one quart of blue-legged or tricolor hermit crabs (*Clibanarius tricolor*) per person or per vessel each day, whichever is less.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New 1-1-91, Amended 7-1-92, 1-1-95, \_\_\_\_\_.

46-42.008 Live Rock: Harvest in State Waters Prohibited; Aquacultured Live Rock Harvest and Landing Allowed.

(1) No person shall harvest any live rock in or from state waters or land any live rock harvested in or from state waters, except as may be provided in subsection (3).

(2) No person shall sell, within the State of Florida, any live rock harvested in or from federal Exclusive Economic Zone (EEZ) waters adjacent to state waters unless such person possesses a saltwater products license and a federal Live Rock Aquaculture Permit issued by the National Marine Fisheries Service under 50 C.F.R. Part 638 ~~with both a marine life fishery endorsement and a restricted species endorsement.~~

(3) Subsection (1) shall not apply to:

(a) Any person possessing a saltwater products license and an Aquaculture Certificate issued by the Florida Department of Agriculture and Consumer Services pursuant to Chapter 597, Florida Statutes, with a marine life endorsement harvesting and landing live rock cultured on state submerged lands leased from the State of Florida. Rock used for such culture shall be of a readily distinguishable geologic character from rock native to the area or be securely marked or tagged so as to differentiate the cultured rock from naturally occurring live rock. The rock shall be placed on leased submerged lands by the lease-holder or a person possessing written authorization from the lease-holder.

(b) Any person lawfully harvesting substrate as part of the harvest of octocorals pursuant to Rule 46-42.005(4) or Rule 46-42.006(2)(c).

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New 7-1-92, Amended 10-18-93, 1-1-95, \_\_\_\_\_.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER TITLE: Blue Crab  
 RULE CHAPTER NO.: 46-45

RULE TITLES: Purpose and Intent; Repeal of Statutory Provisions; Designation as Restricted Species  
 RULE NOS.: 46-45.001

Regulation and Prohibition of Certain Harvesting Gear  
 46-45.004

PURPOSE AND EFFECT: The purpose of this rule development effort is to clarify identification requirements for blue crab traps and specify further means by which blue crab trappers can render their traps degradable. Degradability is necessary to make sure that traps that are lost will not continue fishing indefinitely. The effect of this rulemaking will be the uniform identification of traps and biological benefit from trap degradability. The repeal of a provision of Florida Statutes that has a conflicting specification for marking blue crab trap buoys is effected to eliminate confusion.

SUBJECT AREA TO BE ADDRESSED: Blue crab trap specifications.

SPECIFIC AUTHORITY: 370.01(20), 370.027(2) FS.; Sections 2 and 7, Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, and Section 1, Chapter 85-163, Laws of Florida.

LAW IMPLEMENTED: 370.01(20), 370.025, 370.027 FS.; Sections 2 and 7, Chapter 83-134, Laws of Florida, as amended by Chapter 84-121 and Section 5 of Chapter 86-219, Laws of Florida.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER NOTICED IN THIS PUBLICATION.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

46-45.001 Purpose and Intent; Repeal of Statutory Provisions; Designation as Restricted Species.

(2) It is the intent of this chapter to expressly effect the repeal of and replace the second distinct sentence of subsection (1) of Section Sections 370.135(2) and (3), Florida Statutes.

Specific Authority 370.01(20), 370.027(2) FS.; s. 2 and 7 of Chapter 83-134, as amended by Chapter 84-121 and s. 1 of Chapter 85-163, Laws of Florida. Law Implemented 370.01(20), 370.025, 370.027 FS.; s. 2 and 7 of Chapter 83-134, as amended by Chapter 84-121 and s. 5 of Chapter 86-219, Laws of Florida. History—New 12-14-93, Amended 6-1-94, 10-4-95.

46-45.004 Regulation and Prohibition of Certain Harvesting Gear.

(1) Except as provided in subsections (2), (3), (4), (5) and (6) below, the following types of gear shall be the only types of gear allowed for the harvest of blue crab in or from state waters:

(a) Traps meeting the following specifications:

1. Traps shall be constructed of wire with a minimum mesh size of 1 1/2 inches and have throats or entrances located only on a vertical surface. Beginning on January 1, 1995, traps shall have a maximum dimension of 24 inches, by 24 inches, by 24 inches or a volume of 8 cubic feet and a degradable panel that meets the specifications of subsection (7) of this rule.

2. All traps shall have a buoy or a time release buoy attached to each trap or at each end of a weighted trotline which buoy shall be constructed of styrofoam, cork, molded polyvinyl chloride, or molded polystyrene, be of sufficient strength and buoyancy to float, and be of such color, hue and brilliancy to be easily distinguished, seen, and located. Buoys shall be either spherical in shape with a diameter no smaller than 6 inches or some other shape so long as it is no shorter than 10 inches in the longest dimension and the width at some point exceeds 5 inches. No more than 5 feet of any buoy line attached to a buoy used to mark a blue crab trap or attached to a trotline shall float on the surface of the water.

3. Each trap used for harvesting blue crab for commercial purposes shall have the harvester's blue crab endorsement number permanently affixed to it. Each buoy attached to such a trap ~~used for harvesting blue crab for commercial purposes~~ shall have the ~~harvester's blue crab endorsement license~~ number permanently affixed to it in legible figures at least two inches high. The buoy color and license number shall also be permanently and conspicuously displayed on any vessel used for setting the traps and buoys, so as to be readily identifiable from the air and water, in the following manner:

a. From the Air – The buoy design approved by the Department of Environmental Protection shall be displayed and be permanently affixed to the uppermost structural portion of the vessel and displayed horizontally with the painted design up. If the vessel is an open design (such as a skiff boat), in lieu of a separate display, one seat shall be painted with buoy assigned color with permit numbers, unobstructed and no smaller than 10 inches in height, painted thereon in contrasting color. Otherwise, the display shall exhibit the harvester's approved buoy design, unobstructed, on a circle 20 inches in diameter, outlined in a contrasting color, together with the permit numbers permanently affixed beneath the circle in numerals no smaller than 10 inches in height.

b. From the Water – The buoy design approved by the Department of Environmental Protection shall be displayed and be permanently affixed vertically to both the starboard and port sides of the vessel near amidship. The display shall exhibit the harvester's approved buoy design, unobstructed, on a circle 8 inches in diameter, outlined in a contrasting color, together with the permit numbers permanently affixed beneath the circle in numerals no smaller than 4 inches in height.

4. The buoy attached to each trap used to harvest blue crab, other than those used to harvest for commercial purposes, shall have a legible "R", at least two inches high, permanently affixed to it. The trap shall have the harvester's name and address permanently affixed to it in legible letters. The buoy requirements of this subparagraph shall not apply to traps fished from a dock.

5. Each trap with a mesh size of 1 1/2 inches or larger shall have at least three unobstructed escape rings installed, each with a minimum inside diameter of 2 3/8 inches. One such escape ring shall be located on a vertical outer surface adjacent to each crab retaining chamber.

6. Each throat (entrance) in any trap used to harvest blue crabs shall be horizontally oriented, i.e., the width of the opening where the throat meets the vertical wall of the trap and the opening of the throat at its farthest point from the vertical wall, inside the trap, is greater than the height of any such opening. No such throat shall extend farther than 6 inches into the inside of any trap, measured from the opening where the throat meets the vertical wall of the trap to the opening of the throat at its farthest point from the vertical wall, inside the trap.

7. Subparagraphs 1. through 6. shall not apply to any trap used to harvest blue crabs for other than commercial purposes, which trap has a volume of no more than 1 cubic foot and is fished from a vessel, a dock, or from shore.

(b) Dip or landing net.

(c) Drop net.

(d) Fold-up trap with a square base panel no larger than one foot square.

(e) Hook and line gear.

(f) Push scrape.

(g) Trotline.

(7) A trap shall be considered to have a degradable panel if one of the following methods is used in construction of the trap:

(a) The trap lid tie-down strap is secured to the trap at one end by a single loop of untreated jute twine. The trap lid must be secured so that when the jute degrades, the lid will no longer be securely closed.

(b) The trap lid tie-down strap is secured to the trap at one end with a corrodible ~~loop hook~~ composed of non-coated steel wire measuring 24 gauge or thinner. The trap lid must be secured so that when the ~~loop hook~~ degrades, the lid will no longer be securely closed.

(c) The trap lid tie-down strap is secured to the trap at one end by an untreated pine dowel no larger than 2-inches in length by 3/8-inch in diameter. The trap lid must be secured so that when the dowel degrades, the lid will no longer be securely closed.

(d)(e) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be laced, sewn, or otherwise obstructed by a single length of untreated jute twine knotted only at each end and not tied or looped more than once around a single mesh bar. When the jute degrades, the opening in the sidewall of the trap will no longer be obstructed.

(e)(d) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be obstructed with an untreated pine slat or slats no thicker than 3/8 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

(f)(e) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may either be laced, sewn, or otherwise obstructed by non-coated steel wire measuring 24 gauge or thinner or be obstructed with a panel of ferrous single-dipped galvanized wire mesh made of 24 gauge or thinner wire. When the wire or wire mesh degrades, the opening in the sidewall of the trap will no longer be obstructed.

(g) The trap contains at least one sidewall with a vertical rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may be obstructed with a rectangular panel made of any material, fastened to the trap at each of the four corners of the rectangle by rings made of non-coated 24 gauge or thinner wire or single strands of untreated jute twine. When the corner fasteners degrade, the panel will fall away and the opening in the sidewall of the trap will no longer be obstructed.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History--New 12-14-93, Amended 6-1-94, 1-1-95, 10-4-95, 1-1-98, \_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Assisted Living Program**

RULE CHAPTER TITLE	RULE CHAPTER NO.:
Assisted Living Facilities	58A-5
RULE TITLES:	RULE NOS.:
Definitions	58A-5.0131
License Application, Change of Ownership, and Provisional License	58A-5.014
License Renewal and Conditional License	58A-5.015
License	58A-5.016
Inspection Responsibilities	58A-5.0161
Admission and Continued Residency	58A-5.0181
Resident Care Standards	58A-5.0182
Marketing; Rebates Prohibited	58A-5.0184
Medication Practices	58A-5.0185
Staffing Standards	58A-5.019
Staff Training Requirements and Training Fees	58A-5.0191
Food Service Standards	58A-5.020
Fiscal Standards	58A-5.021
Facility Maintenance and Housekeeping Standards	58A-5.022
Water Supply	58A-5.0221
Garbage and Rubbish	58A-5.0223
Physical Plant Standards	58A-5.023
Records	58A-5.024
Resident Contracts	58A-5.025
Emergency Management	58A-5.026
Extended Congregate Care	58A-5.030
Limited Nursing Services	58A-5.031
Administrative Enforcement	58A-5.033

PURPOSE AND EFFECT: During the 1998 session there were several bills that amended part III, chapter 400, F.S., relating to the regulation of assisted living facilities: Chapter 98-80, L.O.F., relating to licensure and assistance with medication; chapter 98-148, L.O.F., relating to rule promulgation authority; and chapter 98-171, L.O.F., relating to licensure and background screening. This rule development proposal implements all of these bills as well as carry out the agency rule directive established in sections 120.536 and 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: Regulation of Assisted Living Facilities.

SPECIFIC AUTHORITY: 400.402, 400.407, 400.415, 400.424, 400.4256, 400.426, 400.427, 400.4275, 400.428, 400.431, 400.441, 400.442, 400.444, 400.452 FS.

LAW IMPLEMENTED: Part III, Chapter 400 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. – 1:00 p.m., Monday, February 1, 1999

PLACE: Florida Department of Elder Affairs, Conference Room 225F, 4040 Esplanade Way, Tallahassee, FL 32399-7000

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pat Dunn, Office of General Counsel, (850)414-2000, Meta Calder, Assisted Living Facilities, (850)414-2309; Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS AVAILABLE UPON REQUEST.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Other Business Activities RULE NO.: 61H1-21.009

PURPOSE AND EFFECT: The above referenced rule is being repealed due to it becoming unnecessary, outdated, or because it is covered elsewhere by statute or rule.

SUBJECT AREA TO BE ADDRESSED: Other Business Activities.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.315 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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-21.009 Other Business Activities.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History--New 9-16-84, Formerly 21A-21.09, 21A-21.009, Repealed.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Form of Practice and Name-Shared Office Space RULE NO.: 61H1-26.001

PURPOSE AND EFFECT: Under the authority of the Board, this proposed rule is being amended to allow for the sharing of office facilities within the requirements provided in the proposed rule.

SUBJECT AREA TO BE ADDRESSED: Form of Practice and Name-Shared Office Space.

SPECIFIC AUTHORITY: 473.304, 473.3101, 473.321 FS.

LAW IMPLEMENTED: 473.3101, 473.321 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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.001 Form of Practice and Name-Shared Office Space.

(1) through (2) No change.

(3) ~~A certified public accountant shall not share office facilities with any person that is not a partner or shareholder with him or in his employ unless the office is designed to clearly distinguish the practice of the licensee in a manner that would enable a reasonable person to determine the practice is not associated with a profession or occupation not regulated by the Board. A common waiting area may be acceptable if the public can clearly distinguish the practice of the licensee from that of non-licensees. A licensee must have a separate entrance to the licensee's own offices. Certified Public Accountants may share office facility's provided that there is adequate disclosure that would enable a reasonable person to determine the practice is not associated with the profession or occupation not regulated by the Board, such as written agreements, signs, etc.~~

Specific Authority 473.304, 473.3101, 473.321 FS. Law Implemented 473.3101, 473.321 FS. History--New 12-4-79, Amended 11-7-84, 10-28-85, Formerly 21A-26.01, Amended 10-20-86, 12-28-89, 7-1-91, 1-7-93, Formerly 21A-26.001, Amended 11-30-93, 12-30-97, \_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 99-01R  
 RULE CHAPTER TITLE: Permitting and Construction of Public Water Systems  
 RULE CHAPTER NO.: 62-555  
 RULE TITLE: Certification of Delivery of Consumer Confidence Report  
 RULE NO.: 62-555.900

PURPOSE AND EFFECT: Incorporation of form needed for implementation of federal requirements for consumer confidence reports.

SUBJECT AREA TO BE ADDRESSED: Certification that the water system has delivered the consumer confidence report, which is an annual water quality report provided to the consumers by all community drinking water systems.

SPECIFIC AUTHORITY: 403.861(9) FS.

LAW IMPLEMENTED: 403.861(17) FS.

A RULE DEVELOPMENT WORKSHOP FOR THE SUBJECT MATTER HAS BEEN NOTICED IN A PREVIOUS FLORIDA ADMINISTRATIVE WEEKLY. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT WHEN AVAILABLE IS: Virginia Harmon, Drinking Water Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, FL 32399-2400; telephone (850)921-6844  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

RULE TITLE: Requirement for Insurance  
 RULE NO.: 64B24-7.013

PURPOSE AND EFFECT: The Department proposes to amend this rule to change the date when midwives have to provide proof of professional liability insurance coverage.

SUBJECT AREA TO BE ADDRESSED: The date when midwives must provide proof of professional liability insurance coverage.

SPECIFIC AUTHORITY: 409.908(12)(d), 467.005 FS.

LAW IMPLEMENTED: 409.908(12), 467.014 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: 8:30 a.m., February 9, 1999

PLACE: Room 201, Office of the General Counsel, 1309 Winewood Boulevard, Building 6, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Adam Ehrlich, Paralegal, Medical Quality Assurance, General Counsel's Office, 1309 Winewood Blvd., Building 6, Room 240, Tallahassee, FL 32399-0700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B24-7.013 Requirement for Insurance

(1) Except as provided herein, applicants for licensure, applicants for licensure reactivation, and applicants for licensure renewal shall at the time of application submit proof of professional liability insurance coverage in an amount not less than \$100,000 per claim, with a minimum annual aggregate of not less than \$300,000 from an authorized insurer as defined under s. 624.09, F.S., from a surplus lines insurer as defined under s. 626.914(2), F.S., from a risk retention group as defined under s. 627.942, F.S., from the Joint Underwriting Association established under s. 627.351(4), F.S., or through a plan of self-insurance as provided in s. 627.357, F.S. All midwives licensed prior to December 31, 1997 shall have until December 31, 1999 ~~90 days from the effective date of this rule~~ to provide proof of professional liability insurance coverage in accordance with this ~~the~~ subsection.

(2) through (4) No change.

Specific Authority 409.908(12)(d), 467.005 FS. Law Implemented 409.908(12), 467.014 FS. History--New 7-14-94, Formerly 59DD-7.013, Amended 5-4-98,\_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE TITLE: Health Related Requirements  
 RULE NO.: 65C-20.010

PURPOSE AND EFFECT: The modifications contained in this document will ensure appropriate and constructive disciplinary methods for all children in care at licensed family day care homes, thus reducing the potential for physical abuse of said children, by caretakers.

SUBJECT AREA TO BE ADDRESSED: Family Day Care Standards.

SPECIFIC AUTHORITY: 402.313 FS.

LAW IMPLEMENTED: 402.313 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., February 5, 1999

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, IF AVAILABLE, IS: Maria Vezquez, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 65C-20.010 Health Related Requirements.
  - (1) General Requirements.
  - (a) through (p) No change.
  - (q) Child Discipline
    - 1. The children received for care in a family day care home should be disciplined only in a constructive manner.
    - 2. Children in a family day care home shall not be subject to discipline which is severe, humiliating, or frightening.
    - 3. Discipline shall not be associated with food, rest or toileting in family day care homes.
    - 4. Spanking or any other form of physical punishment is prohibited in family day care homes.
  - (2) through (6) No change.

Specific Authority 402.313 FS. Law Implemented 402.313 FS. History--New 7-2-98, Amended \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF INSURANCE

RULE TITLE: Annual and Quarterly Reporting Requirements      RULE NO.: 4-137.001

PURPOSE AND EFFECT: The rules are being amended to update NAIC manual references to adopt new improvements to the manuals and maintain consistency with the NAIC and other jurisdictions.

SUMMARY: Current versions of NAIC manuals are adopted.  
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) FS.  
LAW IMPLEMENTED: 624.307(1), 624.424(1) 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):

TIME AND DATE: 9:30 a.m., February 9, 1999  
PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Life & Health Insurer Solvency, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0327, phone (850)413-5038

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 Yvonne White at (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 4-137.001 Annual and Quarterly Reporting Requirements.
  - (1) through (3) No change.
  - (4) Manuals Adopted.
    - (a) Annual and quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:
      - 1. ~~The~~ NAIC's Annual Statement Instructions, Property and Casualty, ~~1998~~ 1996;
      - 2. ~~The~~ NAIC's Annual Statement Instructions/Life, Accident and Health, ~~1998~~ 1996;
      - 3. ~~The~~ NAIC's Accounting Practices and Procedures Manual for Property and Casualty Insurance Companies, ~~1998~~ 1996; and
      - 4. ~~The~~ NAIC's Accounting Practices and Procedures Manual for Life and Accident and Health Insurance Companies, ~~1998~~ 1996.

(b) Copies of the manuals are available:  
1. ~~From~~ the National Association of Insurance Commissioners, 120 West 12th Street, Suite 1100, Kansas City, Missouri 64105, and ~~are available~~

2. ~~For~~ inspection during regular business hours at the Bureau of Life and Health Insurer Solvency or the Bureau of Property and Casualty Insurer Solvency, as appropriate, Division of Insurer Services, Department of Insurance, Larson Building, Tallahassee, FL 32399-0300.

Specific Authority 624.308(1) FS. Law Implemented ~~624.307(1)~~, 624.424(1) FS. History--New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Life & Health Insurer Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michelle Newell, Life & Health Insurer Solvency, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 27, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 25, 1998

DEPARTMENT OF INSURANCE

RULE TITLES: NAIC Financial Examiners Handbook Adopted Required Opinions
RULE NOS.: 4-138.001 4-138.044

PURPOSE, EFFECT AND SUMMARY: Current versions of NAIC manuals are adopted.

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), 625.121(3)(a) FS.

LAW IMPLEMENTED: 624.307(1), 624.316(1)(c), 624.424(1), 625.121(3) 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):

TIME AND DATE: 9:30 a.m., February 9, 1999
PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kerry Krantz, Life & Health Insurer Solvency, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0327, phone (850)413-5038

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 Yvonne White at (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-138.001 NAIC Financial Examiners Handbook Adopted.

(1) The National Association of Insurance Commissioners Financial Examiners Handbook (1998 1996) is hereby adopted and incorporated by reference, with the exception of Part 8, Appendix A.

(2) Financial examinations by the Department shall be performed in substantial conformity with the methodology outlined in the Handbook, so long as that methodology is consistent with statutory accounting principles and the Florida Insurance Code.

(3) A copy of the Handbook may be:

(a) Obtained from the National Association of Insurance Commissioners, 120 West 12th Street, Suite 1100, Kansas City, Missouri 63105; or

(b) A copy of the Handbook may be inspected at the Department at its headquarters in Tallahassee, Florida, during regular business hours.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424(1) FS. History--New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, \_\_\_\_\_.

4-138.044 Required Opinions.

(1) through (2) No change.

(3) Exemption Eligibility Tests.

(a)1. through 3. No change.

4.a. The Examiner Team for the NAIC, in applying the criteria set forth in the NAIC's Annual Statement Instructions/Life, Accident and Health, 1998 1996, the NAIC's Accounting Practices and Procedures Manual for Life and Accident and Health Insurance Companies, 1998 1996 as adopted and incorporated by reference in rule 4-137.001(4) and in the NAIC's Financial Examiners Handbook (1998 1996) as adopted and incorporated by reference in rule 4-138.001, has not designated the company as:

i. through ii. No change.

b. No change.

(b) 1. through 3. No change.

4.a. The Examiner Team for the NAIC, in applying the criteria set forth in the NAIC's Annual Statement Instructions/Life, Accident and Health, 1998 1992, the NAIC's Accounting Practices and Procedures Manual for Life and Accident and Health Insurance Companies, 1998 1992 as adopted and incorporated by reference in rule 4-137.001(4) and in the NAIC's Financial Examiners Handbook (1998 1994) as adopted and incorporated by reference in rule 4-138.001, has not designated the company as:

i. through ii. No change.

b. No change.

(c) through (d) No change.

(e) 1. through 3. No change.

4.a. The Examiner Team for the NAIC, in applying the criteria set forth in the NAIC's Annual Statement Instructions/Life, Accident and Health, 1998 1992, the NAIC's Accounting Practices and Procedures Manual for Life and Accident and Health Insurance Companies, 1998 1992 as adopted and incorporated by reference in rule 4-137.001(4) and in the NAIC's Financial Examiners Handbook (1998 1994) as adopted and incorporated by reference in rule 4-138.001, has not designated the company as:

i. through ii. No change.

b. No change.

(f) No change.

(4) No change.

Specific 624.308(1), 625.121(3)(a) FS. Law Implemented 624.307(1), 624.316(1)(c), 624.424(1), 625.121(3) FS. History--New 5-18-93, Amended 2-16-94, 4-9-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Life & Health Insurer Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michelle Newell, Life & Health Insurer Solvency, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 27, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 25, 1998

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE TITLE: Local Ordinances

RULE NO.: 5J-12.005

PURPOSE AND EFFECT: The purpose and effect of this rule change is to define factors in determining whether a local municipality or county has adopted an ordinance containing standards which are at least equal to the requirements of the Florida Motor Vehicle Repair Act. (Previously noticed for Rule Development as 5J-12.004(3)(a)-(i)).

SUMMARY: This rule defines factors in determining whether a local municipality or county has adopted an ordinance containing standards which are at least equal to the requirements of the Florida Motor Vehicle Repair Act.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 559.92201, 570.07(23) FS.

LAW IMPLEMENTED: 559.904, 559.916 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., February 8, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, City Centre Building, 227 N. Bronough Street, Suite 7200, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James R. Kelly, Director, Division of Consumer Services, Mayo Building, Room 235, Tallahassee, Florida 32399-0800, Phone (850)922-2966

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-12.005 Local Ordinances.

For purposes of s. 559.904(4), F.S., the Department shall consider the following factors in determining whether a local municipality or county has adopted an ordinance containing standards which are at least equal to the requirements of the Florida Motor Vehicle Repair Act:

(1) Whether the ordinance includes a registration requirement;

(2) Whether the ordinance requires the registration certificate be posted in plain view in the motor vehicle repair shops;

(3) Whether the ordinance requires motor vehicle repair shops to provide a written repair estimate to the customer prior to any repair work being performed;

(4) Whether the ordinance requires motor vehicle repair shops to disclose to the customer that the shop charges a fee for providing written estimates;

(5) Whether the ordinance requires motor vehicle repair shops to provide a written repair invoice to the customer upon completion of a repair;

(6) Whether the ordinance requires motor vehicle repair shops to maintain vehicle repair records for a specified period of time;

(7) Whether the ordinance includes provisions allowing a customer to pay a bond to release any lien claimed by a motor vehicle repair shop under part II of chapter 713, F.S.;

(8) Whether the ordinance places additional requirements on motor vehicle repair shops beyond the requirements included in the Florida Motor Vehicle Repair Act;

(9) Whether the ordinance includes provisions allowing for the enforcement of its requirements.

Specific Authority 559.92201, 570.07(23) FS. Law Implemented 559.904, 559.916 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Steckler, Assistant Director, Division of Consumer Services, Room 233, Mayo Building, Tallahassee, Florida 32399-0800, Phone (850)922-2966

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James R. Kelly, Director, Division of Consumer Services, Room 233, Mayo Building, Tallahassee, Florida 32399-0800, Phone (850)922-2966

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 6, 1998

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Community Planning**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.

Schedule for the Transmission and Submission of Local Government Evaluation and Appraisal Reports                      9J-33

RULE TITLES:                                      RULE NOS.:

Local Governments with Populations of Fewer than 2,500 Persons                      9J-33.003  
 Early Submission                                      9J-33.004  
 Local Government Transmittal and Submission Schedule                      9J-33.005

PURPOSE, EFFECT AND SUMMARY: The purpose and effect is to revise Chapter 9J-33 to implement the 1998 legislative changes to Chapter.

SUMMARY OF ESTIMATED REGULATORY COST: None. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 163.3191(8) FS.

LAW IMPLEMENTED: 163.3191 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. – 11:00 a.m., February 9, 1999

PLACE: The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ray Eubanks, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-4925

THE FULL TEXT OF THE PROPOSED RULES IS:

9J-33.003 Local Governments with Populations of Fewer than 2,500 Persons.

Specific Authority 163.3191(7) FS. Law Implemented 163.3191 FS. History—New 3-23-94, Repealed \_\_\_\_\_.

9J-33.004 Early Submission.

Specific Authority 163.3191(1), 163.3191(8) FS. Law Implemented 163.3191 FS. History—New 3-23-94, Repealed \_\_\_\_\_.

9J-33.005 Local Government Transmittal and Submission Schedule.

Local governing bodies shall submit their adopted evaluation and appraisal reports to the department for sufficiency review based on the schedule set forth below. Local planning agencies ~~may shall~~ transmit the proposed evaluation and appraisal report to the local governing body and to the Department of Community Affairs 90 days prior to the submission schedule set forth below:

(1) through (40) No change.

~~Note: This is the end of the schedule of counties and municipalities over 2,500 persons. For smaller cities, those with fewer than 2,500 persons, the schedule of evaluation and appraisal report submissions resumes in August, 2000.~~

- ~~(41) August 1, 2000: None;~~
- ~~(42) September 1, 2000: None;~~
- ~~(43) October 1, 2000: None;~~
- ~~(44) November 1, 2000: El Portal, Golden Beach, Indian Creek Village, Islandia, Medley, Virginia Gardens;~~
- ~~(45) December 1, 2000: None;~~
- ~~(46) January 1, 2001: Everglades City;~~
- ~~(47) February 1, 2001: None;~~
- ~~(48) March 1, 2001: Lazy Lake;~~
- ~~(49) April 1, 2001: Sea Ranch Lakes, Weeki-Wachee;~~
- ~~(50) May 1, 2001: Hillsboro Beach, Anna Maria, Bradenton Beach;~~
- ~~(51) June 1, 2001: Briny Breezes, Cloud Lake, Glen Ridge, Golfview, Golf Village, Gulf Stream, Hypoluxo, Jupiter Inlet Colony, Manalapan, Mangonia Park, Ocean Ridge, South Palm Beach, Saint Leo, San Antonio;~~
- ~~(52) July 1, 2001: Atlantis, Haverhill;~~
- ~~(53) August 1, 2001: Juno Beach, Palm Beach Shores, Belleair Bluffs;~~
- ~~(54) September 1, 2001: Belleair Beach, Belleair Shore, Indian Shores, North Redington Beach, Redington Shores;~~
- ~~(55) October 1, 2001: Redington Beach;~~
- ~~(56) November 1, 2001: Jupiter Island, Ocean Breeze Park, Sewalls Point;~~
- ~~(57) December 1, 2001: St. Lucie Village;~~
- ~~(58) January 1, 2002: Bronson, Cedar Key, Chiefland, Inglis, Otter Creek, Williston, Yankeetown, Fellsmere, Indian River Shores, Orchid;~~
- ~~(59) February 1, 2002: Malabar, Melbourne Village, Palm Shores, Cross City, Horseshoe Beach;~~
- ~~(60) March 1, 2002: Lake Helen, Oak Hill, Pierson, Ponce Inlet, Carrabelle;~~
- ~~(61) April 1, 2002: Cedar Grove, Mexico Beach;~~

- ~~(62) May 1, 2002: Beverly Beach, Bunnell, Marineland, Cinco Bayou, Laurel Hill, Shalimar;~~
- ~~(63) June 1, 2002: None;~~
- ~~(64) July 1, 2002: Wewahitchka;~~
- ~~(65) August 1, 2002: Hastings, St. Marks, Sopchoppy;~~
- ~~(66) September 1, 2002: Baldwin, Jay;~~
- ~~(67) October 1, 2002: Century;~~
- ~~(68) November 1, 2002: Callahan, Hilliard;~~
- ~~(69) December 1, 2002: Freeport, Paxton;~~
- ~~(70) January 1, 2003: Lake Placid;~~
- ~~(71) February 1, 2003: Glen Saint Mary, Key Colony Beach, Layton;~~
- ~~(72) March 1, 2003: Davenport, Dundee, Eagle Lake, Highland Park, Hillcrest Heights, Lake Hamilton, Polk City;~~
- ~~(73) April 1, 2003: Moore Haven, Bowling Green, Zolfo Springs, Caryville, Ebro, Vernon, Wausau;~~
- ~~(74) May 1, 2003: Esto, Noma, Ponce de Leon, Westville, Astatula, Groveland, Howey in the Hills, Mascotte, Minneola, Montverde, Umatilla;~~
- ~~(75) June 1, 2003: Fort White, Alford, Baseom, Campbellton, Cottondale, Grand Ridge, Greenwood, Jacob City, Malone, Sneads;~~
- ~~(76) July 1, 2003: Jasper, Jennings, White Springs, Bay Lake, Edgewood, Lake Buena Vista, Oakland, Windermere;~~
- ~~(77) August 1, 2003: Mayo, Bristol;~~
- ~~(78) September 1, 2003: Branford;~~
- ~~(79) October 1, 2003: Archer, Hawthorne, LaCrosse, Micanopy, Newberry, Waldo;~~
- ~~(80) November 1, 2003: Greensboro, Gretna, Havana, Midway, Bell, Fanning Springs, Trenton, Greenville, Lee;~~
- ~~(81) December 1, 2003: Crescent City, Interlachen, Pomona Park, Welaka, Lake Butler, Raiford, Worthington Springs;~~
- ~~(82) January 1, 2004: Brooker, Hampton, Lawtey, Keystone Heights, Penney Farms, Dunnellon, McIntosh, Reddick;~~
- ~~(83) February 1, 2004: Altha, Bushnell, Center Hill, Coleman, Webster.~~

Specific Authority 163.3191(4), 163.3191(5), 163.3191(8) FS. Law Implemented 163.3191 FS. History—New 3-23-94, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ray Eubanks, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Carol Forthman, Director, Division of Community Planning, Department of Community Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 18, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 18, 1998

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Railroads/Utilities Installation or Adjustment  
RULE CHAPTER NO.: 14-46

RULE TITLES: Utilities Installation or Adjustment  
Utilities Liaison  
RULE NOS.: 14-46.001  
14-46.0011

PURPOSE AND EFFECT: The proposed rule amendment is to incorporate by reference a revised *Utility Accommodation Manual*. An interim amendment in 1996 replaced the Utility Permit form, which was to be used in conjunction with the 1993 edition of the manual. This amendment is to replace the 1993 edition with a new edition of the manual and to replace the 1996 Utility Permit form with a revised form. Also, Rule 14-46.0011 is being repealed, with part of the language included in Subsection (8) of the amended Rule 14-46.001. A copy of the revised *Utility Accommodation Manual* and revised Utility Permit form are available upon request.

SUMMARY: This amendment is to adopt the new edition of the *Utility Accommodation Manual*, as part of Rule 14-46.001, and to adopt a new Utility Permit form as part of the rule. Also, Rule 14-46.0011 is being repealed with part of the language included in the amended Rule 14-46.001.

The first rule development workshop was conducted May 23, 1997, at Tallahassee, Florida. An additional rule development workshop was conducted May 29, 1998, at Tampa, Florida.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 316.006, 334.044, 335.02, 337.401, 337.402, 337.403, 337.405, 339.05 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs was prepared.

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.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., February 8, 1999

PLACE: Haydon Burns Building, Third Floor Conference Room, Room #348, 605 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES 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 FULL TEXT OF THE PROPOSED RULES IS:

14-46.001 Utilities Installation or Adjustment.

(1) Purpose. This policy is established to regulate the location and manner for installation and adjustment of utility facilities on any FDOT right-of-way, in the interest of safety and of protection, utilization, and future development of these rights-of-way, with due consideration given to public service afforded by adequate and economical utility installations, and to provide procedures for the issuance of permits.

(2) Authorization by the FDOT Required. No person shall enter upon any right-of-way under the jurisdiction of the FDOT to construct, alter, operate, maintain, or relocate any utility installation without first being issued a permit to do so except as otherwise noted in the FDOT's *Utility Accommodation Manual*.

(3) Permits.

(a) The FDOT will issue permits for the construction, alteration, operation, relocation, and maintenance of utilities upon the right-of-way in conformity with the FDOT's *Utility Accommodation Manual*, January 1999 ~~June 1993~~ edition, FDOT Document No. 710-020-001-~~de~~, which is hereby incorporated by reference and made part of this rule, and which supersedes all previous editions. Copies of this document are available from the FDOT Maps and Publication Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450 at no more than cost pursuant to Section 120.53(2)(a), Florida Statutes.

(b) The Utility Permit, FDOT Form 710-010-85, Rev. 01/99, is incorporated herein by reference ~~06/96 superseded Permit Form 592-03 listed in Section (3)(a) of the *Utility Accommodation Manual*, June 1993 edition, will be used in lieu of the superseded form listed in the manual.~~ Copies of FDOT Form 710-010-85, Rev. 04/97, available 06/96 ~~be obtained~~ from the State Utility Engineer at 605 Suwannee Street, Mail Station 32, Tallahassee, Florida 32399-0450, or the District Maintenance Engineers at each of the Department's districts.

(4) Reimbursement Conditions (Other than Interstate).

(a) The FDOT will not reimburse any utility for adjustment, relocation, or removal of existing utilities where the utility is located on public rights-of-way or other areas dedicated for public use.

(b) The FDOT will reimburse a utility for the relocation, adjustment, or removal of its facilities as a result of a FDOT construction project, where the utility's facilities are located on property in which the utility holds a compensable property interest.

(5) Reimbursement Conditions (Interstate). If relocation of utility facilities is required by construction of a project on the Federal-Aid Interstate System, and the cost of such project is financed by the federal government ~~up to the extent of 90%~~ under the Federal-Aid Highway Act, ~~then in that event~~ the FDOT will reimburse the expense of utility relocation which qualifies for reimbursement under Section 337.403(1)(a), Florida Statutes, in accordance with 23 C.F.R., Part 645, which regulations are hereby incorporated by reference and made a part of these rules. Copies of these federal regulations are available from the FDOT Maps and Publication Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450 at no more than cost pursuant to Section 120.53(2)(a), Florida Statutes.

(6) Calculation of State Cost Participation. When the utility is eligible for any reimbursement from the FDOT, state participation will be based on the cost of making the required change in the utility after deducting any resulting increase in the value of the new utility and any salvage value derived from the old utility, and otherwise as fixed by FDOT Procedure, Utility Relocation Costs, No. 710-010-030-b, effective May 19, 1989, which is hereby incorporated by reference and made a part of these rules. Copies of this document are available from the FDOT Maps and Publication Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450 at no more than cost pursuant to Section 120.53(2)(a), Florida Statutes.

(7) Cost Development and Reimbursement. Reimbursement by the FDOT for any eligible utility work will be based upon an executed utility agreement between the FDOT and the utility, authorizing the work of adjusting or relocating utility facilities. Reimbursement for utility work involving Federal-Aid Participation will be subject to the provisions of 23 C.F.R., Part 645.

(8) Utilities Liaison. FDOT will coordinate its advance planning of highway projects with the affected utilities to facilitate the relocation of the utility.

Specific Authority 334.044(2) FS. Law Implemented 316.006, 334.044, 335.02, 337.401, 337.402, 337.403, 337.405, 339.05 FS. History--New 5-13-70, Amended 8-10-78, 7-22-82, Formerly 14-46.01, Amended 7-5-90, 6-8-93, \_\_\_\_\_.

14-46.0011 Utilities Liaison.

Specific Authority 334.044(2) FS. Law Implemented 337.401, 337.402, 337.403, 337.404 FS. History--New 7-5-90, Amended 6-8-93, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenneth Weldon, State Utility Engineer

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Morefield, Assistant Secretary for Transportation Policy, for Thomas F. Barry, Jr., P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 29, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 2, 1997

DEPARTMENT OF CORRECTIONS

RULE TITLE: Disciplinary Confinement RULE NO.: 33-3.0084

PURPOSE AND EFFECT: The purpose of the proposed rule is to provide clarification of the Department's current practice regarding credit for completion of disciplinary confinement while in another status. The effect of the proposed rule is to clarify that unless removed from disciplinary confinement status by the disciplinary team or reviewing authorities, time spent in a status other than disciplinary confinement status will not count towards the number of days the inmate was assigned to disciplinary confinement.

SUMMARY: The proposed rule provides that unless an inmate is removed from disciplinary confinement status by the disciplinary team or reviewing authorities, time spent in a status other than disciplinary confinement status will not count towards the number of days the inmate was assigned to disciplinary confinement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 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 HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., February 9, 1999

PLACE: Law Library, Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-3.0084 Disciplinary Confinement.

- (1) No change.
(2) Release From Disciplinary Confinement.
(a) through (b) No change.

(c) Unless removed from disciplinary confinement status by the disciplinary team or reviewing authorities, time spent by the inmate in a status other than disciplinary confinement will not count towards completion of the number of days the inmate was assigned to disciplinary confinement by the disciplinary

team. Examples include the following: time spent out of the department's custody and time spent as an inpatient for medical or mental health reasons.

(3) through (4) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 3-12-84, Formerly 33-3.084, Amended 7-10-90, 4-28-96, 12-7-97,

NAME OF PERSON ORIGINATING PROPOSED RULE: Ellen Roberts

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bill Thurber

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 25, 1998

DEPARTMENT OF CORRECTIONS

RULE TITLE: Use of Cameras and Tape Recorders by Attorneys RULE NO.: 33-5.0091

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify regulations governing attorney visits with inmates. The effect of the proposed rule is to provide that attorneys will be allowed to videotape conversations with inmates under specified conditions.

SUMMARY: The proposed rule allows attorneys to videotape conversations with inmates and specifies restrictions related to such taping.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 FS.

IF REQUESTED 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):

TIME AND DATE: 9:00 a.m., February 16, 1999

PLACE: Law Library, Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-5.0091 Use of Cameras and Tape Recorders by Attorneys.

- (1) No change.

(2) When an attorney visits an inmate he may bring and use a tape recorder or video camera to record the conversation provided he agrees to comply with reasonable security procedures, to tape only his conversations with the inmate, and provided the inmate consents.

(3) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 1-12-83, Formerly 33-5.091, Amended 3-8-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Flack

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bill Thurber

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 29, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 4, 1998

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

**Unemployment Appeals Commission**

RULE TITLE: Scheduling of Hearings

RULE NO.: 38E-5.014

PURPOSE AND EFFECT: The proposed amendment is needed to delete the requirement that representatives and witnesses for parties in unemployment cases be present at the same location as a party in order to participate in a telephone hearing. Unemployment appeals referees can now conference call hearing participants from multiple locations.

SUMMARY: Delete the requirement that representatives and witnesses for parties in unemployment cases be present at the same location as a party in order to participate in a telephone hearing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 20.171(4), 120.80(10)(a)1., 443.151(4)(d) FS.

LAW IMPLEMENTED: 443.151(4)(a),(b),(d) FS.

IF REQUESTED 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):

TIME AND DATE: 10:00 a.m., February 10, 1999

PLACE: Law Library, Conference Room, Unemployment Appeals Commission, Suite 300, Webster Building, 2671 Executive Center Circle, West, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John W. Kunberger, Clerk-Unemployment Appeals Commission, Suite 300, Webster Building, 2671 Executive Center Circle, West, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

38E-5.014 Scheduling of Hearings.

(1) Hearings shall be held at those regularly established hearing locations convenient to the interested parties or by telephone. If the parties agree to an in person hearing, however, the appeals referee shall conduct an in person hearing at one of the regularly established hearing locations.

(2) through (3) No change.

~~(4) Any party who chooses to be represented or call witnesses at a telephone hearing must arrange to have those persons present at the party's location at the time of hearing, participating by extension telephone, where available.~~

Specific Authority 20.171(4), 120.80(10)(a)1., ~~429.53(1),(6)~~, 443.151(4)(d) FS. Law Implemented 120.53(6), 443.151(4)(a),(b),(d) FS. History--New 5-22-80, Formerly 38E-5.14, Amended 10-5-86.

NAME OF PERSON ORIGINATING PROPOSED RULE: John W. Kunberger, Clerk-Unemployment Appeals Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Geri Atkinson-Hazelton, General Counsel-Unemployment Appeals Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 18, 1998

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: Continuing Education for Active and Inactive

RULE NO.:

Broker and Salesperson Licensees 61J2-3.009

PURPOSE AND EFFECT: The purpose and effect is for the Florida Real Estate Commission to amend paragraph (5)(f) of Rule 61J2-3.009 in response to the concerns raised by the First District Court of Appeal in John F. Phillips, Ph.D. v. Department of Business and Professional Regulation, 23 FL.W. D1888 (1st DCA, 1998).

SUMMARY: Rule 61J2-3.009 addresses continuing education requirements for licensees including the procedure for administering continuing education by correspondence study and the course approval process. In the Phillips case, the court identified an ambiguity in paragraph (5)(f) regarding the time frame for which a correspondence course will be approved. The current rule language provides a course "will be approved for 12 months plus the remaining period of the renewal

cycle....” Since the Commission has renewal cycles for both licensees and instructors, the court was unsure, from a plain reading of the rule, which renewal cycle was being referenced. This rule amendment will remove this ambiguity by providing that it is the license renewal cycle, not instructor, to which the approval is tied.

In addition, the Commission has determined that such courses should be approved for 24 months instead of 12 months, plus the remaining period of the license renewal cycle.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Cost was prepared. However, it is anticipated that costs for both the real estate school providers and the Division of Real Estate will decrease due to the courses being approved for a longer period of time, i.e., 24 months instead of 12 months.

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: 475.01(1)(d)(e),(2), 475.05, 475.42(1)(c) FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., February 17, 1999

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James D. Kimbler, Acting Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.009 Continuing Education for Active and Inactive Broker and Salesperson Licensees.

(1) through (5)(e) No change.

(f) Continuing education courses by correspondence will be approved for 24 ~~12~~ months plus the remaining period of the license renewal cycle following the end of the 24 ~~12~~ month period at which point the course will expire. The license renewal cycles can be found in Rule 61-6.001(4) under Real Estate (Group I, Group II, Group III or Group IV). Courses may not be offered, distributed or graded after the expiration date. However, a 15 day grace period beyond the expiration date will be allowed in order to grade an examination

postmarked or otherwise received prior to the expiration date of the course. Students must be notified of the course expiration date upon receipt of the course materials.

(g) through (10) No change.

Specific Authority 475.01(1)(d)(e),(2), 475.05, 475.42(1)(c) FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History--New 1-1-80, Amended 8-24-80, 10-19-83, 9-16-84, Formerly 21V-3.09, Amended 10-13-88, 6-17-91, 12-29-91, 12-8-92, 6-28-93, Formerly 21V-3.009, Amended 2-2-94, 11-13-94, 5-13-96, 12-30-97, 10-25-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: James D. Kimbler, Acting Director, Division of Real Estate

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 6, 1998

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: Examination Review RULE NO.: 61J2-3.018

PURPOSE AND EFFECT: The purpose and effect is to repeal the entire rule on examination review. Effective July 1, 1997, s. 455.217(3), Florida Statutes, was amended by authorizing only the Department of Business and Professional Regulation, and not the individual boards, to provide a process for the review of an examination. See s. 2, ch. 97-228, Laws of Florida, for the specific statutory amendment.

Therefore, the Florida Real Estate Commission has lost authority for this rule and it is to be repealed.

SUMMARY: Rule 61J2-3.018 provides for a process for an applicant, who has failed the state examination for licensure as a salesperson or broker, to review the examination questions and answers. The rule is being repealed because the Commission has lost statutory authority for the rule.

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451, 455.217, 455.229 FS.

IF REQUESTED 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)

TIME AND DATE: 8:30 a.m., February 17, 1999

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James D. Kimbler, Acting Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.018 Examination Review.

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451, 455.217(2), 455.229 FS. History--New 2-16-81, Amended 9-16-84, 12-29-85, Formerly 21V-3.18, Amended 11-8-92, 7-20-93, Formerly 21V-3.018, Amended 11-16-97, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: James D. Kimbler, Acting Director, Division of Real Estate

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 1998

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Marine Resources**

DOCKET NO.: 98-49R

RULE CHAPTER TITLE: Comprehensive Shellfish Control Code

RULE CHAPTER NO.: 62R-7

RULE TITLES: Shellfish Harvesting Area Standards

RULE NOS.: 62R-7.004

Container Identification, Terminal Sale Date; Prohibitions

62R-7.010

PURPOSE AND EFFECT: This amendment proposes to reclassify the Horseshoe Beach shellfish harvesting area, Dixie County. A sanitary survey has been conducted that evaluates current information on pollution sources and bacteriological water quality, and recommends reclassification of the shellfish harvesting area.

The four-digit harvest area codes are proposed to be updated to reflect the proposed classifications. These codes or the name of the harvest area must be recorded on harvester tags. This information provides for tracing shellfish that are implicated in illness outbreaks back to the harvest area.

SUMMARY: The proposed reclassification of the Horseshoe Beach shellfish harvesting area will create a seasonal management plan with Winter (October through March) and Summer (April through September) seasons. During the Winter months the size of the conditionally approved area will

decrease by 3,398 acres, from 93,793 acres to 90,395 acres, the conditionally restricted area will decrease by 741 acres, from 2,606 acres to 1,865 acres, and the size of the prohibited area will increase by 1,306 acres, from 1,509 acres to 2,815 acres. During the Summer months an approved area of 92,209 acres and a prohibited area of 2,815 acres will be established.

Current management of the conditionally approved and conditionally restricted areas is based on local one-day rainfall. Proposed management during the Winter season of these areas is based on local two-day cumulative rainfall. The average closure frequency of conditionally approved area is expected to decrease by 7.1 days per month, from 10.6 to 3.5 days per month. The average closure frequency of the conditionally restricted is expected to decrease by 9.2 days per month, from 10.6 to 1.4 days per month. Proposed management closures during the Summer season of the Approved area will be based on emergencies defined by 62R-7.003(12), Florida Administrative Code.

These amendments place descriptions, references to shellfish harvesting area map numbers, and operating criteria for the Horseshoe Beach shellfish harvesting area (#25) in the document Shellfish Harvesting Area Classification Boundaries and Management Plans. This document is hereby incorporated by reference in 62R-7.004(1). Additionally, these amendments provide an illustration of the Horseshoe Beach shellfish harvesting area classification boundaries in shellfish harvesting area maps 25A and 25B which are hereby incorporated by reference in 62R-7.004(1).

Additionally, these amendments propose updating the four-digit harvest area codes defined in 62R-7.010(3)(e) for Horseshoe Beach. These codes will be used on harvester tags to identify the locations where shellfish are harvested.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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: 370.021(1), 370.071(1) FS.

LAW IMPLEMENTED: 370.071 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., Monday, February 8, 1999

PLACE: Marjory Stoneman Douglas Building, Conference Room B, First Floor, 3900 Commonwealth Boulevard, Tallahassee, Florida

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John McDowell, Bureau of Marine Resource Regulation and Development, 3900 Commonwealth Boulevard, Room 822, Tallahassee, Florida, Phone (850)488-5471

THE FULL TEXT OF THE PROPOSED RULES IS:

62R-7.004 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Section C of the National Shellfish Sanitation Program Manual of Operations, Part I. Copies of individual shellfish harvesting area maps, revised January 6, 1999 ~~October 28, 1998~~, and the document Shellfish Harvesting Area Classification Boundaries and Management Plans, revised January 6, 1999 ~~October 28, 1998~~, containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria herein incorporated by reference may be obtained by writing to the Department at 3900 Commonwealth Boulevard, Room 822, Tallahassee, Florida 32399.

(2) through (10) No change.

Specific Authority 370.021(1), 370.071(1), FS. Law Implemented 370.071, FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 9-1-95, 5-8-96, 2-6-97, 10-12-97, 2-12-98, 2-25-98, \_\_\_\_\_.

62R-7.010 Container Identification, Terminal Sale Date; Prohibitions.

(1) through (2) No change.

(3) The harvester's tag's shall contain legible waterproof information arranged in the specific order as follows:

- (a) The harvester's saltwater product license number as assigned by the Department;
- (b) The date of harvesting;
- (c) The time of harvest;
- (d) The time of refrigeration, if applicable;
- (e) The identification of the harvest area using the four digit code or name of the harvest area listed in Table 2, which is incorporated herein and appears at the end of this Chapter, as well as the most precise identification within that area as practicable;
- (f) Common name of shellfish and quantity of shellfish;

(g) The following statement will appear in bold capitalized type "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS."

(4) through (12) No change.

Specific Authority 370.071 (1) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 8-30-89, 5-6-93, 9-14-93, 8-21-94, Formerly 16R-7.010, Amended 9-1-95, 5-8-96, 2-6-97, 10-12-97, \_\_\_\_\_.

TABLE 2: FOUR DIGIT CODES AND NAMES OF HARVEST AREAS

AREA CODE	HARVEST AREA NAME
0222	Pensacola Bay: Conditionally Approved (Escambia Bay, Winter, November 1 through March 30)
0232	Pensacola Bay: Conditionally Approved (East Bay, Winter, November 1 through March 30)
0242	Pensacola Bay: Conditionally Approved (Escambia Bay, Spring/Fall, April 1 through June 30 and October 1 through October 31)
0252	Pensacola Bay: Conditionally Approved (East Bay, Spring/Fall, April 1 through June 30 and October 1 through October 31)
0215	Pensacola Bay: Restricted (Escambia Bay Spring/Fall, April 1 through June 30 and October 1 through October 31)
0216	Pensacola Bay: Conditionally Restricted (Escambia Bay Winter, November 1 through March 30)
0226	Pensacola Bay: Conditionally Restricted (East Bay, Winter, November 1 through March 30)
0622	Choctawhatchee: Conditionally Approved (Central)
0632	Choctawhatchee: Conditionally Approved (Eastern)
0806	West Bay: Conditionally Restricted (Spring/Fall, April 1 through June 30 and October 1 through November 30)
0812	West Bay: Conditionally Approved (Winter, December 1 through March 31)
0822	West Bay: Conditionally Approved (Spring/Fall, April 1 through June 30 and October 1 through November 30)
0802	West Bay: Conditionally Approved
1012	North Bay: Conditionally Approved (Western)
1022	North Bay: Conditionally Approved (Eastern)
1206	East Bay: Conditionally Restricted
1212	East Bay: Conditionally Approved (Section 1)
1222	East Bay: Conditionally Approved (Section 2)
1401	St. Joe Bay: Approved
1506	Indian Lagoon: Conditionally Restricted

1512	Indian Lagoon: Conditionally Approved Zone X (April 1 – June 30 & October 1 – December 31)	4802	Lower Tampa Bay: Conditionally Approved
		4806	Lower Tampa Bay: Conditionally Restricted
1522	Indian Lagoon: Conditionally Approved Zone Y (April 1 – June 30 & October 1 – December 31)	5402	Sarasota Bay: Conditionally Approved
		5406	Sarasota Bay: Conditionally Restricted
1532	Indian Lagoon: Conditionally Approved Zone Z (April 1 – June 30 & October 1 – December 31)	5602	Lemon Bay: Conditionally Approved
		5802	Gasparilla: Conditionally Approved
1542	Indian Lagoon: Conditionally Approved Zone A (January 1 – March 31)	6002	Myakka River: Conditionally Approved
		6006	Myakka River: Conditionally Restricted
1552	Indian Lagoon: Conditionally Approved Zone B (January 1 – March 31)	6202	Pine Island Sound: Conditionally Approved
		6201	Pine Island Sound: Approved
1611	Apalachicola Bay: Approved (Winter)	6602	Ten Thousand Islands: Conditionally Approved
1621	Apalachicola Bay: Approved (Summer)	7001	Indian River/St. Lucie: Approved
1631	Apalachicola Bay: Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 (Summer)	7006	Indian River/St. Lucie: Restricted
		7202	North Indian River: Conditionally Approved
1612	Apalachicola Bay: Conditionally Approved West 1 (Winter)	7206	North Indian River: Conditionally Restricted
		7412	Body F: Conditionally Approved (Zone 1)
1622	Apalachicola Bay: Conditionally Approved West 2 (Winter)	7422	Body F: Conditionally Approved (Zone 2)
		7416	Body F: Conditionally Restricted (Zone 3)
1632	Apalachicola Bay: Conditionally Approved West 3 (Winter)	7426	Body F: Conditionally Restricted (Zone 4)
		7506	Body E: Conditionally Restricted
1642	Apalachicola Bay: Conditionally Approved East (Winter)	7602	Body D: Conditionally Approved
		7606	Body D: Conditionally Restricted
1652	Apalachicola Bay: Conditionally Approved North (Summer)	7712	Body C: Conditionally Approved (Zone 1, March 1 through November 30)
1662	Apalachicola Bay: Conditionally Approved South (Summer)	7722	Body C: Conditionally Approved (Zone 2, March 1 through November 30)
1606	Apalachicola Bay: Conditionally Restricted	7732	Body C: Conditionally Approved (December 1 through February 28 (or February 29 during a leap year))
2002	Ochlockonee Bay: Conditionally Approved		
2006	Ochlockonee Bay: Conditionally Restricted		
2206	Wakulla: Conditionally Restricted	7716	Body C: Conditionally Restricted (December 1 through February 28 (or February 29 during a leap year))
2212	Wakulla: Conditionally Approved (Zone 1)		
2222	Wakulla: Conditionally Approved (Zone 2)		
<u>2501</u>	<u>Horseshoe: Approved (Summer)</u>	7726	Body C: Conditionally Restricted (March 1 through November 30)
2502	Horseshoe: Conditionally Approved ( <u>Winter</u> )	7802	Body B: Conditionally Approved
2506	Horseshoe: Conditionally Restricted ( <u>Winter</u> )	7805	Body B: Restricted
2802	Suwannee Sound: Conditionally Approved	7902	South Banana River: Conditionally Approved
2806	Suwannee Sound: Conditionally Restricted	7906	South Banana River: Conditionally Restricted
3012	Cedar Key: Conditionally Approved (Zone A)	8001	Body A: Approved
3022	Cedar Key: Conditionally Approved (Zone B)	8005	Body A: Restricted
3006	Cedar Key: Conditionally Restricted	8201	Volusia: Approved
3202	Waccasassa Bay: Conditionally Approved	8212	Volusia: Conditionally Approved (Zone 1)
3206	Waccasassa Bay: Conditionally Restricted	8222	Volusia: Conditionally Approved (Zone 2)
3402	Withlacoochee Bay: Conditionally Approved	8206	Volusia: Conditionally Restricted
3406	Withlacoochee Bay: Conditionally Restricted	8802	St. Johns South: Conditionally Approved
3702	Citrus County: Conditionally Approved	8806	St. Johns South: Conditionally Restricted
3706	Citrus County: Conditionally Restricted	9202	St. Johns North: Conditionally Approved
4202	Boca Ciega Bay: Conditionally Approved	9206	St. Johns North: Conditionally Restricted

INDEX OF SHELLFISH HARVESTING AREA MAPS

Revised January 6, 1999 October 28, 1997

Shellfish Harvesting Area			
Name	Area Number	Map Number(s)	Revised date
Apalachicola Bay System	16	16	April 22, 1998
Boca Ciega Bay	42	42	April 15, 1997
Body A	80	80	October 10, 1997
Body B	78	78	April 15, 1997
Body C	77	77A, 77B	April 15, 1997
Body D	76	76	April 15, 1997
Body E	75	75	April 15, 1997
Body F	74	74	April 15, 1997
Cedar Key	30	30	April 15, 1997
Choctawhatchee Bay	06	06	April 15, 1997
Citrus County	37	37	April 15, 1997
Duval County	96	96	April 15, 1997
East Bay	12	12	April 15, 1997
Gasparilla Sound	58	58	April 15, 1997
Horseshoe Beach	25	25A, 25B	January 6, 1999 <del>April 15, 1997</del>
Indian Lagoon	15	15A, 15B	April 15, 1997
Indian River/St. Lucie Counties	70	70	April 15, 1997
Lemon Bay	56	56	May 20, 1998
Lower Tampa Bay	48	48	April 15, 1997
Myakka River	60	60	October 28, 1998
North Bay	10	10	April 15, 1997
North Indian River	72	72	April 15, 1997
North St. Johns	92	92	April 15, 1997
Ochlockonee Bay	20	20	August 26, 1998
Pensacola Bay System	02	02A, 02B	April 15, 1997
Pine Island Sound	62	62	October 28, 1998
Sarasota Bay	54	54	April 15, 1997
South Banana River	79	79	May 21, 1997
South St. Johns	88	88	April 15, 1997
South Volusia	82	82A, 82B	December 10, 1997
St. Joseph Bay	14	14	April 15, 1997
Suwannee Sound	28	28	December 17, 1997
Ten Thousand Islands	66	66	April 15, 1997
Waccasassa Bay	32	32	April 15, 1997
Wakulla County	22	22	April 15, 1997
West Bay	08	08	October 28, 1998
Withlacoochee Bay	34	34	April 15, 1997

**INDEX OF SHELLFISH HARVESTING AREA  
CLASSIFICATION BOUNDARIES AND MANAGEMENT PLANS**

Revised ~~January 6, 1999~~ October 28, 1998

Shellfish Harvesting Area			
Name	Area Number	Map Number(s)	Revised date
Apalachicola Bay System	16	16	April 22, 1998
Boca Ciega Bay	42	42	April 15, 1997
Body A	80	80	October 10, 1997
Body B	78	78	April 15, 1997
Body C	77	77A, 77B	April 15, 1997
Body D	76	76	April 15, 1997
Body E	75	75	April 15, 1997
Body F	74	74	April 15, 1997
Cedar Key	30	30	April 15, 1997
Choctawhatchee Bay	06	06	April 15, 1997
Citrus County	37	37	April 15, 1997
Duval County	96	96	April 15, 1997
East Bay	12	12	April 15, 1997
Gasparilla Sound	58	58	April 15, 1997
Horseshoe Beach	25	25A, 25B	<del>January 6, 1999</del> April 15, 1997
Indian Lagoon	15	15A, 15B	April 15, 1997
Indian River/St. Lucie Counties	70	70	April 15, 1997
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South Volusia	82	82A, 82B	December 10, 1997
St. Joseph Bay	14	14	April 15, 1997
Suwannee Sound	28	28	December 17, 1997
Ten Thousand Islands	66	66	April 15, 1997
Waccasassa Bay	32	32	April 15, 1997
Wakulla County	22	22	April 15, 1997
West Bay	08	08	October 28, 1998
Withlacoochee Bay	34	34	April 15, 1997

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Robert Thompson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edwin Conklin, Director, Division of Marine Resources

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 28, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 25, 1998

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE TITLE: On-Site Visits

RULE NO.: 65C-14.004

PURPOSE AND EFFECT: This rule modification requires agencies which are accredited by the Council On Accreditation to notify the department of the dates the Council will visit the facility to conduct an evaluation. The department must then coordinate its relicensing determination to coincide with the visit of the Council On Accreditation.

SUMMARY: This rule modification will requires coordination of accreditation and relicensing efforts to avoid providers being subjected to two separate agency reviews during the same year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 409.175 FS.

LAW IMPLEMENTED: 409.175 FS.

IF REQUESTED 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):

TIME AND DATE: 9:00 a.m., February 5, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy West, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-14.004 On-Site Visits.

(4) Agencies which are accredited by the Council On Accreditation must inform the department's licensing staff of the dates when the Council has scheduled an on site evaluation. The department must be informed within five working days of the agency being so notified by the Council. The department will coordinate its relicensing determination to coincide with the efforts of the Council.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.008, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Amy West, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dee Richter, Chief, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE TITLE: On-Site Visits and Complaint Investigation

RULE NO.: 65C-15.004

PURPOSE AND EFFECT: This rule modification requires agencies which are accredited by the Council On Accreditation to notify the department of the dates the Council will visit the facility to conduct an evaluation. The department must then coordinate its relicensing determination to coincide with the visit of the Council On Accreditation.

SUMMARY: This rule modification will requires coordination of accreditation and relicensing efforts to avoid providers being subjected to two separate agency reviews during the same year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 409.175 FS.

LAW IMPLEMENTED: 409.175 FS.

IF REQUESTED 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):

TIME AND DATE: 9:00 a.m., February 5, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy West, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-15.004 On-Site Visits and Complaint Investigation.

(7) Agencies which are accredited by the Council On Accreditation must inform the department's licensing staff of the dates when the Council has scheduled an on site evaluation. The department must be informed within five working days of

the agency being so notified by the Council. The department will coordinate its relicensing determination to coincide with the efforts of the Council.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 12-19-90, Amended 10-27-93, Formerly 10M-24.014, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Amy West, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dee Richter, Chief, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 27, 1998

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE TITLE: Assessment RULE NO.: 65C-23.001

PURPOSE AND EFFECT: To establish the requirements for reviewing a family’s situation to determine if a hardship exemption should be granted to allow for a minor child of the participating family to continue to receive financial assistance under the Work and Gain Economic Self-Sufficiency (WAGES) program.

SUMMARY: In order for the department to properly assess the family situation, it was necessary that a form be developed for statewide use. This rule will allow for the public to be informed of the contents of the form and that it is mandatory that it be used by staff.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 414.105 FS.

LAW IMPLEMENTED: 414.105(3) FS.

IF REQUESTED 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):

TIME AND DATE: 9:00 a.m., February 12, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wayne Wallace, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

**CHAPTER 65C-23  
WAGES HARDSHIP EXEMPTION**

**65C-23.001 Assessment.**

The department will conduct an assessment to determine if a minor child of a participating WAGES family that has reached the end of the eligibility period for temporary cash assistance should be recommended for a hardship extension. This recommendation will result from a review using Substitute Care Review form, CF-ES 2089, Jul 98, incorporated by reference, to determine if the termination of the child’s temporary cash assistance would likely result in the child being placed into emergency shelter or foster care.

Specific Authority 414.45 FS. Law Implemented 414.105(3) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wayne Wallace, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dee Richter, Chief, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 25, 1998

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Community Planning**

RULE CHAPTER NO.: 9J-5 RULE CHAPTER TITLE: Minimum Criteria for Review for Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, Land Development Regulations and Determinations of Compliance

RULE NOS.: 9J-5.003 9J-5.0053 9J-5.022 9J-5.023 RULE TITLES: Definitions Evaluation and Appraisal Reports and Evaluation and Appraisal Amendments Standards for Review of Required Land Development Regulations Criteria for Determining Consistency of Land Development Regulations

NOTICE OF CHANGE

This Notice of Change replaces the one which appeared in the December 4, 1998 edition of the Florida Administrative Weekly.

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 24, No. 33, August 14, 1998, issue of the Florida Administrative Weekly.

9J-5.003 Definitions.

(1) "Affordable housing" means housing for which monthly rents or monthly mortgage payments, including taxes, insurance, and utilities, do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households or persons indicated in s. 420.0004, F.S. (1991). Affordable housing definitions that are prescribed by other affordable housing programs administered by either the United States Department of Housing and Urban Development or the State of Florida can be used by local governments ~~may be appropriate~~ if such programs are implemented by the local government to provide affordable housing.

(2) through (142) No change.

9J-5.0053 Evaluation and Appraisal Reports and Evaluation and Appraisal Amendments.

Specific Authority ~~420.535, 163.3177(9), 463.3487(5), 163.3191(8),(10) FS.~~ Law Implemented 163.3187(5), 163.3191 FS. History--New 3-23-94, Amended 5-18-94,\_\_\_\_\_.

9J-5.022 Standards for Review of Required Land Development Regulations.

(1) In determining whether a local government has totally failed to adopt one or more land development regulations required in Subsections 163.3202(2), F.S., the Department shall examine the regulation or regulations in question to ensure that ~~they include~~ specific programs, activities, standards, actions or prohibitions which regulate or govern the ~~following~~ subjects: are included. The provisions described below are provided as examples to lend guidance to local governments in accordance with accepted and applied principles of comprehensive planning; however, innovative land development regulations are encouraged as well.

(a) through (b) No change.

(c) The control of land uses and activities that may affect within identified cones of influence for potable water wells and wellfields, including identified cones of influence, in order to protect the potable water supply.

(d) The control of areas subject to seasonal and periodic flooding which may include the type, location, density and intensity of land uses located within these areas, in order to provide for drainage and stormwater management and mitigate the impacts of floods, including loss of life and property damage.

~~(e) The provision of Adequate drainage facilities may be provided~~ to control individual and cumulative impacts of flooding and nonpoint source pollution in drainage basins existing wholly or in part within the jurisdiction.

~~(e)(f)~~ The protection of environmentally sensitive lands, as designated in the comprehensive plan, from development impacts, including ensuring the protection of soils, groundwater, surface water, shorelines, fisheries, vegetative communities and wildlife habitat.

~~(f)(g)~~ The regulation of signage, including but not limited to type, location, size, number and maintenance of signs.

~~(g)(h)~~ Provisions assuring that development orders shall not be issued unless public facilities and services which meet or exceed the adopted level of service standards are available concurrent with the impacts of the development. Unless public facilities and services which meet or exceed such standards are available at the time the development permit is issued, development orders shall be specifically conditioned upon availability of the public facilities and services necessary to serve the proposed development. Public facility and service availability shall be deemed sufficient if the public facilities and services for a development are phased, or the development is phased, so that the public facilities and those related services which are deemed necessary by the local government to operate the facilities necessitated by that development are available and meet the adopted level of service standards concurrent with the impacts of the development. Phased facilities and services to be provided by the local government shall be included in and consistent with the Capital Improvements Element. Public facilities and services to be provided by the developer shall be guaranteed in an enforceable development agreement, including development agreements pursuant to Chapter 163, Florida Statutes, or agreements or development orders issued pursuant to Chapter 380, Florida Statutes.

~~(h)(i)~~ The number and sizes of on-site parking spaces, and the design of and control mechanisms for on-site vehicular and pedestrian traffic to provide for ~~the~~ public safety and convenience.

~~(i)(j)~~ Other specific and detailed provisions necessary ~~or desirable~~ to implement the adopted comprehensive plan, including regulations which are specifically required in the objectives and policies of the adopted comprehensive plan.

~~(2) A local government shall be found to have failed totally to adopt a required land development regulation if the regulation does not meet the review criteria for regulations on that subject in Rule 9J-5.022(1), F.A.C.~~

~~(2)(3)~~ If, in the determination of the local governing body, existing regulatory provisions as applied in the their jurisdiction by other agencies (whether federal, state, regional or local) are sufficient to meet the requirements of Subsections 163.3202(2) and (6), F.S., the local government may incorporate these regulatory provisions ~~systems~~ by specific

reference in whole or in part into the single land development code to avoid duplication of the language. The Department shall examine any such provision adopted by reference ~~in~~ determining whether a local government has totally failed to adopt one or more land development regulations required in Subsections 163.3202(2) and (6), F.S., ~~the Department shall examine any such provision adopted by reference to ensure that it meets the criteria in Rule 9J-5.022(1), F.A.C.~~

Specific Authority ~~163.3177(9)~~; 163.3202(5) FS. Law Implemented 163.3177(10)(h), 163.3194, 163.3202 FS. History—New \_\_\_\_\_.

9J-5.023 Procedures for the Administrative Review of Land Development Regulations.

This rule has been withdrawn.)

~~9J-5.023~~ ~~9J-5.024~~ Criteria for Determining Consistency of Land Development Regulations with the Comprehensive Plan. A determination of consistency of a land development regulation with the comprehensive plan will be based upon the following:

No change to text.

Specific Authority ~~163.3177(9)~~; 163.3202(5) FS. Law Implemented 163.3194, 163.3213 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-4.016  
RULE TITLE: Professional License, Certification and Registration Requirements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 24, No. 50, (December 11, 1998), issue of the Florida Administrative Weekly:

33-4.016 Professional License, Certification and Registration Requirements.

(1) It is the responsibility of any employee in a position requiring professional license, certification, or registration to maintain the required license, certification or registration and to provide the department with a copy of such upon employment and upon renewal. If the employee's license, certification or registration is suspended, revoked, lapses, or is placed under restriction, the employee shall make an immediate report in writing within three working days to the Secretary, Assistant Secretary, Regional Director, Regional Division Director, Circuit Administrator, or Superintendent. In

circumstances where an employee's license, certification or registration is suspended, revoked, or placed under restriction, the following information shall be contained in the report: any action taken by the professional board or other professional licensing body such as disciplinary fines, limitations or restrictions; and the time period of such suspension, revocation or restriction.

(2) No change.

**MARINE FISHERIES COMMISSION**

**NOTICE OF CABINET MEETING**

Proposed amendments to Rules 46-31.0035 and 46-31.004, F.A.C., relating to trawl gear specifications, being considered in conjunction with proposed new Rule Chapter 46-53, relating to calico scallops, as published in the November 6, 1998 issue of the Florida Administrative Weekly, Vol. 24, No. 45, with no changes, will be submitted to the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Section 370.027(3)(a), Florida Statutes, for approval or disapproval, at a public hearing to be held during a regular meeting of the Governor and Cabinet at the time, date and place shown below.

TIME AND DATE: 9:00 a.m., or as soon thereafter as the item can be heard, on January 26, 1999

PLACE: The Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AGENCY WITH RESPECT TO ANY MATTER CONSIDERED AT THIS HEARING, HE WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

Information concerning Board of Trustees consideration of this item can be obtained by contacting the Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554. A copy of the Board of Trustees, Marine Fisheries Commission for the January 26, 1999 Cabinet meeting may be obtained by writing to Judy Brooks, Department of Environmental Protection, Room 1014, 3900 Commonwealth Blvd., Tallahassee, Florida 32399.

**MARINE FISHERIES COMMISSION**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
46-53	Calico Scallops
RULE NOS.:	RULE TITLES:
46-53.001	Definitions
46-53.002	Size Limit
46-53.003	Harvest Requirements: Harvest for Commercial Purposes; Gear Specifications; Closed Areas

**NOTICE OF CHANGES TO PROPOSED RULES**

The Marine Fisheries Commission announces changes to proposed new Rule Chapter 46-53, F.A.C., published in the November 6, 1998 issue of the Florida Administrative Weekly, Vol. 24, No. 45. The changes are in response to public comment, testimony, and Commission discussion contained in the record of the public hearing held by the Commission on December 8, 1998, in Islamorada, Florida.

Rules 46-53.001 and 46-53.003 were not changed. Rules 46-53.002 was changed to read as follows:

46-53.002 Size Limit.

Each harvester and processor of calico scallops shall possess calico scallops that are of legal size. Calico scallops shall be considered of legal size if a one pound sample of calico scallop meats, taken from any single container possessed by the harvester or processor, contains no more than 250 individual meats. If containers are possessed, the capacity of which is less than one pound, a sample taken to determine compliance with this rule may be made up of the contents of more than one container. Each sample containing more than 250 calico scallop meats shall constitute a separate violation of this size limit.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New

**PRESENTATION TO THE GOVERNOR AND CABINET FOR APPROVAL:** The proposed rules with the changes resulting from the Commission’s public hearing, will be presented to the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Section 370.027(3)(a), Florida Statutes, for approval or disapproval, at a public hearing to be held during a regular meeting of the Governor and Cabinet at the time, date and place shown below:

**TIME AND DATE:** 9:00 a.m., or as soon thereafter as the item can be heard, January 26, 1999

**PLACE:** The Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

**SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AGENCY WITH RESPECT TO**

ANY MATTER CONSIDERED AT THIS HEARING, HE WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

Information concerning the Board of Trustees consideration of this item can be obtained by contacting the Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301. A copy of the Board of Trustees agenda for the January 26, 1999 Cabinet meeting may be obtained by writing: Judy Brooks, Department of Environmental Protection, Room 1014, 3900 Commonwealth Blvd., Tallahassee, Florida 32399.

**DEPARTMENT OF HEALTH**

RULE NO.:	RULE TITLE:
64-1.014	Listing of Final Orders
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 24, No. 49, (December 4, 1998), issue of the Florida Administrative Weekly:

(1) through (3) No change.

~~(4) Final Orders resulting from a challenge to the validity of a rule under Section 120.56, F.S., or other final orders entered by the Division of Administrative Hearings shall be neither listed nor indexed by the Department.~~

**Section IV  
Emergency Rules**

**DEPARTMENT OF TRANSPORTATION**

RULE TITLE:	RULE NO.:
Unauthorized Cutting, Trimming, or Removal of Vegetation	14ER99-1

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Pursuant to Section 120.54(4), F.S., the Department of Transportation finds that the unauthorized cutting, trimming, or removal of vegetation from state right of way creates an immediate danger to the public. As such, the Department shall adopt an emergency rule to be effective for a period of 90 days. Promulgation of this emergency rule is necessary to prevent an immediate danger to the public health, safety and welfare caused by the unauthorized cutting, trimming, or removal of vegetation on the Department’s right of way. The presence of unauthorized persons working on the right of way creates a safety hazard. Additionally, unauthorized

removal of vegetation on the right of way creates a diminishment of value to the citizens of Florida by depleting natural resources.

On July 10, 1998, 14ER98-1, implementing an emergency rule addressing the same subject as proposed Rule 14-40.030(3), F.A.C., was filed and became effective, and continues to be effective through January 6, 1999. However, a last-minute challenge to the adoption of Rule Chapter 14-40, F.A.C., delayed the filing and subsequent adoption of Rule Chapter 14-40, F.A.C. As such, there is a substantial risk that illegal cutting of vegetation will increase after 14ER98-1 expires and before Rule Chapter 14-40, F.A.C., becomes effective on January 19, 1999. Section 479.106(7), F.S., provides the assessment of mitigation penalties for the illegal cutting, trimming, or removal of vegetation from state right of way "as may be required under the rules of the department." This emergency rule is required to provide the guidelines for the assessment of mitigation penalties in the absence of an adopted administrative rule. The legislative intent of Chapter 479, FS, is, in part, "to attract visitors to this state by conserving the natural beauty of the state." The emergency rule addresses the same subject as proposed Rule 14-40.030(3), F.A.C., which subjects any person engaged in or benefitting from the unauthorized cutting, trimming, or removal of vegetation from state right of way to a penalty of \$1,000 per incident and requires on-site or remote mitigation at double the rate set forth in proposed Rule Chapter 14-40, F.A.C. The absence of adopted mitigation requirements makes it likely that illegal cutting will become more prevalent, as the payment of the \$1,000 fine is more cost effective to the billboard owner/permittee than submission of a vegetation management plan requiring mitigation to the department for cutting, trimming, and removal of vegetation.

**REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:** The continued risk of unauthorized cutting, trimming, or removal of vegetation from state right of way requires that the Department take immediate action to require vegetation to be cut, trimmed, or removed under the Department's vegetation management permitting process defined in Topic #650-050-002-a, a Directive which became effective August 8, 1997. The Department is taking only that action necessary to protect the public interest and has issued the above-referenced Directive to provide the process for authorizing cutting, trimming, or removal of vegetation on state right of way. In addition, Chapter 479, FS, provides for the adoption of rules which have been proposed. Notice of such proposed amendments to Rule Chapter 14-40, F.A.C., was published August 8, 1997, August 15, 1997, December 5, 1997, January 2, 1998, March 27, 1998, and September 4, 1998.

**SUMMARY OF THE RULE:** The emergency rule addresses the same subject as proposed rule 14-40.030(3), F.A.C., which subjects any person engaged in or benefitting from the

unauthorized cutting, trimming, or removal of vegetation from state right of way to a penalty of \$1,000 per incident and requires on-site or remote mitigation at double the rate set forth in proposed Rule Chapter 14-40, F.A.C.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** James C. Myers, Administrative and Management Support, Office of the General Counsel, Department of Transportation, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

**THE FULL TEXT OF THE EMERGENCY RULE IS:**

14ER99-1 Unauthorized Cutting, Trimming, or Removal of Vegetation.

Any person engaged in unauthorized cutting, trimming, or removal of vegetation in violation of Section 479.106, F.S., or who benefits from such action, is subject to a penalty of \$1,000 per incident and shall provide on-site or remote mitigation at the following rate:

(1) On-site mitigation (mitigation provided on the impacted site) for removal or damage of trees shall be at a 4:1 ratio measured in inches diameter of the trunk at breast height (DBH). To mitigate for trees with a DBH greater than two inches, two or more trees with a combined equivalent diameter may be used. Mitigation for removal of shrubs and herbaceous plants shall be at a 2:1 ratio calculating the total plant height per impacted species. Required mitigation is calculated by estimating the number of shrubs of a species impacted within a vegetation management zone, and multiplying by their average height. Mitigation for removal of shrubs and herbaceous plants under six inches shall be calculated by measuring the area impacted within the vegetation management zone, and replanting an equivalent area with the same or other approved species.

(2) Remote mitigation (mitigation provided away from the impacted site but along the same state highway and within the same county) for removal of trees shall be at a 6:1 ratio measured in inches DBH. To mitigate for trees with a DBH greater than two inches, two or more trees with a combined equivalent diameter may be used. Remote mitigation for removal of shrubs and herbaceous plants shall be at a 4:1 ratio. Required mitigation is calculated by estimating the number of shrubs of a species impacted within a vegetation management zone and multiplying by their average height. Mitigation for removal of shrubs and herbaceous plants under six inches in height shall be calculated by measuring the area impacted by the illegal cutting, trimming, or removal. A location for remote mitigation must be approved by the District Maintenance Engineer.

(3) The person performing or benefitting from the illegal removal of vegetation is required as his/her expense, to replace any mitigation materials that have not survived in a healthy condition for the first full year.

(4) In lieu of mitigation, funds may be contributed to a District mitigation program. The remote mitigation ratios shall apply and include the wholesale cost of materials, installation, and one year establishment and maintenance. Funds shall be contributed to the District Maintenance Engineer.

Specific Authority 334.044(2), 337.2505(1) FS. Law Implemented 335.167, 337.405, 479.106 FS. History—New 1-5-99.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE, AND REMAINS IN EFFECT UNTIL THE ADOPTION OF RULE CHAPTER 14-40, F.A.C., ON JANUARY 19, 1999.

EFFECTIVE DATE: January 5, 1999

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that on September 23, 1998, the Florida Public Service Commission received a Petition for Waiver of Rules 25-24.515(8), Florida Administrative Code, from Coin-Tel, Inc., DOCKET NO. 981204-TC. The Rules require that all pay telephone stations allow incoming calls to be received. Notice of this Petition was published in the October 16, 1998, Florida Administrative Weekly. No comments on this Petition were filed with the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850, within 14 days of publication of the notice. By Order No. PSC-98-1636-FOF-TC, issued December 7, 1998, the Florida Public Service Commission granted the request for waiver. The Order became final on December 29, 1998.

For additional information, contact Beth Keating, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or telephone (850)413-6212.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petition for waiver of Rule 25-24.515(8), Florida Administrative Code, filed September 15, 1998, in Docket No. 981145-TC was approved on November 17, 1998. The rule requires that all pay telephone stations allow incoming calls to be received. The petition was approved on the basis that the underlying statute would be achieved by other means and application of the rule would create substantial hardship. A

copy of the order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Coin-Tel, Inc.'s petition for waiver of Rule 25-24.515(8), Florida Administrative Code, filed September 15, 1998, in Docket No. 981146-TC was approved on November 17, 1998. The rule requires that all pay telephone stations allow incoming calls to be received. The petition was approved on the basis that the underlying statute would be achieved by other means and application of the rule would create substantial hardship. A copy of the order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN that on December 11, 1998, the Florida Public Service Commission received a Petition from Sprint Payphone Services, Inc. (Docket No. 981924-TC), seeking waiver of Rule 25-24.515(8), Florida Administrative Code. The petition is a request for an exemption from the rule which requires that all pay telephone stations allow incoming calls to be received. The location of the pay telephone station is as follows: 1235 Providence Blvd., Deltona, Florida. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice. A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770. For additional information, contact John Miller, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6230.

NOTICE IS HEREBY GIVEN that on December 11, 1998, the Florida Public Service Commission received a Petition from BellSouth Public Communications, Inc. (Docket No. 981925-TC), seeking waiver of Rule 25-24.515(8), Florida Administrative Code. The petition is a request for an exemption from the rule which requires that all pay telephone stations allow incoming calls to be received. The location of the pay telephone station is as follows: 8445 International Drive, Orlando, Florida 32819. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of

publication of this notice. A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770. For additional information, contact John Miller, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6230.

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NOTICE IS HEREBY GIVEN that on December 7, 1998, the Florida Public Service Commission received a Petition from Telaleasing Enterprises, Inc. (Docket No. 981926-TC), seeking waiver of Rule 25-24.515(8), Florida Administrative Code. The petition is a request for an exemption from the rule which requires that all pay telephone stations allow incoming calls to be received. The location of the pay telephone station is as follows: LaDetente Restaurant, 921 Avenue D, Fort Pierce, Florida 34950. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice. A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770. For additional information, contact John Miller, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6230.

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NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Anglers Cove West, Ltd. in Docket No. 981912-WS, seeking a waiver from Rule 25-30.110(3), Florida Administrative Code. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice. For additional information, please contact Cleveland Ferguson, Staff Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

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NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from CHC, VII, Ltd. in Docket No. 981913-WS, seeking a waiver from Rule 25-30.110(3), Florida Administrative Code. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. Comments on the petition should be filed with the

Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice. For additional information, please contact Cleveland Ferguson, Staff Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

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NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Four Lakes Golf Club, Ltd. in Docket No. 981914-WS, seeking a waiver from Rule 25-30.110(3), Florida Administrative Code. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice. For additional information, please contact Cleveland Ferguson, Staff Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

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NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Hidden Cove, Ltd. in Docket No. 981915-WS, seeking a waiver from Rule 25-30.110(3), Florida Administrative Code. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice. For additional information, please contact Cleveland Ferguson, Staff Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

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NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Plantation Landings, Ltd. in Docket No. 981916-WS, seeking a waiver from Rule 25-30.110(3), Florida Administrative Code. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice. For additional information, please contact Cleveland Ferguson, Staff Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

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NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from S.V. Utilities, Ltd. in Docket No. 981917-WS, seeking a waiver from Rule 25-30.110(3), Florida Administrative Code. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice. For additional information, please contact Cleveland Ferguson, Staff Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that on December 28, 1998, the Board of Architecture and Interior Design received a Petition from Guillermo J. Encinosa, Sandy L. Peaceman, Arturo L. Robinson, and Cohen, Freedman, Encinosa and Associates seeking a waiver of Rule 61B1-12.005(3)(b), Florida Administrative Code, concerning uniform disciplinary citations. This matter will be on the next Board of Architecture and Interior Design agenda for January 14, 1999, pursuant to Section 120.542(7), Florida Statutes, for review. The meeting will be at the Clarion Plaza Hotel, 9700 International Drive, Orlando, Florida 32819.

A copy of the Petition may be obtained from Jim Rimes, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0766.

**Section VI**

**Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Department of Veterans' Affairs
- Information Resource Commission
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: January 26, 1999, 9:30 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215, F.S. and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office at (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members, at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee,

Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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#### DEPARTMENT OF STATE

The **Department of State, Division of Historical Resources** announces a Florida National Register Review Board Meeting to which all interested parties are invited to attend.

**DATE AND TIME:** Friday, January 29, 1999, 9:00 a.m.

**PLACE:** Carlton Student Union, Room 204 and 205, Stetson University, DeLand, Florida

**PURPOSE:** Review of National Register Nomination Proposals.

A copy of the agenda may be obtained by writing: Survey and Registration Section, Division of Historical Resources, Department of State, The Capitol, Tallahassee, Florida 32399-0250.

Should any person wish to appeal any decision made with respect to the above referenced meetings, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Chapter 286.26, Florida Statutes, any person with disabilities wishing to attend these meetings should contact the agency at least 48 hours prior to the meetings in order to request any special assistance.

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The **Department of State, Division of Cultural Affairs**, announces the following public meeting, to which all persons are invited:

**COMMITTEE:** Art Selection Committee

**DATE AND TIME:** January 29, 1999, 11:00 a.m.

**PLACE:** USF Contemporary Art Museum, Conference Room, University of South Florida, 4202 East Fowler Avenue, CAM 101, Tampa, FL 33620

**PURPOSE:** Art in State Buildings Meeting, BR-534 Psychology/CSD

For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida, Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

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#### DEPARTMENT OF BANKING AND FINANCE

The Florida **Board of Funeral and Cemetery Services** announces a public Rules Committee Meeting and all persons are invited to attend.

**DATE AND TIME:** January 28, 1999, 10:00 a.m. – 5:00 p.m.

PLACE: Room 547, Fletcher Bldg., 101 E. Gaines Street, Tallahassee, Florida

PURPOSE: Regular Rules Committee business

To obtain further information and to obtain a copy of the agenda contact: Gladys Hennen, Administrative Assistant II, Division of Finance, 101 East Gaines St., Fletcher Bldg., Room 649B, Tallahassee, FL 32399-0350, telephone number (850)410-9847, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Gladys Hennen, (850)410-9847, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Gladys Hennen via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

**DEPARTMENT OF INSURANCE**

The **Department of Insurance, Division of State Fire Marshal**, announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 1999, 10:00 a.m.

PLACE: Prime Osborn Convention Center, Room 210, 1000 Water Street, Jacksonville, FL 32204

PURPOSE: Regular meeting of the Fire Fighters Standards and Training Advisory Council.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Lettuce Advisory Committee** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, February 3, 1999, 12:00 Noon

PLACE: Drawbridge Cafe', Belle Glade Country Club, End of Canal Road, Belle Glade, Florida 33430

PURPOSE: Discuss and make recommendations to the Director of the Division of Plant Industry on Rule Chapter 5B-38, Lettuce Mosaic.

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by January 26, 1999.

A copy of the agenda may be obtained by writing: Dr. Larry Brown, Division of Plant Industry, Department of Agriculture and Consumer Services, Post Office Box 147100, Gainesville, FL 32614-7100.

The **Department of Agriculture and Consumer Services** announces a public meeting of the Florida Amusement Device and Attraction Advisory Committee to which all persons are invited.

DATE AND TIME: Tuesday, February 2, 1999, 10:00 a.m.

PLACE: Equestrian Center Pavilion, Florida State Fairgrounds, 4800 U.S. Highway 301, Tampa, Florida

PURPOSE: Regularly called meeting of the Florida Amusement Device and Attraction Advisory Committee

A copy of the agenda may be obtained by writing: Isadore Rommes, Chief, Bureau of Fair Rides Inspection, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, or by calling Isadore Rommes, (850)488-9790.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Isadore Rommes, (850)488-9790. If you are hearing or speech impaired please contact the agency by calling the State of Florida TDD line, 1(800)955-8771.

The **Department of Agriculture and Consumer Services** announces a meeting of the Tropical Fruit Advisory Council:

DATE AND TIME: January 28, 1999, 7:00 p.m.

PLACE: Tropical Research and Education Center Conference Room, 18905 S. W. 280 Street, Homestead, FL

PURPOSE: Election of new officers; Determine research and promotion projects; Development of Tropical Fruit Research Plan for TREC 1997-98; To handle old and new business.

A copy of the agenda can be obtained by contacting: George Demetree, Room 427, Mayo Building, 407 South Calhoun Street, Tallahassee, FL 32399-0800 or calling (850)488-4131.

If special accommodations are needed to attend this meeting, because of a disability, please contact George Demetree as soon as possible.

The **Department of Agriculture and Consumer Services** announces a meeting of the Tropical Fruit Advisory Council:

DATE AND TIME: February 4, 1999, 9:00 a.m.

PLACE: Keysgate Country Club, 2300 Palm Drive, Homestead, FL 33035

PURPOSE: To prioritize, for the long term, research and promotion grants and to determine what Best Management Practices will increase industry's production and sales.

A copy of the agenda can be obtained by contacting: George Demetree, Room 427, Mayo Building, 407 South Calhoun Street, Tallahassee, FL 32399-0800 or calling (850)488-4131.

If special accommodations are needed to attend this meeting, because of a disability, please contact George Demetree as soon as possible.

The **Department of Agriculture and Consumer Services** announces the meeting of the AFriends of Florida State Forests, Inc." a non-profit corporation established to assist the Florida Division of Forestry in the support of its programs and activities.

DATE AND TIME: February 4, 1999, 11:00 a.m.

PLACE: Withlacoochee Forestry Center Conference Room, 15019 Broad Street, Brooksville, Florida 34601, Directions: Seven miles North of Brooksville on Highway 41, North  
 PURPOSE: To conduct the business of the Corporation.

A copy of the agenda can be obtained by contacting: Paul V. Palmiotto, Registered Agent, 3125 Conner Blvd., Tallahassee, Florida 32399-1650 or calling (850)414-9974.

If special accommodations are needed to attend this meeting because of a disability, please contact Paul V. Palmiotto as soon as possible.

**DEPARTMENT OF EDUCATION**

The Florida Community College Distance Learning Consortium of the **State Board of Community Colleges** announces the following public meeting (via audioconference) to which all persons are invited to participate:

DATE AND TIME: Tuesday, February 2, 1999, 10:00 a.m. – 12:00 noon

PLACE: The Florida Community College Distance Learning Consortium, 816 South Martin Luther King Boulevard, Tallahassee, Florida 32301, Dial-in Numbers, (850)414-1711, Suncom 994-1711

PURPOSE: To review and take action on any submitted Out-of-District Distance Learning requests.

COMMITTEES: Out-of-District Distance Learning Procedures and Requests

If you need additional information or special services to participate in the meeting/audioconference, contact: Florida Community College Distance Learning Consortium, 816 South Martin Luther King Boulevard, Tallahassee, Florida 32301 or by phone, (850)222-7823.

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, January 20, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Room 1706, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: Office of Postsecondary Education Coordination, Florida Department of Education, Room 401, Turlington Building, Tallahassee, Florida 32399-0400, Telephone (850)922-0344 or Suncom 292-0344.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: February 4, 1999, 1:00 p.m.

PLACE: Sarasota County Administration Center, First Floor Press Room, 1660 Ringling Boulevard, Sarasota, Florida

DATE AND TIME: February 5, 1999, 10:00 a.m.

PLACE: Government Building, Pat Smith Conference Room 1202.10, 301 North Olive Avenue, West Palm Beach, Florida

PURPOSE: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program and related programs in Sarasota, Palm Beach, Martin and St. Lucie counties. Entities interested in contracting with DCA to provide these services should present their qualifications at one of these public hearings. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities and in assisting low-income persons in the area to be served and their capacity to undertake a timely and effective weatherization program. Preference will be given to any Community Action Agency, other public or nonprofit entity which has, or is currently administering, an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications and experience of the staff members of the entity; and (4) the ability of the entity to secure volunteers, training participants and public service employment workers. Since no more than one entity will be funded in each county, the entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

ACTION TO BE TAKEN: The DCA will review all comments received at the public hearing and make a decision regarding each agency's eligibility to provide WAP services to the corresponding counties listed above. Recommendations will then be prepared by the Department staff for those selected entities for subsequent consideration and approval or disapproval by the Department's Secretary.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Lena A. Price, or Norm Gempel, Florida Department of Community Affairs, Community Assistance Section, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone (850)488-7541.

APPEALS INFORMATION: Anyone wishing to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing will need a formal record of the proceedings, and for such purposes will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. If you are hearing or

speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF LAW ENFORCEMENT**

The **Department of Law Enforcement**, Criminal Justice Regional Training Council, Region IV, announces a public meeting to which all interested parties are invited:

DATE AND TIME: Thursday, January 28, 1999, 2:00 p.m.  
PLACE: Santa Fe Community College, Institute of Public Safety, Kirkpatrick Criminal Justice Training Center, 3737 N. E. 39th Avenue, Gainesville, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider/approve the region's FY 1999-2000, Florida Criminal Justice Training Trust Fund operating budget.

A copy of the agenda may be obtained by contacting: Dr. H. A. Blalock, Director, Santa Fe Community College, Institute of Public Safety, 3737 N. E. 39th Avenue, Gainesville, Florida 32609.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 27, 1999, 9:00 a.m.  
PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida  
PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 22601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone (850)488-3417.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a staff workshop in the following docket to which all persons are invited.

DOCKET NO. 981890-EU: Generic investigation into the aggregate electric utility reserve margins planned for Peninsular Florida.  
DATE AND TIME: Monday, January 25, 1999, 10:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 182, Tallahassee, Florida

PURPOSE: The purpose of this workshop is to discuss issues related to the Commission's investigation of the aggregate electric utility reserve margins planned for Peninsular Florida. A copy of the agenda for this workshop may be obtained by writing: Director, Division of Records and Reporting, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

NOTICE OF RELOCATION OF MEETING – The Florida **Public Service Commission** announces a Special Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: January 26, 1999, 9:30 a.m.  
PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Hearing Room 148, Tallahassee, Florida  
PURPOSE: To discuss and make decisions on the report to Legislature on Cost of Basic Local Service and Needed Lifeline Support Report to Legislature on Fair and Reasonable Rates.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\***

NOTICE OF ROOM CHANGE – The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990002-EG – Energy conservation cost recovery clause.  
DATE AND TIME: January 27, 1999, 1:30 p.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida  
PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the

identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**NOTICE OF TIME CHANGE** – The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 980435-TI – Initiation of show cause proceedings against MCI Telecommunications Corporation for charging FCC universal service assessments on intrastate toll calls.

**DATE AND TIME:** January 27, 1999, 1:30 p.m.

**PLACE:** Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

**PURPOSE:** To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**NOTICE OF TIME CHANGE** – The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990001-EI – Fuel and purchased power cost recovery clause and generating performance incentive factor. (For transmission reconsideration only.)

**DATE AND TIME:** January 27, 1999, 3:00 p.m.

**PLACE:** Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

**PURPOSE:** To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

**DATE AND TIME:** February 2, 1999, 9:30 a.m.

**PLACE:** Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

**PURPOSE:** To consider those matters ready for decision.

**LEGAL AUTHORITY AND JURISDICTION:** Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting the Division of Records and Reporting, (850)413-6770, or writing: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.scri.net/psc>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

**DATE AND TIME:** February 2, 1999, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

**PLACE:** The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

The Commission will take public comment regarding any undocketed matters of concern to the public at 12:00 noon.

PURPOSE: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\***

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 981121-TP – Request for arbitration concerning complaint of MCImetro Access Transmission Services LLC for enforcement of interconnection agreement with BellSouth Telecommunications, Inc.

DATE AND TIME: February 3, 1999, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To permit parties to present testimony and exhibits relative to the request for arbitration concerning complaint of MCImetro Access Transmission Services LLC for enforcement of interconnection agreement with BellSouth Telecommunications, Inc., and for such other purposes as the Commission may deem appropriate. At the hearing, all parties shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on January 15, 1999. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S. and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**EXECUTIVE OFFICE OF THE GOVERNOR**

The **Executive Office of the Governor** announces a Year 2000 Task Force meeting to which all persons are invited:

MEETING: Year 2000 Task Force

DATE AND TIME: January 22, 1999, 10:00 a.m. until completion of agenda

PLACE: Reed Hall, EL Level, House Office Building, Tallahassee, Florida 32399

PURPOSE: To discuss issues and required activities for coordinating the State’s readiness for the Year 2000.

A copy of the agenda may be obtained by writing: Glenn Mayne, Project Manager, Year 2000 Project Office, 225 Knott Building, Tallahassee, Florida 32399-0001 (or through the internet at <http://y2k.state.fl.us>).

Anyone requiring a special accommodation to participate in this meeting is requested to advise the Executive Office of the Governor at least 5 working days before the meeting by contacting Lori Tinney, (850)921-2439 or the Executive Office of the Governor’s TDD number, (850)488-7146.

The **Executive Office of the Governor**, Office of Tourism, Trade and Economic Development announces a public meeting to which all persons are invited.

MEETING: The Florida Economic Summit. (The meeting is free of charge and registration is not required.)

DATE AND TIME: Friday, January 29, 1999, 9:00 a.m. – 12:30 p.m.

PLACE: The DoubleTree Hotel, Ballroom, 101 South Adams Street, Tallahassee, FL, (850)224-5000

GENERAL SUBJECT MATTER TO BE DISCUSSED: Major business climate issues influencing the state’s competitive economic future in the areas of tourism, international trade and economic development.

For further information contact: Katherine Morrison, Office of Tourism, Trade and Economic Development, The Capitol, Tallahassee, FL 32399-0001 or by telephone (850)487-2568.

Any person requiring a special accommodation at this meeting because of a disability should contact Katherine Morrison, (850)487-2568, at least seven (7) days prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**REGIONAL PLANNING COUNCILS**

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: January 21, 1999, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

PURPOSE: Regular meeting of the Regional Planning Council

A copy of the proposed agenda may be obtained by writing: Mr. Wayne E. Daltry, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. Wayne Daltry, (941)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Daltry using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 1, 1999, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida

PURPOSE: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendments for Miami; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Hallandale; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact: South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD). If you require additional information regarding the

above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

**NOTICE OF CORRECTION** – The Florida **District X, Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: January 28, 1999, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Florida District X, Local Emergency Planning Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Florida District X, LEPC with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces the following public meeting:

DATE AND TIME: January 29, 1999, 8:30 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER: A round table discussion with the Treasure Coast Legislative Delegation concerning funding for the Central and South Florida Restudy.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT**

The **Loxahatchee River Environmental Control District** announces a Public Meeting to which all persons are invited.

DATE AND TIME: Thursday, January 21, 1999, 7:00 p.m.

PLACE: District Administrative Building, 2500 Jupiter Park Drive, Jupiter, Florida 33458

PURPOSE: Regular Meeting of the Governing Board to conduct such business as specifically itemized on the Agenda.

A copy of the Agenda may be obtained by writing: Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458-8964.

If a person decides to appeal any decision made by the Board with respect to any matter considered at such Meeting or Hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**DEPARTMENT OF CORRECTIONS**

The **Correctional Medical Authority** announces a meeting to be held at Tallahassee, Florida, to which all persons are invited: DATE AND TIME: January 29, 1999, 8:30 a.m. – 1:30 p.m.

PLACE: Correctional Medical Authority Conference Room, 2020 Capital Circle Southeast, Alexander Building, Tallahassee, Florida 32399-1732, (850)487-3580

PURPOSE: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Linda A. Keen, Executive Director, Correctional Medical Authority, 2020 Capital Circle, S. E., Bin B-04, Tallahassee, Florida 32399-1732 or calling (850)487-3580.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Correctional Medical Authority** announces a Budget and Personnel Committee meeting to be held in Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: January 28, 1999, 10:00 a.m. – 2:00 p.m.

PLACE: Correctional Medical Authority Conference Room, 2020 Capital Circle, S. E., Tallahassee, Florida 32399-1732, (850)487-3580

PURPOSE: Continued discussion of correctional health care budget and personnel issues.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

**COMMISSION ON ETHICS**

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, January 28, 1999, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

PURPOSE: Regular Commission Meeting

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday at 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Commission on Ethics, (850)488-7864, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

**METROPOLITAN PLANNING ORGANIZATIONS**

The **Metropolitan Planning Organization** for the Orlando Urban Area, announces the following public meeting of its Governing Board to which all persons are invited:

DATE AND TIME: Wednesday, January 13, 1999, 9:30 a.m.

PLACE: Metroplan Orlando, Board Room, 315 East Robinson Street, Suite 355, Orlando, FL 32801

PURPOSE: Regularly Scheduled Board Meeting

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Call to Order; 2) Agenda Review; 3) Approval of Minutes; 4) Consent Items; 5) Action Items; 6) Presentations, if any; 7) Other Business; 8) Chairman’s Report; 9) Executive Director’s Report; 10) Legislative Report.

A copy of the detailed agenda may be obtained by contacting: Virginia Lewis, Executive Assistant, Metroplan Orlando, 315 East Robinson Street, Suite 355, Orlando, FL 32801, (407)481-5672, Extension 314.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Metroplan Orlando, (407)481-5672, at least 48 hours before the meeting.

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The **Department of Labor and Employment Security, Division of Vocational Rehabilitation**, announces a public meeting of the Florida Rehabilitation Council, to which all persons are invited and to which all interested individuals are encouraged to attend.

Consumer Satisfaction Workgroup Meeting

DATE AND TIME: January 21, 1999, 10:00 a.m. – 3:00 p.m.

Executive Committee Face-to-Face Meeting

DATE AND TIME: January 22, 1999, 8:30 a.m. – 12:00 Noon

PLACE: Hilton St. Petersburg, 333 First Street, South, St. Petersburg, FL 33701

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in these meetings should contact Ken Baer, no later than January 19, 1999, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696, or toll free at 1(800)451-4327.

Should you not be able to attend, but would like a copy of the minutes, please contact Ken Baer, (850)487-3431, to toll free at 1(800)451-4327.

**GAME AND FRESH WATER FISH COMMISSION**

You are hereby notified that the **Advisory Council on Environmental Education** will meet on:

DATE AND TIME: Tuesday, January 26, 1999, 10:00 a.m. until completion of business

PLACE: Second Floor Auditorium, Farris Bryant Building, 620 South Meridian Street, Tallahassee, Florida

PURPOSE: Selection of Grant Proposals for Funding

If an accommodation is needed for a disability in order to participate in this activity, please notify staff, (850)487-0123, at least seven (7) days prior to the activity. If you are hearing or speech impaired, please contact staff by using the Florida Relay Service, 1(800)955-8771 (TDD).

**WATER MANAGEMENT DISTRICTS**

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited:

DATE AND TIME: January 28, 1999, between 11:30 a.m. and 1:00 p.m., EST

PURPOSE: District Lands Committee meeting to discuss land management and acquisition matters

DATE AND TIME: January 28, 1999, 1:00 p.m., EST

PURPOSE: Governing Board Meeting – to consider District business

DATE AND TIME: January 28, 1999, 1:15 p.m., EST

PURPOSE: Public Hearing on Consideration of Regulatory Matters

DATE AND TIME: January 28, 1999, 1:30 p.m., EST

PURPOSE: Public Hearing on Consideration of Land Acquisition Matters

PLACE: District Headquarters, 10 miles west of Tallahassee on U.S. Highway 90, Tallahassee, FL

A copy of the agendas may be obtained by contacting: Peggy Geltman, NFWFMD, Route 1, Box 3100, Havana, Florida 32333, (850)539-5999.

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following Facilities/Planning/Construction Committee telephone conference call:

DATE AND TIME: Wednesday, January 27, 1999, 10:00 a.m.

PLACE: St. Johns River Water Management District, 4049 Reid Street, Conference Room #158, Palatka, FL 32177

PURPOSE: To discuss project construction and contractual matters of the District.

A copy of the agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling. Mrs. Sharon Whitener, Administrative Support Coordinator, Department of Operations and Land Resources, (904)329-4281.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

NOTE: If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **St. Johns River Water Management District** announces the following Information Technology committee telephone conference call:

DATE AND TIME: Thursday, January 28, 1999, 1:30 p.m.

PLACE: 4049 Reid Street, Palatka, FL 32177

PURPOSE: To discuss Information Technology matters of the District.

A copy of the agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling. Mrs. Debora Shorter, Administrative Support Coordinator, Department of Information Resources, (904)329-4176.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 TDD).

NOTE: If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **Southwest Florida Water Management District** announces the following public meeting to which all persons are invited.

**MANASOTA BASIN BOARD MEETING**

DATE AND TIME: Thursday, January 21, 1999, 10:00 a.m.  
PLACE: City of Palmetto, 516 8th Avenue, West, Palmetto, FL  
GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business

A copy of the agenda for the above meeting may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899.

If a party decides to appeal any decision made with respect to any matter considered at a meeting, that party will need a record of the proceedings, and for such purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)423-1476 (Florida), or (352)796-7211, Extension 4604, Fax (904)754-6874, TD ONLY 1(800)231-6103 (Florida).

P.O. #2344

The **Southwest Florida Water Management District** announces the following public hearing to which all interested persons are invited:

DATES AND TIMES: January 26, 1999, 9:00 a.m.; continued January 27, 1999, 9:00 a.m., if necessary

PLACE: Governing Board Room, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899

PURPOSE: The acquisition of certain lands eligible to be considered for funding from the Water Management Lands Trust Fund (Save Our Rivers)/Florida Preservation 2000 Trust Fund which lands are further described as follows:

Part of the Upper Myakka River Watershed project comprised of one parcel referred to as SWF Parcel 21-598-102, consisting of approximately 9,000 acres, lying in portions of Sections 5, 6, 7, 8, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 32 and 33, Township 35, South, Range 21, East; and lying in portions of Sections 12 and 13, Township 35, South, Range 20, East; and lying in portions of Section 20, Township 33, South, Range 18, East; and lying in portions of Section 18, Township 34, South, Range 18, East in Manatee County, Florida.

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, TTD only 1(800)231-6103 (Florida only) Fax (352)754-6877.

P.O. #3148

The **Southwest Florida Water Management District** announces the following public workshops, hearings or meetings to which all persons are invited.

**GOVERNING BOARD DIVERSITY COMMITTEE MEETING** (Note: This is a cancellation of the meeting on the date, time and place stated below.)

DATE AND TIME: Wednesday, January 27, 1999, 8:30 a.m.  
PLACE: District Headquarters 2379 Broad Street, Brooksville, FL

**GOVERNING BOARD MEETING AND PUBLIC HEARING** (Note: This is a cancellation of the meeting on the date, time and place stated below.)

DATE AND TIME: Wednesday, January 27, 1999, 10:00 a.m.  
PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

**GOVERNING BOARD PLANNING WORKSHOP**

DATE AND TIME: Wednesday, January 27, 1999, 9:00 a.m.  
PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Planning Workshop

HILLSBOROUGH RIVER BASIN BOARD MEETING  
(Note: This is a change of time from what was originally scheduled.)

DATE AND TIME: Wednesday, February 3, 1999, 1:00 p.m.  
PLACE: Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

NORTHWEST HILLSBOROUGH BASIN BOARD MEETING

DATE AND TIME: Thursday, February 4, 1999, 9:00 a.m.  
PLACE: Keystone Civic Center, 17928 Gunn Highway, Odessa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, February 9, 1999, 8:30 a.m.  
PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

WITHLACOOCHEE RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, February 9, 1999, 1:00 p.m.  
PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, February 10, 1999, 9:00 a.m.  
PLACE: Clearwater City Hall, 112 South Osceola Avenue, Clearwater, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

ALAFIA RIVER BASIN BOARD MEETING

DATE AND TIME: Tampa Energy Control Center, 8030 Palm River Road, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, February 12, 1999, 9:30 a.m.  
PLACE: Charlotte Airport, 2800 Airport Road, Punta Gorda, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

MANASOTA BASIN BOARD MEETING

DATE AND TIME: Wednesday, February 17, 1999, 10:00 a.m.  
PLACE: City of Palmetto, 516 8th Avenue, West, Palmetto, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:  
Consideration of Basin Business

A copy of the agenda for the above hearings or meetings may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899.

If a party decides to appeal any decision made with respect to any matter considered at a meeting, that party will need a record of the proceedings, and for such purposes that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)423-1476 (Florida), or (352)796-7211, Extension 4604, Fax (904)754-6874, TDD ONLY 1(800)231-6103 (Florida).

P.O. #2348

The **South Florida Water Management District** announces public meetings to which all interested persons are invited:

DATE AND TIME: January 21, 1999, 1:00 p.m. – 4:00 p.m.  
PLACE: Fort Myers Service Center, SFWMD, 2301 McGregor Blvd., Fort Myers, Florida.

PURPOSE: Caloosahatchee Advisory Committee meeting to address issues related to the District's Caloosahatchee Water Management Plan.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For further information, contact Richard Dawdy or Lynne Felknor, (941)338-2929.

The **South Florida Water Management District** announces public meetings to which all interested persons are invited:

DATE AND TIME: January 22, 1999, 12:30 p.m. – 4:30 p.m.  
PLACE: South Florida Water Management District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: The Water Utility Advisory Committee will continue discussion of topics of interest to the Committee. Agenda items will include a status report on the progress of the topics of interest to the Committee.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For additional information, contact: Bruce Adams, Office of Government and Public Affairs, (561)682-6785.

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The **South Florida Water Management District** announces public meetings to which all interested persons are invited:

DATE AND TIME: January 25, 1999, 9:00 a.m. – 12:00 noon

PLACE: Riverbend Park, 8900 West Indiantown Road, Jupiter, Florida

PURPOSE: The Loxahatchee River Management Coordinating Council will participate in a canoe trip to view the river, ending at Trapper Nelson's.

DATE AND TIME: January 25, 1999, 12:30 p.m.

PLACE: Trapper Nelson's, c/o Jonathan Dickinson State Park, 16450 S. E. Federal Highway, Hobe Sound, Florida

PURPOSE: The Loxahatchee River Management Coordinating Council will hold its regular meeting at Trapper Nelson's to discuss issues that affect the river, with the goal of protecting it.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For further information, contact: Woody VanVoorhees, (561)682-6332.

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The **South Florida Water Management District** and the **City of West Palm Beach** announce a Project Advisory Committee meeting to which all interested parties are invited:

DATE AND TIME: January 26, 1999, 1:00 p.m. – 5:00 p.m.

PLACE: Village of Royal Palm Beach Cultural Center, 151 Civic Center Way, Royal Palm Beach, Florida.

PURPOSE: A meeting of the Project Advisory Committee to review and discuss the progress of the Northern Palm Beach County Comprehensive Water Management Plan.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Len Wagner, (561)682-6522.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: January 28, 1999, 1:00 p.m. – 4:00 p.m.

PLACE: District Headquarters, B-1 Building, Storch Conference Room, Third Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Agricultural Advisory Committee to hear a status report on the progress of topics of interest to the Committee.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 2468, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information regarding this meeting, contact: Bruce Adams, (561)682-6785.

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### MARINE FISHERIES COMMISSION

The **Marine Fisheries Commission** announces that an emergency rule proposing amendments to Rule Chapter 46-31, F.A.C., will be submitted for approval or disapproval to the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund, pursuant to the requirements of Section 370.027(3)(a), Florida Statutes. The emergency rule

temporarily suspends the minimum size limit (count law) for food shrimp harvested in Biscayne Bay. The public hearing will be held during a regular meeting of the Governor and Cabinet at the time, date, and place shown below:

DATE AND TIME: January 26, 1999, 9:00 a.m. or as soon thereafter as the item can be heard

PLACE: The Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the agency with respect to any matter considered at this hearing, he will need a record of proceedings, and for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Information concerning Board of Trustees consideration of this item can be obtained by contacting the Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554.

A copy of the Board of Trustees, Marine Fisheries Commission for the January 26, 1999, Cabinet meeting may be obtained by writing: Judy Brooks, Department of Environmental Protection, Room 1014, 3900 Commonwealth Blvd., Tallahassee, Florida 32399.

The **Marine Fisheries Commission** announces that an emergency rule proposing amendments to Rule Chapter 46-38, F.A.C., will be submitted for approval or disapproval to the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund, pursuant to the requirements of Section 370.027(3)(a), Florida Statutes. Based on scientific information and public comment received regarding shrimping closed areas and seasons in southwest Florida, the Commission is proposing this emergency rule which temporarily prohibits the harvest of shrimp between the already existing Sanibel and federal shrimping closures. The public hearing will be held during a regular meeting of the Governor and Cabinet at the time, date, and place shown below:

DATE AND TIME: January 26, 1999, 9:00 a.m., or as soon thereafter as the item can be heard

PLACE: The Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the agency with respect to any matter considered at this hearing, he will need a record of proceedings, and for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Information concerning Board of Trustees consideration of this item can be obtained by contacting: Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554.

A copy of the Board of Trustees, Marine Fisheries Commission for the January 26, 1999, Cabinet meeting may be obtained by writing: Judy Brooks, Department of Environmental Protection, Room 1014, 3900 Commonwealth Blvd., Tallahassee, Florida 32399.

#### REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Board Workshop and Bus Tour to which the public is invited.:

DATE AND TIME: Friday, January 22, 1999, 8:00 a.m. – 5:00 p.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211, Clearwater, Florida, the meeting will follow an itinerary which will be available at the Tampa Bay Water offices on January 14, 1999.

PURPOSE: A Board workshop and bus tour of project sites, which will include well field sites, desalination plant sites, a reservoir site, a water treatment plant/storage site, the Tampa Bypass Canal/ Hillsborough River, and the Alafia River Intake site.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

The **Tampa Bay Water** announces the following Public Meeting and Board Workshop to which all persons are invited:

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

DATE AND TIME: Monday, January 25, 1999, 12:00 p.m. – 1:15 p.m.

PURPOSE: Special Board Workshop will be held to consider and approve the Term Sheet and Contract Terms for Seawater Desalination Project.

DATE AND TIME: Monday, January 25, 1999, 1:30 p.m.

PURPOSE: Regularly Scheduled Board Meeting

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Tampa Bay Water or can be accessed on the Web at [www.tampabaywater.org](http://www.tampabaywater.org) after 1/15/99.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

The **Lee County Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 28, 1999, 1:30 p.m.

PLACE: Old Lee County Courthouse, East Room, 2120 Main Street, Fort Myers, FL 33901

PURPOSE: To discuss revisions to Authority Interlocal and to conduct other regular business of the Authority.

A copy of the agenda may be obtained by writing: Lee County Regional Water Supply Authority, 2180 West First Street, Suite 208, Fort Myers, FL 33901.

Although these Board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements in a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

If an accommodation is needed for a disability, in order to participate in this activity, please notify the Authority, (941)332-5819, at least seven days prior to the Public Meeting and Hearing.

**DEPARTMENT OF MANAGEMENT SERVICES**

The **Department of Management Services** announces a meeting of the Commission for Purchase from the Blind or Other Severely Handicapped to which all persons are invited.

DATE AND TIME: January 22, 1999, 10:00 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 315-L, Tallahassee, Florida

PURPOSE: Fair market price determination, and assignment of the following service contracts and products to qualified agencies for persons with disabilities through the provisions of Section 413.035, Florida Statutes:

Department of Environmental Protection, St. Andrew State Recreation Area Janitorial Services Contract; Florida Department of Health, Jackson County Health Department Janitorial Services Contract; Palm Beach County, Palm Tran Community Services Grounds Maintenance Contract; Tri County Commuter Rail Authority Janitorial Services Contract; drug testing kits; flexible pens; shop towels; wheelchair parts and services; pre-moistened wipes and wiping rags.

Price adjustments of various service contracts and products, and other matters related to the business of the Commission are also on the agenda.

Written public comments relative to the above items are invited. Please mail comments to the address below prior to the scheduled meeting.

A copy of the agenda may be obtained by contacting: RESPECT of Florida, 2475 Apalachee Parkway, Suite 205, Tallahassee, Florida 32301-4946, (850)942-0905.

Any person requiring a special accommodation at the meeting because of a disability should call RESPECT, (850)942-0905 at least five (5) workdays prior to the meeting. If you are

hearing or speech impaired, please contact RESPECT by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The State of Florida, **Capitol Center Planning Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 1998, 9:30 a.m.

PLACE: The Florida Room, City Hall, 300 S. Adams Street, Tallahassee, FL 32301

PURPOSE: This will be a regular monthly meeting of the Commission to discuss and act on its agenda for that meeting. The agenda includes matters pertaining to the approval of building construction within the district and other matters affecting the Capitol Center located in Tallahassee, Florida.

Copies of the agenda may be obtained by writing: The Capitol Center Planning Commission, Suite 360, 4030 Esplanade Way, Tallahassee, FL 32399-0950.

RECORD OF PROCEEDINGS: If a person anticipates that s/he may appeal any decision made by the Commission with respect to any matter considered at this meeting, s/he will need to ensure that a written verbatim record of the proceedings shall have been made, at no cost to the Commission, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any attendee requiring special accommodation because of a disability or physical impairment should contact Carolyn Poss, (850)487-0515, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired can contact the Commission at the above number using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The State of Florida, **Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: January 25-26, 1999, 8:30 a.m.

PLACE: Raddisson Mart Plaza Hotel, 711 N. W. 72nd Avenue, Miami, Florida

PURPOSE: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312, or by telephoning (850)487-2410.

A party who decided to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence.

Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Cosmetology** announces a Board Meeting open to the public and all persons are invited to participate.

DATES AND TIMES: Sunday, January 31, 1999, 10:00 a.m.; Monday, February 1, 1999, 9:00 a.m.

PLACE: Hampton Inn Pensacola Beach, 2 Via DeLuna, Pensacola Beach, Florida 32561

PURPOSE: Regular Board Business and Committee Matters.

A copy of the agenda may be obtained by writing: Board of Cosmetology, 1940 North Monroe Street, Suite #60, Tallahassee, Florida 32399-0790

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern at (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 1999, 9:00 a.m. – 12:30 p.m.

PLACE: Department of Environmental Protection, Southwest District Office, Conference Room A & B, 3804 Coconut Palm Drive, Tampa, Florida

PURPOSE: This is a public meeting at which the Department will seek input from the regulated community as well as other regulatory agencies concerning whether permits should be required for the composting or mulching of yard trash.

If accommodation for a disability is needed to participate in this activity, please notify Francine Joyal, (850)488-0300, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Department by using the Florida Relay service at 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing or calling: Francine Joyal, 2600 Blair Stone Road, MS 4565, Tallahassee, Florida 32399-2400, (850)488-0300.

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The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Tuesday, January 26, 1999, 7:00 p.m. (EST)

PLACE: Mount Olive Baptist Church, 8250 County Road 13 (State Road 204), Hastings, Florida 32145

PURPOSE: To receive comments regarding management and land uses for Faver-Dykes State Park prior to the development of a management plan for the park.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of this meeting. Any request for special accommodations can be made by writing: Department of Environmental Protection, Division of Recreation and Parks, District 3, Administration, 1800 Wekiwa Circle, Apopka, Florida 32712.

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The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATE AND TIME: January 28, 1999, 9:00 a.m.

PLACE: Conference Room 609, Twin Towers Building, 2600 Blairstone Road, Tallahassee, Florida

PURPOSE: The regularly scheduled meeting of the ERC will include briefings on: Rules Under Development; Rules Under Appeal. Rule proceedings are scheduled for: Chapter 62-610, Florida Administrative Code (F.A.C.), Reuse of Reclaimed Water and Land Application, phase II revisions; Chapter 62-552, F.A.C., SRF Program for Drinking Water Facilities, amending grant list; and Chapter 62-302, F.A.C., Surface Water Quality Standards, proposed designations of Outstanding Florida Waters in managed areas. There will also be a briefing on proposed revisions to Chapter 62-672, F.A.C., Minimum Requirements for Earthen Dams Used in Phosphate Mining and Benefication Operations and for Dikes Used in Phosphogypsum Stack System Impoundments, to ensure the phosphogypsum impoundments and their associated structures are designed and maintained to meet critical safety standards. Time will be allotted at the end of the meeting for public comment.

A copy of the agenda may be obtained by contacting: Jacqueline McGorty, Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)921-9717.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey (850)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection**, Office of Greenways and Trails, announces a meeting of the Florida Recreational Trails Council Acquisition Project Review Committee, to which all interested parties are invited.

DATE AND TIME: Friday, January 29, 1999, 10:00 a.m.

PLACE: Department of Environmental Protection, Office of Greenways and Trails, 2600 Blair Stone Road, Room 156, Tallahassee, FL 32399-2400, phone (850)488-3701

PURPOSE: To review policies and procedures for the Greenways and Trails Acquisition Program and to discuss any projects which are no longer feasible. Project applicants will be notified prior to the meeting if their project(s) is to be discussed.

NOTE: If you need special accommodation in order to attend a meeting because of a disability, please contact Marsha Messersmith at the address or phone listed above.

The **Department of Environmental Protection** announces a public meeting of the capacity development citizens advisory group to which all persons are invited:

DATE AND TIME: January 29, 1999, 2:00 p.m.

PLACE: Room 235C, Twin Towers Office Building, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

PURPOSE: Development of the capacity development program.

A copy of the agenda may be obtained by writing: Virginia Harmon, Drinking Water Section, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400 or by calling Virginia Harmon, (850)921-6844.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

The **Miami-Dade County Health Department** announces a meeting of the Tobacco-Free Miami-Dade Community Partnership.

DATE AND TIME: Wednesday, January 13, 1999, 12:00 noon  
 PLACE: Sylvester Comprehensive Cancer Center, Miami, FL  
 PURPOSE: Monthly meeting

A copy of the agenda can be obtained by contacting: Esther Castiglia, (305)377-5010, Ext. 118.

If special accommodations are needed to attend this meeting because of a disability, please contact Esther Castiglia as soon as possible.

The Florida **Board of Chiropractic Medicine** will hold a duly noticed meeting to which all persons are invited to attend.

DATES AND TIMES: Friday, February 12, 1999, 9:00 a.m.; continuing February 13, 1999, if necessary

PLACE: The Omni Hotel, 245 Water Street, Jacksonville, Florida 32202, phone (904)355-6664

PURPOSE: General Board Business

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Chiropractic Medicine, (850)487-9830, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board of Chiropractic Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice), and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The agenda deadline for this meeting is January 11, 1999 at 5:00 p.m. Persons wishing to bring any matter before the Board for consideration must provide this office with a request and any documentation to be considered by the Board not later than January 11, 1999. All non-exigent requests received after said deadline may not be considered until the next duly noticed full Board meeting.

A copy of the agenda item may be obtained by writing: Mrs. Tracie Natale, Regulatory Specialist I, Board of Chiropractic Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257, by January 11, 1999.

The **Board of Massage Therapy** announces a meeting to which all interested persons are invited to attend.

DATES AND TIMES: Thursday, January 28, 1999; Friday, January 29, 1999, 9:00 a.m. or soon thereafter; continuing Saturday, January 30, 1999, 9:00 a.m., if necessary

PLACE: The Holiday Inn SunSpree Resort, 2220 West First Street, Ft. Myers, FL, (941)334-3434

PURPOSE: Regular Board Business and Disciplinary Matters.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Massage Therapy, (850)488-0595, at least five (5)

calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Massage Therapy, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Credentials Committee of the Florida **Board of Medicine**, announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, January 16, 1999, 8:00 a.m. or soon thereafter

PLACE: Adam's Mark Hotel, 1500 Sand Lake Road, Orlando, Florida 32809, (407)859-1500

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or a physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Executive Director, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health** and the Advisory Council on Respiratory Care, under the **Board of Medicine**, announces a conference call to which all persons are invited.

DATE AND TIME: January 22, 1999, 11:00 a.m. or soon thereafter

NUMBER: Nonsuncom (850)921-5400, Suncom 291-5400

PURPOSE: General Business Meeting and Rules Review

A copy of the agenda may be obtained by writing: Department of Health, Advisory Council on Respiratory Care, 2020 Capital Circle, S. E., BIN C05, Tallahassee, Florida 32399-3255, or by calling the council office, (850)488-0595.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting: Kaye Howerton, Executive Director, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMENDED NOTICE – Florida **Board of Medicine**, Council on Physician Assistants announces a conference call which all persons are invited to participate.

DATE AND TIME: Friday, January 22, 1999, 12:00 p.m. – 2:00 p.m.

PLACE: Board of Medicine Office, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)488-5776, Confirmation #20A0104

PURPOSE: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: Mrs. Tanya Williams, Board Director, 2020 Capital Circle, S. E., BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceeding, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

If you need special accommodations at this meeting because of a disability or physical impairment (i.e. assistive listening devices, sign language interpreter, etc.), please notify Kathy Dilbert, (850)488-0595, at least 5 calendar days in advance of the meeting (hearing impaired please use Florida Relay 1(800)955-8771 or TDD (904)238-4648).

The **Department of Health** and the Electrolysis Council, under the **Board of Medicine**, announces a conference call to which all persons are invited.

DATE AND TIME: January 25, 1999, 12:00 noon or soon thereafter

PURPOSE: General Business Meeting and Rules Review.

NUMBER: Nonsuncom (850)921-5551, Suncom 291-5551

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, Northwood Centre, 2020 Capital Circle, S. E., BIN C05, Tallahassee, Florida 32399-3255, or by calling the council office, (850)488-0595.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Medicine**, Respiratory Therapy/Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, February 5, 1999, 8:00 a.m. or soon thereafter

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202, (904)355-6664

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, February 5, 1999, 8:00 a.m. or soon thereafter

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202, (904)355-6664

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIMES: Friday, February 5, 1999, 8:30 a.m. or soon thereafter; continuing Saturday, February 6, 1999, 8:00 a.m. or soon thereafter; continuing on Sunday, February 7, 1999, 8:00 a.m., if necessary

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202, (904)355-6664

PURPOSE: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Board of Nursing Home Administrators**, announces an Application Review Committee meeting to which all interested persons are invited.

DATE AND TIME: February 11, 1999, 3:00 p.m.  
 PLACE: The Embassy Suites, 9300 Bay Meadows Road, Jacksonville, FL 32256  
 PURPOSE: Review exam applications for the 4/8/99 NHA exam.

A copy of the agenda may be obtained by contacting: Board of Nursing Home Administrators, 1940 N. Monroe Street, Tallahassee, Florida 32399-0777, phone (850)488-0595.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)488-0595, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

**The Department of Health, Board of Nursing Home Administrators**, announces a General Board Meeting to which all interested persons are invited.

DATE AND TIME: February 12, 1999, 9:00 a.m.  
 PLACE: The Embassy Suites, 9300 Bay Meadows Road, Jacksonville, FL 32256  
 PURPOSE: Approve applications, conduct disciplinary proceedings, and general business of the Board.

A copy of the agenda may be obtained by contacting: Board of Nursing Home Administrators, 1940 N. Monroe Street, Tallahassee, Florida 32399-0777, phone (850)488-0595.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)488-7549, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

**The Department of Health, Board of Pharmacy**, announces a public meeting to which all persons are invited.  
 DATES AND TIME: February 1-2, 1999, 9:00 a.m. (EST)

PLACE: Clarion Plaza Hotel, 9700 International Drive, Orlando, FL

PURPOSE: The Board will conduct disciplinary proceedings and general board business.

The probable cause panel will meet after the February 1st session. This meeting is closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered.

A copy of the board agenda and any probable cause materials which are open to the public may be obtained by writing: John D. Taylor, Executive Director, Board of Pharmacy, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0775.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Sharon Knowles, (850)488-7220, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Health and Human Services Board of the **Department of Children and Family Services**, District 15, announces its Chair's office hours (to meet with staff, public, etc.):

DATES AND TIME: January 14, 21 and 28, 1999, 8:30 a.m.  
 PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 327, Fort Pierce, Florida

The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 1999, 9:30 a.m. (EDT)  
 PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida 34950

A copy of the agenda may be obtained by contacting: Pearlie Clark, HRAC Liaison, (561)467-4176.

The **Department of Children and Family Services**, District 14, Health and Human Services Board announces the following meeting to which all persons are invited.

Family Care Council meeting.  
 DATE AND TIME: Monday, January 25, 1999, 6:30 p.m.  
 PLACE: Children and Family Services Office, Conference Room 101, 270 Bartow Municipal Airport, Bartow, FL

PURPOSE: Address issues relating to services for the developmentally disabled.

For copies of the agenda, further information, or persons needing accommodation to participate in these meetings please contact, Patty Harrison, (941)619-4100, Extension 157, 1(800)342-0825 or TDD (941)648-3337.

The Florida **Department of Children and Family Services** announces the G. Pierce Wood Memorial Hospital Governing Body will meet on the following dates:

DATE AND TIME: January 27, 1999, 3:00 p.m.

PLACE: G. Pierce Wood Memorial Hospital, Dogwood Conference Room, 5847 S. E. Highway 31, Arcadia, FL

DATE AND TIME: April 28, 1999, 3:00 p.m.

PLACE: G. Pierce Wood Memorial Hospital, Dogwood Conference Room, 5847 S. E. Highway 31, Arcadia, FL

DATE AND TIME: July 28, 1999, 3:00 p.m.

PLACE: G. Pierce Wood Memorial Hospital, Dogwood Conference Room, 5847 S. E. Highway 31, Arcadia, FL

DATE AND TIME: October 27, 1999, 3:00 p.m.

PLACE: G. Pierce Wood Memorial Hospital, Dogwood Conference Room, 5847 S. E. Highway 31, Arcadia, FL

PURPOSE: Regular quarterly meeting.

A copy of the agenda may be obtained by contacting: G. Pierce Wood Memorial Hospital's Administration Office, 5847 S. E. Highway 31, Arcadia, Florida 34266.

The Florida **Department of Children and Family Services** announces a meeting of the District 8, Human Rights Advocacy Committee chairs and vice chairs will be held as follows:

DATE AND TIME: Friday, January 29, 1999, 10:00 a.m.

PLACE: Room 140, Regional Service Center, Fort Myers, Florida

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting the Department of Children and Family Services, Executive Support Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings should contact the Consumer Relations Unit, (941)338-1431 or 1(800)342-0825 Florida Relay Service 1(800)955-8770 (Voice) 1(800)955-8771 (TDD)

The **Department of Children and Family Services**, District 5, Health and Human Services Board announces the following public meetings to which all persons are invited:

Health and Human Services Board

DATE AND TIME: February 3, 1999, 9:00 a.m.

PLACE: East Pasco Service Center, 36739 St. Route 52, Dade City, FL

PURPOSE: Regular meeting for general business. The Health and Human Services Board standing committees will meet as follows:

Planning, Budget and Evaluation Committee

DATE AND TIME: February 3, 1999, immediately following board meeting

PLACE: East Pasco Service Center, 36739 St. Route 52, Dade City, FL

PURPOSE: Regular meeting for general business.

Legislative Committee

DATE AND TIME: February 19, 1999, 9:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Rd., Largo

PURPOSE: Regular meeting to discuss general business.

Comprehensive Services for Adults and Children Committee

DATE AND TIME: February 8, 1999, 3:00 p.m.

PLACE: Emmanuel Community Baptist Church, 1150 Co. Rd. 1, Palm Harbor, FL

PURPOSE: Regular meeting to discuss general business.

Family Support Committee

DATE AND TIME: February 17, 1999, 9:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Rd., Largo, FL

PURPOSE: Regular meeting to discuss general business.

Family Care Council

DATE AND TIME: February 24, 1999, 7:00 p.m.

PLACE: Country Side Library, 2741 Route 580, Clearwater, FL

PURPOSE: Regular meeting to discuss general business

Mental Health Forum

DATE AND TIME: February 18, 1999, 7:00 p.m.

PLACE: Charter Hospital Gymnasium, 12891 Seminole Blvd., Largo, FL

PURPOSE: To discuss mental health issues of concern in our community.

Agendas can be obtained seven days in advance of each meeting at: Suite 414, Mary Grizzle State Office Building, 11351 Ulmerton Road, Largo, Florida.

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting, (813)588-7071 or TDD (813)588-6662 to arrange assistance.

**NAVIGATION DISTRICTS**

The **West Coast Inland Navigation District** announces the following Board of Commissioners Meeting to which all Interested Parties are Invited:

DATE AND TIME: Friday, January 22, 1999, 10:30 a.m.

PLACE: Sarasota County, South County Administration Center, 4000 South Tamiami Trail, Room 228, Venice, Florida

PURPOSE: To conduct the regular business of the Navigation District

A copy of the Agenda for this meeting may be obtained by writing: WCIND, Post Office Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

**FLORIDA ALLICANCE FOR ASSISTIVE SERVICES AND TECHNOLOGY**

The **Florida Alliance for Assistive Services and Technology**, Board of Directors announces a public meeting to which all persons are invited to attend:

**DATES AND TIMES:** Thursday, January 21, 1999, 8:30 a.m. – 5:00 p.m.; Friday, January 22, 1999, 8:30 a.m. – 3:30 p.m.

**PLACE:** The Marriott Bay Point Resort Village, 4200 Marriott Drive, Panama City Beach, FL 32408, phone (850)234-3307

**PURPOSE:** The Board of Directors meets quarterly to conduct such business as specifically itemized on the agenda. Time will be set aside to solicit input from the public concerning assistive technology needs and services. Additionally, the Board of Directors will hold a series of committee meetings to carry out its mandates.

A copy of the agenda will be posted at the FFAST, Inc. Office and may be obtained by writing: FFAST, Inc., 1020 E. Lafayette Street, Suite 110, Tallahassee, FL 32301-4546 or calling (850)487-3278.

If you would like to present information to the Board of Directors or if you require reasonable accommodations due to a disability, please contact FFAST, Inc., in writing at the above address.

If a person decides to appeal any decision made by the Board of Directors with respect to any matter considered at such meetings, the person will need a record of the proceedings, and for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

**SUNSHINE STATE ONE CALL OF FLORIDA**

The **Sunshine State One Call of Florida, Inc.** announces meetings to which all interested persons are invited:

Board of Directors Meeting:

**DATE AND TIME:** January 21, 1999, 9:00 a.m.

**PLACE:** Sunshine State One Call of Florida, 11 Plantation Road, DeBary, Florida 32713, Telephone (407)575-2002

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** Matters that affect the operation of the Call Center.

Questions about the contents of this meeting may be directed to: Liz Rousseau, (407)575-2002.

Safety & Compliance Committee Meeting:

**DATE AND TIME:** January 21, 1999, 2:00 p.m.

Operations Committee Meeting:

**DATE AND TIME:** January 22, 1999, 9:00 a.m.

Any person requiring some accommodation at this meeting because of a physical impairment should call the one-call notification center, (407)575-2002, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the one call notification center through the Florida Relay Center, 1(800)955-8771.

**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, January 26, 1999, 4:30 p.m.

**PLACE:** Moffitt Cancer Center Board Room, 12902 Magnolia Drive, Tampa, FL

**PURPOSE:** To conduct the general business of the Facilities Committee.

A copy of the agenda may be obtained by writing: Ms. Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Lori Payne by Friday, January 22, 1999.

**VISIT FLORIDA**

The Florida Tourism Industry Marketing Corporation, d/b/a **VISIT FLORIDA** announces public meetings of the Finance Committee, Multi-Cultural Subcommittee, Eco/Heritage Tourism Subcommittee and Visitor Services Subcommittee, Marketing Committee, Partner Investment Committee, Partner Development Committee, FTA Ad Hoc Committee, Board of Directors and Florida Commission on Tourism.

Unless otherwise noted, All meetings will be held at the University Center Club, FSU Stadium, Gate F, Tallahassee, FL, Telephone (850)644-8532.

**MEETING:** Partner Investment Committee

**DATE AND TIME:** Tuesday, January 26, 1999, 7:00 p.m. – 9:00 p.m.

**PLACE:** Radisson Hotel – Tallahassee, 415 North Monroe Street, Tallahassee, FL, (850)224-6000

**SUBJECT:** The committee will review the Partner Investment schedule during the dinner meeting.

**MEETING:** Finance Committee

**DATE AND TIME:** Wednesday, January 27, 1999, 8:00 a.m. – 9:45 a.m.

**SUBJECT:** The committee will review YTD budgets and financial statements.

**MEETING:** Eco/Heritage Tourism Subcommittee

**DATE AND TIME:** Wednesday, January 27, 1999, 8:00 a.m. – 9:45 a.m.

SUBJECT: The subcommittee will review regional inventory data.

MEETING: Multi-Cultural Subcommittee

DATE AND TIME: Wednesday, January 27, 1999, 10:00 a.m. – 11:45 a.m.

SUBJECT: The Subcommittee will hear presentations on the 1999-2000 marketing, PR and promotions and sales programs.

MEETING: Visitor Services Subcommittee

DATE AND TIME: Wednesday, January 27, 1999, 10:00 a.m. – 11:45 a.m.

SUBJECT: The Subcommittee will review welcome center activity reports, DOT reconstruction plans and other related business.

MEETING: Marketing Committee

DATE AND TIME: Wednesday, January 27, 1999, 12:15 p.m. – 1:30 p.m.

SUBJECT: The Committee will discuss 1999-2000 programs and review current programs.

MEETING: Partner Development Committee

DATE AND TIME: Wednesday, January 27, 1999, 12:15 p.m. – 1:30 p.m.

SUBJECT: The discussion will focus on strategies for recruiting new Partners and developing additional Partner benefits.

MEETING: FTA Ad Hoc Committee

DATE AND TIME: Thursday, January 28, 1999, 7:00 a.m.

PLACE: Radisson Hotel Tallahassee, 415 N. Monroe St., Tallahassee, FL, (850)224-6000

SUBJECT: Discussion will focus on the Florida Tourism Association

MEETING: Board of Directors

DATE AND TIME: Thursday, January 28, 1999, 9:00 a.m. – 12:00 noon, or until adjourned

SUBJECT: The Board of Directors will discuss committee reports, on-going and developing issues and other matters.

MEETING: Florida Commission on Tourism

DATE AND TIME: Thursday, January 28, 1999, 1:00 p.m. or upon adjournment by the Board of Directors meeting.

SUBJECT: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

For further information contact: Sandy Stevens, CMP, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 364.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**ENTERPRISE FLORIDA**

**Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

Board of Directors Meeting

DATE AND TIME: Thursday, January 28, 1999, 8:30 a.m. – 11:30 a.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, Florida 32301, (850)224-5000

PURPOSE: Board of Directors Meetings of the Capital Development Board, International Trade and Economic Development Board, and Technology Development Board.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

Board of Directors Meeting

DATE AND TIME: Thursday, January 28, 1999, 8:30 a.m. – 12:30 p.m.

PLACE: Clarion Hotel, 316 W. Tennessee Street, Tallahassee, Florida 32301, (850)222-9555

PURPOSE: Workforce Development Board of Directors Meeting

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

Board of Directors Meeting

DATE AND TIME: Thursday, January 28, 1999, 2:00 p.m. – 5:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, Florida 32301, (850)224-5000

PURPOSE: Enterprise Florida, Inc. Board of Directors Meeting

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**FLORIDA INDEPENDENT LIVING COUNCIL**

The **Florida Independent Living Council** announces the following meetings:

MEETING: Florida Independent Living Council  
DATE AND TIME: Outreach Committee Meeting, February 3, 1999, 7:00 p.m. EST

PLACE: Holiday Inn, Cocoa Beach Oceanfront Resort, Cocoa Beach, Florida

DATE AND TIME: Full Council Meeting: February 4, 1999, 9:00 a.m. (EST)

PLACE: Holiday Inn, Cocoa Beach Oceanfront Resort, Cocoa Beach, Florida

PURPOSE: To conduct the regular business of the council.  
A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696, telephone (850)487-3431.

Any person who needs an accommodation to participate in this meeting because of a disability should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

**FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION**

The **Florida Medical Malpractice Joint Underwriting Association** announces a Claims Committee meeting to which all persons are invited.

DATE AND TIME: February 2, 1999, 4:00 p.m.  
PLACE: Omni Colonnade Hotel, Coral Gables, FL

PURPOSE: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the Agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308

The **Florida Medical Malpractice Joint Underwriting Association** announces a Board of Governors meeting to which all persons are invited.

DATE AND TIME: February 3, 1999, 9:00 a.m.  
PLACE: Omni Colonnade Hotel/Coral Gables, FL

PURPOSE: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces it's Annual Meeting of the membership to which all persons are invited.

DATE AND TIME: February 3, 1999 immediately following the Board of Governors meeting, which begins at 9:00 a.m.

PLACE: Omni Colonnade Hotel, Coral Gables, FL  
PURPOSE: The Board will receive and consider yearly reports from the Association's Chairman, Servicing Carrier, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: January 27, 1999, 8:00 a.m.  
PLACE: Lowndes, Drosdick, Doster, Kantor and Reed, 215 North Eola, Orlando, Florida

PURPOSE: General Business Meeting

**FLORIDA COMMISSION ON EDUCATION REFORM AND ACCOUNTABILITY**

The **Florida Commission on Education Reform and Accountability** announces an Oversight Committee meeting to which all interested persons are invited.

DATE AND TIME: Thursday, January 21, 1999, 1:00 p.m. – 3:00 p.m.

PLACE: Jefferson County High School, 555 Tiger Lane, Monticello, Florida

PURPOSE: To conduct general business of the Commission.

The meeting may extend beyond the scheduled time. For more information contact: Kim Reed, (850)922-7173, (SC) 292-7173.

The **Florida Commission on Education Reform and Accountability** announces a Legislative Impact Committee meeting to which all interested persons are invited.

DATE AND TIME: Thursday, January 21, 1999, 3:30 p.m. – 5:00 p.m.

PLACE: Jefferson County High School, 555 Tiger Lane, Monticello, Florida

PURPOSE: To conduct general business of the Commission.

The meeting may extend beyond the scheduled time. For more information contact: Kim Reed, (850)922-7173, (SC) 292-7173.

The **Florida Commission on Education Reform and Accountability** announces a public hearing to which all interested persons are invited.

DATE AND TIMES: Thursday, January 21, 1999, Registration – 5:30 p.m.; Testimony – 6:00 p.m. – 8:00 p.m. (Concluding with the last speaker if prior to 8:00 p.m.)

PLACE: Jefferson County High School, 555 Tiger Lane, Monticello, Florida

PURPOSE: The Commission welcomes testimony related to Florida's school improvement and accountability efforts, and requests input on two specific issues. 1. School Advisory Council needs, issues, and problems. 2. Proposed revisions to state education Goal 8: Parental Involvement. The proposed revisions may be viewed on our web site <http://www.firn.edu/doe/ac-home.htm> or you may request a copy by contacting the Commission office.

The meeting may extend beyond the scheduled time. For more information contact: Kim Reed, (850)922-7173, (SC) 292-7173.

The **Florida Commission on Education Reform and Accountability** announces a meeting to which all interested persons are invited.

DATE AND TIME: Friday, January 22, 1999, 8:30 a.m. – 3:00 p.m.

PLACE: Jefferson County High School, 555 Tiger Lane, Monticello, Florida

PURPOSE: To conduct general business of the Commission.

The meeting may extend beyond the scheduled time. For more information contact: Kim Reed, (850)922-7173, (SC) 292-7173.

**HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY**

The **Hillsborough Area Regional Transit Authority** (HART) announces the following public meetings of the Governing Board of the Authority to which all persons are invited.

Public Hearing

DATE AND TIME: February 1, 1999, 8:30 a.m.

PLACE: County Center, 601 E. Kennedy Boulevard, 18th Floor, Planning Commission Board Room

PURPOSE: Public Hearing

Regular Board Meeting

DATE AND TIME: February 1, 1999, Immediately following Public Hearing

PLACE: County Center, 601 E. Kennedy Boulevard, 18th Floor, Planning Commission Board Room, Tampa, FL

PURPOSE: Regularly Scheduled Board Meeting

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Call to order; 2) Approval of Minutes; 3) Finance Committee Report; 4) Consumer Advisory Committee Report; 5) Public Comment on Action Items; 6) Consent Action Items; 7) Other Action Items; 8) Executive Director's Report; 9) Chairman's Report; 10) Reports from HART Representatives; 11) General Counsel Report; 12) Presentations, if any; 13) General Public Comment; 14) Other Business.

A copy of the detailed agenda may be obtained by contacting: Lisa Gantous, Executive Assistant, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 1600, Tampa, Florida 33602, (813)223-6831.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Elba Lopez, (813)223-6831, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TDD).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN that the Department of Banking and Finance, Division of Finance has issued a response to the Petition for Declaratory Statement filed by John A. Rainey. The Petition was assigned File No. 6091-F-11/98, and was noticed in the December 24, 1998, edition of the Florida Administrative Weekly.

The Department declines to issue the requested declaratory statement because the Petition failed to comply with the Section 120.565, Florida Statutes, and the rules promulgated thereunder.

A copy of the Final Order entered in this matter may be obtained by writing: Agency Clerk, Department of Banking and Finance, Suite 526, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition for a Declaratory Statement from St. Johns Service Company. The petition seeks the agency's opinion as to the applicability of Section 367.171(7), Florida Statutes, to the petitioner's service arrangements with Sawgrass Homeowners Association VII, Inc. and Sawgrass Homeowners Association VIII, Inc. DOCKET NO. 982002-WS

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, issued a Declaratory Statement in regard to the petition filed by Harry Starr, Board Member, Golden Lakes Village Condominium Association "A", Inc., Docket Number DS 98150.

The Declaratory Statement provided, in summary, that the residency requirement in the condominium declaration does not conflict with either section 718.112(2)(d)1. or 718.112(2)(d)3., Florida Statutes (1998).

A copy of the Declaratory Statement, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the State of Florida Board of Trustees of the Internal Improvement Trust Fund has issued an order disposing of the petition for Declaratory Statement filed by C. R. & D. Developers on the 28th day of August, 1998. The following is a summary of the agency's disposition of the petition: The petition was denied because the Board of Trustees determined that a parcel of real property located near the Tolomato River in St. Johns County more commonly known as "Hat Island" met the definition for a "coastal island" under Rule 18-21.003(13), Florida Administrative Code, and met the definition for an "undeveloped coastal island" under Rule 18-21.003(53), Florida Administrative Code.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

The Joint Administrative Procedures Committee announces a Committee Meeting to be held:

DATE AND TIME: Tuesday, January 19, 1999, 10:00 a.m. - 12:00 p.m.

PLACE: Room LL-42, Senate Office Building, Committee Room B, Tallahassee, FL

**NEW OBJECTIONS**

64B2-17.0045(3) and (5), F.A.C., Department of Health, Board of Chiropractic

Chiropractic Physician Candidate Training Program

67-21.007(9), F.A.C., Florida Housing Finance Corporation Fees

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF BANKING AND FINANCE**

**INVITATION TO BID**

Bids will be received by the Department of Banking and Finance, S. E. Fla. Regional Office, 111 S. Sapodilla Avenue, Suite 211, West Palm Beach, Florida 33401, until 5:00 pm (Eastern time), on Friday, the 12th day of February, 1999, for the purchase of one (1) lot of 101 surplus property items which includes but is not limited to: Computers, computer monitors and printers, telephone systems with telephones, and typewriters.

Requests for a bid package should be directed to: Mrs. Micky Iseminger, Admin. Assistant, 111 S. Sapodilla Avenue, Suite 211, West Palm Beach, FL 33401, (561)837-5054, Ext. 145, Monday through Friday from 8:00 a.m. – 4:30 p.m. Bid packages will not be available after the bid close date.

Bids must be submitted in full accordance with the requirements of the bid specs.

The Department reserves the right to reject any or all bids.

**DEPARTMENT OF EDUCATION**

**NOTICE TO PROFESSIONAL CONSULTANTS:**

The University of Florida for and on behalf of the Board of Regents, a public corporation of the State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: BR-153, Project and Location: Broward Area Dining Facility, University of Florida Campus, Gainesville, Florida. The project consists of the design of an approximate

13,000 square foot free standing building featuring concept and fast food areas as outlined in the Facilities Program for the project. The selected firm will provide design, construction documents and construction administration services for the referenced project. The construction budget for the project is estimated at \$2,800,000. Blanket professional liability insurance will be required for this project in the amount of \$250,000, and will be provided as a part of Basic Services.

**INSTRUCTIONS:**

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated September 15, 1997. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Janie Heidler, Office Assistant, University of Florida, Campus Planning & Construction Management, 232 Stadium, P. O. Box 115050, Gainesville, FL 32611-5050, Telephone (352)392-1256, Fax (352)392-6378, Internet: [www.admin.ufl.edu/division/cp](http://www.admin.ufl.edu/division/cp)

Submittals must be received in the Campus Planning & Construction Management office, ATTN: Jim Womack, Project Manager by 3:00 p.m., local time, on Friday, February 12, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

**CALL FOR BIDS**

made by the Florida State University, on behalf of the State of Florida, Board of Regents.

**PROJECT NAME & NUMBER:** South End Zone Parking, BR-204

**QUALIFICATION:** All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

**DATE AND TIME:** Thursday, February 11, 1999, until 2:00 p.m., local time

**PLACE:** 101 Mendenhall, Maintenance Building A, Florida State University, Tallahassee, Florida 32306 at which time and place they will be publicly opened and read aloud

**PROPOSAL:** Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the ARCHITECT/ENGINEER: Barnett Fronczak Architects, 225 South Adams Street, Tallahassee, Florida 32303, (850)224-6301

**MINORITY PROGRAM:** Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

**PRE-SOLICITATION/PRE-BID MEETING:** Bidders are encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

**DATE AND TIME:** Tuesday, February 4, 1999, 2:00 p.m., local time

**PLACE:** 101 Mendenhall, Maintenance Building A, Florida State University, Tallahassee, Florida 32306

**DEPOSIT:** \$125.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

**REFUND:** The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

a. submit a bona fide bid, or

b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

**PURCHASE:** Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$125.00 per set for the printing and handling cost. Partial sets may be purchased at \$1.50 per sheet of the drawings and \$50.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

**PUBLIC ENTITY CRIMES:** As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**METROPOLITAN PLANNING ORGANIZATIONS**

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Metropolitan Planning Organization (MPO), in conjunction with District VII, desires that Consultants qualified pursuant to law and regulations, submit a Letter of Response for Professional Services required in connection with the following project:

**MAJOR TYPE OF WORK:** Group 13.4 Systems Planning  
State Project No.: 10007-3545

**F.P.N.:** 259273 1

**Description:** County-wide Data Collection and Analysis

**SERVICES:** The Metropolitan Planning Organization is seeking Consultant Services for the identification, collection, and analysis of data required in the development and maintenance of transportation planning data. The Consultant(s) shall be required to perform any one or more of the following types of activities:

A. Data collection on or off the State Highway System and/or compilation of existing data including, but not limited to, manual and/or automated traffic counts, vehicle classification counts, vehicle accident records, transportation surveys/questionnaires, roadway characteristics, transit information, intersection delay, vehicle speed studies, etc.

B. Preparation of data for GIS maps and internet websites.

C. Analysis of transportation data to determine need and priority of transportation improvements including, but not limited to, roadway, transit, and/or bicycle/pedestrian projects. Analysis of transportation data to calculate level of service, accident rates, or hazard indexes, and/or latent demand for bicycle/pedestrian facilities.

D. Updating geographic files and data to match base maps.  
 E. Preparation of reports, graphics, and presentation materials as may be necessary to document or explain transportation related data.  
 F. Miscellaneous activities including, but not limited to, developing scopes of services for transportation related projects, preparing estimated man-hour and cost requirements for projects, and developing milestone schedules for projects.  
 The services to be rendered by the Consultant(s) shall be for a period of 24 months (extendible by mutual agreement to 36 months) or until a total accumulated fee is reached, whichever occurs first.

**DISADVANTAGED BUSINESS ENTERPRISE (D.B.E.) CONSIDERATION:**

**PREFERENCE POINTS WILL BE GIVEN IN THE TECHNICAL PROPOSAL EVALUATION FOR DBE CONSULTANTS AND NON-DBE SUBCONSULTANTS(S) WHO PROPOSE DBE SUBCONSULTANT(S)**

**RESPONSE EVALUATION:** All respondents will be evaluated in accordance with Section 287.055(4), Florida Statutes, and must be determined by the Department to be qualified to do business in Florida and qualified to perform the advertised work requirements.

The above project falls into the selection process so indicated in Section 287.055, Florida Statutes, wherein at least five (5) firms will be requested to submit technical proposals and the MPO may select two (2) or more consultants. The contract fee will be negotiated in accordance with Section 287.055, Florida Statutes.

**SPECIAL NOTICE:** "Oral technical proposals will be considered during the selection process in addition to written Technical Proposals."

**SUBCONSULTANT OPPORTUNITY:** Consultants who are not pre-qualified by the Florida Department of Transportation for lack of independent CPA Certified overhead audit may be utilized to provide services for these projects, providing that compensation to the subconsultant will not exceed \$100,000. Any such consultant utilized must also be technically qualified by the MPO before work may commence.

**NOTIFICATION OF CRIME CONVICTION:** Each applicant shall notify the MPO within 30 days after a conviction of a contract crime applicable to it or any officers, directors, executives, shareholders active in management, employees or agents of its affiliates. Under Section 337.164, Florida Statutes, the privilege of conducting business with the MPO shall be denied to applicants so convicted until such applicant is properly reinstated pursuant to Section 337.165, Florida Statutes, and Rule Chapter 14-75, Florida Administrative Code.

**EQUAL OPPORTUNITY STATEMENT:** The MPO in accordance with the provisions of Title VI of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities in any contract for consultant services. Minority business enterprises will be afforded full opportunity to submit proposals in response to advertisements and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.

**TO RESPOND:** Consultants who are interested in these projects are required to submit a Letter of Response to the Requesting Unit indicating their desire to be considered for this project. The Letter must be brief (no more than two pages) and shall as a minimum, include the following information:

1. Name and Address of Firms
2. F.P.N. Identification
3. Responsible Office for the Advertised Project
4. Contact Person for the Project and Telephone Number
5. Key Personnel and their Titles and/or Classifications (do not include resumes)
6. Name(s) of subconsultant(s) that may be used and the a type of services to be performed
7. Name(s) of DBE-Certified subconsultant(s) that may be used for the project, (if applicable)
8. Relevant past experience

**THE CONSULTANT MUST BE ABLE TO MEET THE FOLLOWING CONDITION WHICH WILL BE PART OF THE CONTRACT BETWEEN THE MPO AND THE CONSULTANT:**

No member, officer or employee of the (Planning) Commission or of the Locality during his tenure or for one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof.

Any firm which has a member, officer or employee that this provision speaks to must demonstrate in its Letter of Response that this provision can be met by segregating the affected person from the project and from receiving any proceeds from the contract. For the purpose of the contract, an employee of the consultant includes any subconsultant, independent agent contracting with the consultant, or anyone having a service contract with the consultant.

**FEDERAL DEBARMENT:** By signing and submitting a Letter of Response/Proposal, the consultant certifies that no principal (which includes officers, directors or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation on this transaction by any Federal Department or Agency.

**SHORTLIST SELECTION PROCESS:** From the Letters of Response received, the MPO shall shortlist a minimum of five (5) firms.

Shortlist selection consideration will be given only to those Consultant firms who are qualified pursuant to law and who have been pre-qualified by the Department to perform the indicated Type(s) of Work. Responding Consultants may use a pre-qualified subconsultant to meet the requirements of the Type(s) of work advertised herein. Any firm who has not been qualified by the Department and would like to be considered for this project must obtain and submit a Request for Qualification Package to the Contractual Services Office in Tallahassee. (850)487-3487. Said Qualification Package must be received prior to the Letter of Response deadline.

REQUESTING UNIT: Hillsborough County Metropolitan Planning Organization

LETTER OF RESPONSE ADDRESS: One (1) Copy To: Lucilla L. Ayer, AICP, Executive Director, Hillsborough County Metropolitan Planning Organization, 601 E. Kennedy Blvd., 18th Floor, Tampa, Florida 33602-5117, Telephone: (813)272-5940

One (1) Copy To: Florida Department of Transportation, District Seven – Tampa, FL, Attention: Edward McKinney, Consultant Contracts Administrator, 11201 N. Malcolm McKinley Drive, Mail Station 7-700, Tampa, Florida 33612, Telephone (813)975-6469

LETTERS OF RESPONSE DEADLINE: January 29, 1999

**WATER MANAGEMENT DISTRICTS**

**REQUEST FOR QUALIFICATIONS NO. 98/99-08RM  
DIXIE AND LAFAYETTE COUNTIES STORMWATER  
MANAGEMENT STUDY**

The Suwannee River Water Management District is requesting qualifications to perform a stormwater management study for Dixie and Lafayette Counties. The study should determine the location and extent of flooding problems and develop a hydrologic/hydraulic model to evaluate alternative solutions.

All RFQ responses must be mailed or delivered prior to 4:00 p.m. on February 8, 1999. Any individual or firm desiring to obtain a copy of this Request for Qualifications may do so by contacting: Sandra Keiser, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (904)362-1001 or 1(800)226-1066, Florida only.

Technical questions should be directed to Brian K. Files at the same address and phone number listed above.

Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact Sandra Keiser, Administrative Assistant, (904)362-1001 or 1(800)226-1066 (Florida only).

**DEPARTMENT OF MANAGEMENT SERVICES**

**READVERTISE**

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES**

**FOR**

**ARCHITECTURE – ENGINEERING**

Facilities Development announces that professional services are required for the project listed below. Applications are to be sent to: Thomas C. Young, Department of Management Services, Facilities Development, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida 32086.

PROJECT NUMBER: FSDB-98054050

PROJECT NAME: Health Care Center

PROJECT LOCATION: The Florida School for the Deaf and the Blind, St. Augustine, Florida

SERVICES TO BE PROVIDED: Complete architectural and engineering services to include programming, design and construction documents, bidding and construction administration for a new health related service building located on existing campus. A remaining portion of the existing health care building #13 will be demolished and one wing will remain. The new construction will incorporate this remaining wing. Renovations to building #51 shall be included in the project to temporarily house health care functions during construction. Programming fees are funded at this time only and additional funding is requested to provide a construction budget up to \$4,000,000.00

CLIENT AGENCY: The Florida School for the Deaf and the Blind

CLIENT AGENCY REPRESENTATIVE: David Key

DMS PROJECT MANAGER: Ken Perlowski

PHONE NUMBER: (904)823-4570

RESPONSE DUE DATE: February 9, 1999, 4:30 p.m. local time.

The results of this selection will be posted at Department of Management Services, Facilities Development, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida during regular business hours on February 19, 1999.

**INSTRUCTIONS**

Submit three (3) copies of the following:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. Firm's current Florida Professional Registration License Renewal.

4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.

5. Completed SF-254.

6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 60D-2, Florida Administrative Code.

Applicants are advised that plans and specifications for A/E projects may be reused. An appropriate contractual agreement will be made with the selected firm should this be necessary. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm. The selected firm will be notified and announcement of selected firms will be published in the Florida Administrative Weekly.

PUBLIC ANNOUNCEMENT OF A/E SELECTION RESULTS

The State of Florida, Department of Management Services, Facilities Development, announces that on the date listed below, authority was issued to negotiate and enter into a contract for Professional Services in accordance with the Consultants Competitive Negotiation Act for the following:

DATE: December 4, 1998

NAME OF CLIENT AGENCY: Department of Agriculture

PROJECT NUMBER: AG 98005000

PROJECT NAME: Additions/Replacements/Land Purchases & Renovations, Palatka State Farmers Market, Palatka, Florida  
SAMAS CODE: 42 30 1 000709 42060000 00 083969 99

- 1. T. C. Skinner and Associates, Inc., Gainesville, FL
2. Akel, Logan and Shafer, P.A., Jacksonville, FL
3. Fleet and Associates Architects/Planners, Inc., Jacksonville, FL

FACILITIES DEVELOPMENT PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: COT-98058000

PROJECT NAME: Tamarac Senior and Community Center

PROJECT LOCATION: Tamarac, Florida

The Department of Management Services, Facilities Development, requests qualifications from construction management firms to provide construction management services for this project. The construction budget for this project is up to \$3,000,000.00. Construction start date is: March, 1999.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Chapter 60D-5, Florida Administrative Code, and procedures and criteria of Facilities Development.

Firms interested in being considered for this project must submit an application with the following information:

- 1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A Request for Qualification Procedures, an Experience Questionnaire and Contractor's Financial Statement as referenced in Chapter 60D-5, Florida Administrative Code.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for local business involvement in the project.
6. References from prior clients received within the last five years.

Submit five copies of your application to: Department of Management Services, Facilities Development Project Manager, Larry Roemer, 4508 Oak Fair Blvd., Suite 200, Tampa, Florida 33610.

Response Due Date: February 9, 1999, by 2:00 p.m.

The results of this selection will be posted at: 4508 Oak Fair Blvd., Suite 200, Tampa, Florida 33610 during regular business hours starting February 23, 1999. Any protest on the selection must be made within 72 hours of posting this notice. If no protest is received within 72 hours, contract award and negotiation will proceed with the selection firm. The selection results will be published in the Florida Administrative Weekly.

READVERTISE FACILITIES DEVELOPMENT PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER AND NAME: Multi-projects: FSDB-98054000, Building #11, James Hall. Life Safety, Code Compliance and Elevator Addition; FSDB-98054010, Building #31, MacWilliams Hall, Phase II Renovations; FSDB-98054040, Building #25, Gore Hall, Mechanical Upgrade.

PROJECT LOCATION: The Florida School for the Deaf and the Blind, St. Augustine, Florida.

The Department of Management Services, Facilities Development, requests qualifications from construction management firms to provide construction management services for this project. The construction budget for these projects is up to \$2,200,000.00. Construction start date is: April 1999.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Chapter 60D-5, Florida Administrative Code, and procedures and criteria of Facilities Development.

Firms interested in being considered for this project must submit an application with the following information:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A Request for Qualification Procedures, an Experience Questionnaire and Contractor's Financial Statement as referenced in Chapter 60D-5, Florida Administrative Code.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Submit three copies of your application to the Department of Management Services, Facilities Development Project Manager, Ken Perlowski, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida 32086.

Response Due Date: February 9, 1999, 4:30 p.m., local time.

The results of this selection will be posted at: Department of Management Services, Facilities Development, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida 32086 during regular business hours starting February 22, 1999. Any protest on the selection must be made within 72 hours of posting this notice. If no protest is received within 72 hours, contract award and negotiation will proceed with the selection firm. The selection results will be published in the Florida Administrative Weekly.

PUBLIC ANNOUNCEMENT OF A/E SELECTION RESULTS

The State of Florida, Department of Management Services, Facilities Development, announces that on the date listed below, authority was issued to negotiate and enter into a contract for Professional Services in accordance with the Consultants Competitive Negotiation Act for the following:

DATE: December 4, 1998

NAME OF CLIENT AGENCY: Department of Management Services, Facilities Management

PROJECT NUMBER: MSFM 98034050

PROJECT NAME: HVAC & Electrical Upgrades, Chappie James Building, Pensacola, Florida

SAMAS Code: 72-60-2-696001-72400000-00-083400-99

1. Schmidt, Dell, Cook & Associates, Pensacola, FL
2. Peterson Engineering, Pensacola, FL
3. Baskerville-Donovan, Inc., Pensacola, FL

ANNUAL NOTICE OF INTENT

This notice is being published in accordance with the guidelines set forth in the World Trade Organization (WTO) government Procurement Agreement. The State of Florida, Division of Purchasing, hereby notifies all potential bidders of the possibility that the Division will establish contracts for the commodities/services shown below during the calendar year 1999.

CONTRACT TITLE	MONTH BIDS, NEGOTIATION, PROPOSAL DUE
1. AIRCRAFT TRANSPORTATION SCHEDULED	JULY
2. ENVELOPES, KRAFT & WHITE	AUGUST
3. FILTERS: AUTO & MARINE	JULY
4. PAPER: OFFICE, VIRGIN AND RECYCLED	MAY
5. PHARMACEUTICALS, STATEWIDE	JUNE
6. COMPUTERS: CLIENT SERVER SYSTEMS	APRIL
7. COMPUTERS: MIDRANGE & MAINFRAME	MARCH
8. AUTOMOBILES & LIGHT TRUCKS	SEPTEMBER
9. BOAT MOTORS & ACCESSORIES	JUNE
10. CONSTRUCTION/INDUSTRIAL EQUIP. & FORKLIFTS	APRIL
11. TIRES & TUBES	FEBRUARY
12. TRACTORS, MOVERS & CUTTERS	MARCH
13. TRUCKS: MEDIUM & HEAVY	MAY
14. PAPER RECOVERY & RECYCLING	AUGUST
15. PROPHYLACTICS (CONDOMS)	AUGUST
16. STOCK COMPUTER FORMS, CARBON INTERLEAVED & CARBONLESS	JULY
17. AMMUNITION, TARGES, HANDCUFFS & PEPPER GAS	MAY

18. BATTERIES, DY CELL & RECHARGEABLE	SEPTEMBER
19. FLOOR MAINTENANCE MACHINES, COMMERCIAL	JUNE
20. GLASS SPHERES	MARCH
21. TRAFFIC CONTROLLERS & DETECTORS	JULY
22. INSURANCE: LAW ENFORCEMENT ACCIDENT POLICY	SEPTEMBER
23. INSURANCE: OCEAN MARINE, STATEWIDE	MAY
24. COMPUTER SOFTWARE: ATTACHMATE SOFTWARE	NEGOTIATE
25. COMPUTER SOFTWARE: BANYAN LICENSES & MAINT	NEGOTIATE
26. COMPUTER SOFTWARE: COREL	AUGUST
27. COMPUTER SOFTWARE: IBM & LOTUS	AUGUST
28. COMPUTER SOFTWARE: MICROSOFT	FEBRUARY
29. COMPUTER SOFTWARE: NETSCAPE LICENSE AGREEMENT	NEGOTIATE
30. COMPUTER SOFTWARE: NOVELL LICENSES & MAINT.	NEGOTIATE
31. COMPUTER SOFTWARE: ORACLE	NEGOTIATE
32. COPIERS, WALK-UP CONVENIENCE, PLAIN BOND PAPER	JULY
33. OFFICE CONSUABLES	MARCH
34. POSTAGE METER MIDERNIZATION	SEPTEMBER
35. AUDIO VISUAL EQUIPMENT/ EDUCATIONAL	DECEMBER
36. LASER PRINTER CARTRIDGES, NEW & REMANUFACTURED	AUGUST
37. LEGAL RESARCH SERVICES, COMPUTER ASSISTED	JUNE
38. RADIOS, 2-WAY, LAND MOBILE, PUBLIC SAFETY	JULY
39. RADIO, 2-WAY, PORTABLE/ PERSONAL, PUBLIC SAFETY	SEPTEMBER
40. VIDEO EQUIPMENT: PROFESSIONAL & CONSUMER	APRIL
41. APPLIANCES, HOUSEHOLD & SMALL COMMERCIAL	FEBRUARY
42. CARPET, INSTALLED	JULY
43. TELECOMMUNICATIONS CALLING CARDS	MARCH
44. TELEPHONE EQUIPMENT: CELLULAR MOBILE EQUIP. & SERVICE	OCTOBER
45. AIR CONDITIONERS WINDOW/WALL MOUNT	
46. CEREALS	APRIL
47. COOKIES & CRACKERS	SEPTEMBER
48. DIETARY SUPPLEMENTS & VEG. PROTEIN DINNERS	JUNE
49. FOODS: SPECIALTY	MARCH
50. PAPER SHREDDERS	JANUARY
51. WIPES, DISPOSABLE	AUGUST

The date shown is the approximate month in which the state anticipates receiving bids. Please note that the months shown are for informational purposes only and the state reserves the right to: change the month; solicit at additional times; or decline to solicit without need for prior notice.

Bidders interested in being placed on the Division of Purchasing's bidder list should submit a letter indicating their interest to: Department of Management Services, Division of Purchasing, Vendor Section, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The letter need only indicate a desire to receive a copy of the Vendor Application Form to be placed on the bidders list. All vendors that have completed the application process should receive a notification of intent to bid for competitive bid contracts for commodities/services issued by the Division of Purchasing.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF INVITATION TO BID  
BID NO. DEP 24-98/99**

The Department of Environmental Protection, Division of Marine Resources, Florida Marine Research Institute, is soliciting formal competitive bids for the project listed below: PROJECT NAME/ Furnish all labor, equipment and materials to

SCOPE OF WORK: construct a Parking Lot at the Florida Marine Research Institute.

PROJECT LOCATION: Florida Marine Research Institute, 100 Eighth Avenue, S. E., St. Petersburg (Pinellas County), Florida

PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the bid opening date if not previously qualified by the Florida Department of Environmental Protection for the current biennium (July 1 through June 30) of odd numbered years. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.

CERTIFIED SMALL AND In accordance with Chapter 287, Florida Statutes, this MINORITY BUSINESS bid is reserved by the Florida Department of PARTICIPATION: Environmental Protection for contractors that agree to utilize a minimum Ten percent (10%) of its suppliers or subcontractors certified by the Commission of Minority Economic and Business Development.

INSTRUCTIONS: Any firm desiring specifications for this project may obtain a copy by writing the address or calling the telephone number listed below: Florida Department of Environmental Protection, Florida Marine Research Institute, 100 8th Avenue, S. E., St. Petersburg, Florida 33701, Attention: Melody Oakleaf or Sonny Wilson, Telephone Number (727)896-8626

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of a disability, please contact the Department's Purchasing Section, (850)488-6711, at least five (5) workdays prior to bid opening.

BID SUBMITTAL DUE DATE: 2:30 p.m., Friday, January 29, 1999 to the below address: Florida Department of Environmental Protection, Purchasing Section, 3900 Commonwealth Blvd. – Mail Station 86, Tallahassee, Florida 32399, Telephone Number (850)488-6711 or hand delivered to the below address: Florida Department of Environmental Protection, Purchasing Section, Room 235, Carr Building, 3800 Commonwealth Boulevard, Tallahassee, Florida 32399. Minority Contractors are encouraged to participate in the bidding process. The Department reserves the right to reject any or all bids.

### **H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

#### **CALL FOR PROPOSALS – CONSTRUCTION MANAGEMENT**

The H. Lee Moffitt Cancer Center (HLMCC) Board of Directors announces that professional Services in the discipline of Construction Management at Risk will be required for the project listed below:

**Project and Location:**

Construction of the new Cancer – Research Facility for the H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida, Tampa, Florida.

**Project Description and Background:**

The H. Lee Moffitt Cancer Center and Research Institute, a not-for-profit institution, is a research-oriented specialty cancer center with full service outpatient and inpatient facilities. The building will substantially augment our existing facilities by focusing on research laboratories, outpatient clinics, administration, conference facilities, and related support functions. HLMCC has chosen to use construction management at risk to deliver the new facility. Initial studies and conceptual planning show a need for 329,000 square feet and a detached 1000-vehicle parking garage. The structure is anticipated at four stories with the ground and fourth floors built out; the remaining 2nd and 3rd floors shall remain as shell for future expansion.

**Location:**

The facility will be located on the HLMCC sublease which is located on the northwestern section of the University of South Florida Tampa Campus.

**Architect:**

The anticipated team of Hunton Brady Pryor Maso of Orlando Florida in association with NBBJ of San Francisco CA./Columbus OH.

**Estimated Cost of Project:**

The HLMCC Board of Directors has estimated approximately \$85 million project cost which includes, but is not limited to, design and construction management fees, construction cost, Group 1&2 equipment, and furnishings.

**Completion Date:**

The target occupancy is December 31, 2003.

**Scope:**

Firm will be required to provide:

Pre-construction service through procurement of bids

Construction management at risk services through project close-out

(Note: (1) Portions of the scope that deal with the Parking Structure and Physical Plant may be removed. (2) HLMCC reserves the right to terminate at the conclusion of the pre-construction phase).

HLMCC will require the successful firm to provide GMP at either 50% CD or 80% CD, at HLMCC's sole discretion.

**Requirements:**

Firms desiring to apply for consideration shall submit a proposal including a letter of application and the following material listed below. All material shall be submitted in a bound brochure, properly indexed. Brochures shall be limited to 25 numbered pages, numbered sequentially, exclusive of resumes, indexes, tabs, and covers. Letter of application and letter of intent will not be counted in the page count but shall not exceed 2 pages each. Documents shall be on 8 1/2 x 11 pages in portrait orientation. Fifteen copies are to be submitted. Firm must provide proof of current Florida License from the appropriate agency. All applicants must be properly registered at the time of application to practice their profession in the State of Florida. If the applicant is a corporation, it must be authorized by the Florida Department of State to operate in Florida. The applicant shall have a Florida office or an active affiliation with a firm based in the State. A letter of intent indicating that the firms will enter into a joint venture or other acceptable relationship if awarded this project is required. Firm must be actively engaged in Construction Management of health care facilities and research laboratories over the past ten (10) years. The successful applicant will be required to provide a payment bond and a performance bond, each in the full amount of the contract price.

Firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

HLMCC will require that the successful candidate allocate a minimum of 15% of the project construction cost to certified minority business enterprises. (Agencies providing MBE certification information shall be a Florida-based municipality or government entity).

The construction Manager will be required to assist the owner in direct purchase of construction materials and equipment to take advantage of the owner’s tax-exempt status.

Historical Information:

Requirements:

The length of time the firm and/or the principals have operated in the construction industry as construction managers.

The firm’s experience and performance related to research/clinical facilities – one of which shall be greater than \$65 million project cost with medical ambulatory clinic and research lab space.

The firm’s local construction management experience in the state of Florida. Also specify the location of the responsible office where the project work will be done, not only for the prime but also for the subcontractors as well.

The firm’s previous experience on similar projects. Limit the number of featured projects to five (5).

Project name and location

Size in square footage (percentage of lab and percentage of clinical)

Construction cost or projected cost if unbuilt

Brief description graphics if available

Name of all team members who worked on the project and their roles

Owner’s name and contact person

Architectural firm and contact person

References including address and telephone

Projected completion date vs. actual

Projected cost vs. actual (note owner change requests)

Construction management experience for the Board of Regents in the State of Florida.

Capacity:

The firm’s present work load and future commitments in terms of number of projects, percentage complete and construction volume as it relates to firm’s total work capacity

Bond Capacity:

Specify firm’s total bonding capacity and firm’s available bonding capacity

Contribution to the project:

The firm’s concept and philosophy of the construction management process

The firm’s concept and philosophy of coordinating MEP

The firm’s concept and philosophy of the commissioning process

The firm’s knowledge of the current market, including:

Material cost and availability

Local labor conditions and union agreements

Construction equipment costs and availability

Availability of qualified trade contractors

People Resources:

The depth and organizational structure of the firm

Organizational chart identifying all individuals that would be assigned to the project, including consultants.

Staff expertise and experience in:

Project planning

Project scheduling

Progress reporting

Project estimating and value analysis

Project budgeting

Fiscal and financial cash control

Commitment to control

Project documentation

Bidding and award procedures (including procurement)

Contract administration

Expediting

Construction planning and administration

Safety administration

Quality control procedures

The resumes of all senior personnel proposed for the assignment to the project, both on and offsite, describing qualifications and experience – limit one page per person. Only similar project(s) shall be included. Identify the individual’s specific role and responsibilities. Resumes will not be considered in the overall page count.

The firm’s ability to replace senior personnel within the firm

Description of the systems and procedures proposed by the firm for the Client’s project:

Systems and procedures for:

Planning

Cost/value analysis

Scheduling

Project progress reporting

Estimating and budgeting

Cost control and cost commitment reporting

Cash flow control

Documentation

Bidding and award

Purchasing and expediting

Construction administration procedures

Commissioning and project hand over

Proposed scope of Professional Construction Management Services.

Description of method that will be used to determine the firm's fee.

**Litigation:**

Identify any litigation, arbitration, and/or other method of dispute resolution to which the firm has been a party within the past five (5) years.

Applications that do not comply with the above instructions may be disqualified, at the sole discretion of HLMCC. Application material will not be returned. The plans and specifications will become the property of H. Lee Moffitt Cancer Center and Research Institute.

Interested firms are invited to attend an informational meeting at H. Lee Moffitt Cancer Center on Friday, January 29, 1999 from 2-5 p.m. in the Moffitt Research Center Auditorium located on the second floor. Please call to confirm your attendance, (813)972-8437.

Requests by firms for individual meetings will not be granted. It shall be noted that no verbal communication shall take place between applicants and HLMCC staff, except for the confirmation of attendance at the January 29th informational meeting. Written requests for any project information must be to the address below:

H. Lee Moffitt Cancer Center & Research Institute, Facilities Department, Attention: Oslec B. Fernandez, Manger Design Services, 12902 Magnolia Drive, Tampa, Florida 33612-9497

Submittals must be received in the H. Lee Moffitt Facilities Office not later than 2:00 p.m., Friday, February 19, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

Selection of finalists for interviews will be made at the sole discretion of H. Lee Moffitt Cancer Center on the basis of professional qualifications, including experience and ability, past experience, minority participation, volume of work, and distance from the project.

HLMCC may reject all proposals and stop the selection process at any time. The award of this contract is subject to the availability of funding.

**TAMPA INTERNATIONAL AIRPORT**

**NOTICE TO DESIGN-BUILD FIRMS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Design-Build firms to render Design-Build Services for the following project at Tampa International Airport, Tampa, Florida:

**DESIGN AND CONSTRUCTION OF THE RETROFIT OF THE PRE-CONDITIONED AIR SYSTEM AT AIRSIDE "F" AND RELATED WORK**

Services to be furnished shall include, but not be limited to, all engineering design related to plumbing, mechanical, electrical and electronic systems; related surveys, and testing; basic engineering services and resident inspection during

construction, and construction by a qualified contractor. A more detailed Scope of Services will be included in the formal Request for Qualifications.

Qualified Consultants desiring consideration for this Project must give written notification in the form of a Letter of Interest to: William J. Connors, Jr., Senior Director of Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622.

Interested parties may inquire as to project description, details, and required data submissions, to: William J. Connors, Jr., Senior Director of Planning and Development, telephone number (813)870-8704. **ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR QUALIFICATIONS IS REQUIRED AT THIS TIME.** Subsequent to receiving Letters of Interest, a Request for Qualifications will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Qualification Conference will be held Thursday, February 18, 1999, 2:00 p.m., Local Time, at the offices of Hillsborough County Aviation Authority located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport. Details of this conference will be included in the Request for Qualifications.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Wednesday, February 3, 1999.

HILLSBOROUGH COUNTY AVIATION AUTHORITY,  
Louis E. Miller, Executive Director

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Engineering firms or individuals desiring to render Professional Services for the following project at Tampa International Airport, Tampa, Florida:

**RUNWAY GUARD LIGHTS AND RUNWAY HOLD SHORT LIGHTS AND RELATED WORK**

Services to be furnished shall include, but not be limited to, all engineering design and surveys related to civil, electronic, electrical and airfield lighting systems; testing; assistance during the advertising, bid and award phase; and basic engineering services and resident inspection during construction. A more detailed Scope of Services will be included in the formal Request for Proposals.

Qualified Consultants desiring consideration for this Project must give written notification in the form of a Letter of Interest to: William J. Connors, Jr., Senior Director of Planning & Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622.

Interested parties may inquire as to project description, details, and required data submission, to: William J. Connors, Jr., Senior Director of Planning and Development, telephone number (813)870-8704. **ONLY A LETTER EXPRESSING**

INTEREST IN RECEIVING THE FORMAL REQUEST FOR PROPOSALS IS REQUIRED AT THIS TIME. Subsequent to receiving Letters of Interest, a Request for Proposals will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Proposal Conference will be held Thursday, February 18, 1999, 10:00 a.m., Local Time, at the offices of Hillsborough County located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport. Details of this conference will be included in the Request for Proposals.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Wednesday, February 3, 1999.

HILLSBOROUGH COUNTY AVIATION AUTHORITY,  
Louis E. Miller, Executive Director

**TAMPA BAY ESTUARY PROGRAM**

**ADVERTISEMENT FOR  
REQUEST FOR PROPOSALS**

The Tampa Bay Estuary Program (TBEP), is requesting proposals from qualified respondents to conduct the following project:

**T-98-04 Technical Support**

Request for proposal instructions and associated proposal documents may be obtained from TBEP, 100 8th Avenue, S. E., MS:I-1/NEP, St. Petersburg, Florida 33701. Sealed proposals will be received at the above-stated address until 2:00 p.m., Friday, February 12, 1999, at which time they will be publicly opened.

The total TBEP FY 1998-99 budget is \$750,373, 55% of which is federally funded. TBEP encourages and promotes the utilization of organizations owned or controlled by socially and economically disadvantaged, Minority Business Enterprises and Women's Business Enterprises.

TBEP reserves the right to reject any and all proposals. Dated this January 4, 1999.

**FLORIDA COMMISSION ON COMMUNITY SERVICE**

**Request for Proposals for FY 1999-2000  
AmeriCorps Programs**

**Overview**

The Florida Commission on Community Service (the Commission) is soliciting new proposals for Fiscal Year 1999-2000 AmeriCorps community service programs. Funding is provided for innovative community service programs that will strengthen Florida's community responses to the interrelated issues of education, public safety, human needs and the environment.

**Project Period**

It is anticipated that projects will be funded for three years, consisting of one-year contracts to be renewed annually on a non-competitive basis contingent upon satisfactory performance and availability of funds. The initial contract period is anticipated to be September 1, 1999 through August 31, 2000.

**Funding Availability and Source**

Florida AmeriCorps programs are funded by the Florida Commission on Community Service through a grant from the Corporation for National Service, Washington, DC. The Commission anticipates the availability of approximately \$1.5 million to fund up to 8 new programs.

**Eligibility**

Only Florida-based organizations are eligible to apply for AmeriCorps funds under the terms of this RFP, including: Florida incorporated private not for profit corporations (including schools and churches/religious establishments); Florida chapters of national not for profit organizations (e.g., American Red Cross); Florida city, county and other municipal government entities; Florida public educational institutions, including elementary, secondary, post-secondary/higher education institutions and local school boards/districts; Florida Native American/Indian Tribes; and state agencies of Florida.

A consortium of organizations may be formed for the purposes of applying for these funds. However, a proposal must be submitted by only one eligible entity as the "lead agency". Such consortia efforts must be documented in writing with letters of agreement or other documentation of cooperation and coordination between all consortium members and the documentation must be included in the application.

Organizations currently receiving funding for an AmeriCorps program are not eligible to apply for funding under this RFP.

**Preference for Funding**

The Commission will give preference to applications from organizations located in cities or counties in which no AmeriCorps program is currently in operation.

The Commission will give preference to applications addressing issues related to the America Reads Challenge.

**Submission Deadline**

Proposals are due no later than 3:00 p.m. (EST), February 26, 1999.

All correspondence, questions and other communications regarding these application instructions or the review of applications should be directed to: Arie Sailor, Director, National Service Programs, Florida Commission on Community Service, 444 Appleyard Drive, Tallahassee,

Florida 32304-2895, Telephone (850)414-0096 (direct) or (850)921-5172 (main office), Facsimile (850)921-5146, Internet E-Mail: asailor@fccs.org

**Section XII  
Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

**NOTICE OF FILINGS OF APPLICATIONS  
FOR LICENSES AND MERGERS**

NOTICE IS HEREBY GIVEN that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., February 5, 1999):

**APPLICATION TO ORGANIZE A SUCCESSOR  
INSTITUTION AND BANK MERGER**

Constituent Institutions: Oceanside Bank, Jacksonville Beach, Duval County, Florida, and Oceanside Interim Bank, Jacksonville Beach, Duval County, Florida  
Resulting Bank: Oceanside Bank  
With Title: Oceanside Bank  
Received: December 28, 1998

**APPLICATION TO MERGE**

Constituent Institutions: Seaboard Credit Union, Jacksonville, Florida, and Jacksonville 0-I Credit Union, Jacksonville, Florida  
Resulting Institution: Seaboard Credit Union  
Received: December 31, 1998

**EXPANDED FIELD OF MEMBERSHIP**

Name and Address of Applicant: Florida Commerce Credit Union, 2330 Mahan Drive, Tallahassee, Florida  
Expansion Includes: The Employee Groups of Bruce Williams Cleaning and Lawn Service; Agency for Health Care Administration; and Dick Howser Center (inclusive of family members).  
Received: January 4, 1999  
Correspondent and Telephone Number: Ronald W. Fye, President, (850)488-0035 or 1(800)533-5772.  
Name and Address of Applicant: Miami Postal Credit Union, 2190 Northwest 72nd Avenue, Miami, Florida

Expansion Includes: Adds employees and immediate family members of Advance Dialysis Institute located at 7150 West 20th Avenue, Suite 100, Hialeah, Florida 33016.

Received: December 28, 1998  
Correspondent And Telephone Number: Jace B. Reyes, President/CEO, (305)592-7733.  
Name and Address of Applicant: Railroad Industrial Credit Union, 3710 North 50th Street, Tampa, Florida  
Expansion Includes: Employees of Alpha Cabling of Tampa, Florida; Apollo Stevedoring of Palmetto Florida; Nordlie-Tampa Bay Inc. of Tampa, Florida.  
Received: December 28, 1998  
Correspondent and Telephone Number: Arthur J. Wood, III, President, (813)621-6661.

**NOTICE OF CONSIDERATION OF  
CEMETERY BYLAWS**

The State of Florida, Board of Funeral and Cemetery Services, will address approval of the bylaws of the following cemetery at the meeting to be held on March 18, 1999, in Orlando, Florida:

Highland Memorial Park  
Ocala, Florida

A file pertaining to the above is available for public inspection and copying by any person at the Fletcher Building, 101 East Gaines Street, 6th Floor, Tallahassee, Florida 32399-0350. Comments may be submitted at the above address without requesting a hearing. Those persons whose substantial interests may be determined by these proceedings, including settlements, grants and denials, are advised that they may request a hearing concerning the notice of intent to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petitions for hearing should comply with Rule 3-7.002, Florida Administrative Code, and must be filed within twenty-one (21) days of publication of this notice. Petitions shall be filed with: Clerk, Division of Finance, Bureau of Funeral and Cemetery Services, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350. In deference to the rights of substantially affected persons, a hearing on these matters will be held at the meeting of the Board of Funeral and Cemetery Services to be held as outlined above. All written comments and requests to address the Board must be received by the Department within seven (7) days prior to the meeting.

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-1199-010  
 DATE RECEIVED: 1/4/99  
 DEVELOPMENT NAME: Dadeland Junction  
 DEVELOPER/AGENT: Jeffrey Bercow  
 DEVELOPMENT TYPE: 28-24.031, 28-24.016, 28-24.020, 28-24.023, F.A.C.  
 COUNTY LOCATION: Miami-Dade  
 LOCAL GOVERNMENT: Miami-Dade County  
 FILE NO.: BLIVR-999-004  
 DATE RECEIVED: 12/28/98  
 DEVELOPMENT NAME: Loral  
 DEVELOPER/AGENT: Ronald Weaver  
 DEVELOPMENT TYPE: 28-24.032, F.A.C.  
 COUNTY LOCATION: Sarasota  
 LOCAL GOVERNMENT: Sarasota County

Docket No. DCA98-OR-237  
 IN RE: CITY OF KEY WEST  
 LAND DEVELOPMENT  
 REGULATIONS ADOPTED  
 BY ORDINANCE NO. 98-31

FINAL ORDER

The Department of Community Affairs (DCA) hereby issues its Final Order pursuant to Sections 380.05(6) and 380.0552, Florida Statutes (1997). Section 380.05(6), F.S., requires the Department to enter a Final Order approving or rejecting the City of Key West's (City) ordinances adopting land development regulations.

FINDINGS OF FACT

1. The City of Key West is designated as an Area of Critical State Concern pursuant to Rule 28-36, Fla. Admin. Code.
2. On November 24, 1998, City of Key West Ordinance 98-31, known as the Transient Vacation Rental Ordinance, was rendered to the Department.
3. The City passed the Transient Vacation Rental Ordinance, Ordinance 98-31, at its regularly scheduled meeting of November 10, 1998. Ordinance 98-31 amends Chapter V, Article XXI of the Key West Land Development Regulations (LDRs), entitled "Definitions" by amending Section 5-21.2 and adding Section 2-7.21 Chapter II, Article VII of the LDRs.
4. The Department has reviewed the Ordinance for consistency with Chapters 163, 380, Florida Statutes, the Principles for Guiding Development of the Key West Area of Critical State Concern and the City's adopted Comprehensive Plan.
5. Ordinance No. 98-31 proposes to do the following:
  - (a) Further define Transient Living Accommodations or Transient Lodging;
  - (b) Regulate, license and track transient uses in residential units;
  - (c) Stop the use of residences for transient purposes in zoning districts that do not permit transient use;

- (d) Further establish occupational license criteria for residential transient uses;
- (e) Allow transient use occupational licenses to be issued for single and multi-family residences in zoning categories that permit transient use as of right and have existing City issued occupational licenses that permit transient use;
- (f) Grandfather transient use of residential units in zoning categories that do not permit transient use but have existing and current City occupational licenses;
- (g) Establish general operational and unit identification procedures for all transient uses in residences;
- (h) Provide for an enforcement procedure with penalties and fines;
- (i) Establish permit fees.

CONCLUSIONS OF LAW

1. Section 163.3164(23), F.S., defines "land development regulation" as an ordinance enacted by a governing body for the regulation of any aspect of development including zoning regulations. Ordinance No. 98-31 is a land development regulation.
  2. Section 380.05(6), F.S., requires the Department to approve land development regulations adopted in Areas of Critical State Concern in a final order should the Department determine that the regulations are consistent with the principles for guiding development for that area.
  3. In determining whether the City of Key West Ordinance 98-31 is consistent with the Principles For Guiding Development under Rule 28-36, Fla. Admin. Code, the Department must consider the Principles as a whole and not construe or apply any principle in isolation from the others. Section 380.0552(7), F.S.
  4. The Department has reviewed Ordinance No. 98-31 for consistency with the Principles for Guiding Development set forth in Rule 28-36, Fla. Admin. Code. City of Key West Ordinance No. 98-31 is consistent with the Principles for Guiding Development in the Florida Keys Area of Critical State Concern. The Ordinance is also found to be consistent with all other applicable rules, statutes and the City of Key West Comprehensive Plan.
- WHEREFORE, IT IS ORDERED that City of Key West Ordinance 98-31 is consistent with Rule 28-36, Fla. Admin. Code, and all other applicable statutes, rules and the City of Key West Comprehensive Plan. Ordinance 98-31 is hereby APPROVED.

NOTICE OF RIGHTS

A PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS FINAL ORDER MAY PETITION FOR AN ADMINISTRATIVE PROCEEDING (HEARING) IN ACCORDANCE WITH SECTION 120.57, F.S. THE PETITION MUST CONTAIN THE INFORMATION REQUIRED BY RULE 28-106.201, FLORIDA ADMINISTRATIVE CODE, AND MUST BE FILED (RECEIVED) IN THE OFFICE OF GENERAL COUNSEL,

ATTENTION: AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100. PETITIONS MUST BE FILED WITHIN 21 DAYS OF PUBLICATION OF NOTICE OF THIS FINAL ORDER. FAILURE TO FILE A PETITION WITHIN THIS TIME PERIOD SHALL CONSTITUTE A WAIVER OF ANY RIGHT SUCH PERSON MAY HAVE TO REQUEST AN ADMINISTRATIVE DETERMINATION (HEARING) UNDER SECTION 120.57, F.S.

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION UNLESS A TIMELY PETITION IS FILED IN ACCORDANCE WITH THIS NOTICE, AND SHALL BECOME EFFECTIVE WITHIN 21 DAYS OF PUBLICATION OF THIS NOTICE. UPON TIMELY FILING OF A PETITION, THIS FINAL ORDER WILL NOT BE EFFECTIVE UNTIL FURTHER ORDER OF THE DEPARTMENT.

WHEN THE ORDER IS FINAL, ANY PARTY TO THE ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW OF THE ORDER PURSUANT TO SECTION 120.68, F.S., BY THE FILING OF A NOTICE OF APPEAL PURSUANT TO RULE 9.110, FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE OFFICE OF GENERAL COUNSEL, ATTENTION: AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100; AND BY FILING A COPY WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS FROM THE DATE THE ORDER IS FILED WITH THE CLERK OF THE DEPARTMENT.

NOTICE OF APPROVAL FOR PRESERVATION 2000 FUNDS

The Florida Communities Trust ("Trust") reviewed and approved the project plan for a land acquisition project submitted under the Trust Preservation 2000 Program, Series P7A funding cycle. The project plan was reviewed in accordance with Rule 9K-4.011, F.A.C., at its January 4, 1999, meeting by the Trust governing body, which authorized that the project plan be approved, that the Chair execute the agreements for acquisition of the project sites and all other documents necessary to close the project and that funds be released as follows:

Project: 96-062-P7A, Banana River Park  
Grantee: City of Cape Canaveral

Amount of Approved Funds: the lesser of 100% of the final total project costs or \$813,537.50, contingent on FCT staff approval of the management plan.

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant

to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 9K-1.008, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Global Electric MotorCars, L.L.C., intends to allow the establishment of Brian Slusser and Kathy Slusser d/b/a Treasure Coast Electric Cars, as a dealership for the sale of GEM vehicles, at 219 S. W. Port St. Lucie Boulevard, Port St. Lucie, (St. Lucie County), Florida 34984, on or after December 22, 1998.

The name and address of the dealer operator(s) and principal investor(s) of Brian Slusser and Kathy Slusser d/b/a Treasure Coast Electric Cars are Brian Slusser and Kathy Slusser, 219 S. W. Port St. Lucie Boulevard, Port St. Lucie, Florida 34984.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Neil C. Doty, President/COO, Global Electric MotorCars, L.L.C., 3601 7th Avenue, N. W., Fargo, ND 58102.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Ducati North America, Inc., intends to allow the establishment of Verve' Communications, Inc. d/b/a Ducati Miami, as a dealership for the sale of Ducati motorcycles at 701 Fifth Street, Miami Beach, (Dade County), Florida 33139, on or after February 15, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Verve' Communications, Inc. d/b/a Ducati Miami is Wade Caughman, 2219 Rember Street, Columbia, SC 29201.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Donald S. Wood, Industry Compliance Manager, Ducati North America, Inc., 237 West Parkway, Pompton Plains, NJ 07444-1028.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

DECISIONS ON EXPEDITED APPLICATIONS

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

County: Columbia Service District: 3  
CON #: 9064 Decision Date: 12/21/98 Decision: D  
Facility/Project: Lake City Extended Care Center  
Applicant: Lake City Nursing Homes, Inc.  
Project Description: Transfer 30 beds from CON #8291  
Approved Cost: \$0

County: Orange Service District: 7  
CON #: 9066 Decision Date: 12/21/98 Decision: A  
Facility/Project: The Long Term Care Foundation  
Applicant: The Long Term care Foundation  
Project Description: Combine CON #s 8665 and 8668  
Approved Cost: \$5,000

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900E0099.

CERTIFICATE OF NEED

RECEIPT OF EXPEDITED APPLICATIONS

The Agency for Health Care Administration received the following Certificate of Need applications for expedited review:

County: Pasco Service District: 5  
CON#: 9147 Application Receipt Date: December 23, 1998  
Facility/Project: Beverly Health & Rehab. Ctr. of Pasco County  
Applicant: Petersen Health Care, Inc.

Project Description: Transfer CON #8496 to Petersen and combine it with CON #8813.

County: Hillsborough Service District: 6  
CON#: 9148 Application Receipt Date: December 30, 1998  
Facility/Project: Plaza West

Applicant: Freedom Village of Sun City Center, Ltd.

Project Description: Add 71 sheltered nursing home beds.

County: Broward Service District: 10  
CON#: 9149 Application Receipt Date: December 30, 1998  
Facility/Project: Florida Medical Center

Applicant: FMC Hospital, Ltd.

Project Description: Divide CON #8550 into two components.

County: Broward Service District: 10  
CON#: 9150 Application Receipt Date: December 30, 1998  
Facility/Project: North Ridge Medical Center

Applicant: AMISUB (North Ridge Hospital) d/b/a N. Ridge Med. Ctr.

Project Description: Transfer four HBSNU beds from CON #8550.

AHCA Purchase Order Number S5900E0099.

CERTIFICATE OF NEED  
PUBLIC HEARING REQUEST

The Agency for Health Care Administration received and approved the following public hearing request for the November, 1998 nursing home review cycle:

DISTRICT 11

CON NUMBER 9145

AHCA Purchase Order Number S5900E0099.

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on December 28, 1998, concerning certificate of need decisions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine substantial interest of person. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights

including intervention. See Chapter 120, F.S. as well as Section 28-5.111 and 28-5.207, F.A.C. In deference to rights of substantially affected person, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)

7626 Revocation, an adult heart transplantation program, Duval County, University Medical Center, Inc., (PRH) same as applicant

8291 Modification, establish a nursing home, Marion County, American Medical Associates, Inc., (PRH) same as applicant

9032 Denial, cost overrun to CON 7325 to add 60 community nursing home beds, Florida Convalescent Centers, Inc. d/b/a Palm Garden of Ocala, (PRH) same as applicant

9033 Denial, cost overrun to CON 7654 for a 120 bed skilled facility, National Healthcare Corporation d/b/a NHC Healthcare, Coconut Creek, (PRH) same as applicant

9058 Approval, establish a 90 bed nursing home, Levy County, American Medical Associates, Inc., (PRH) same as applicant

9105 Denial, establish an adult open heart surgery program, Broward County, Cleveland Clinic Florida Hospital, a non-profit corporation, d/b/a Cleveland Clinic Hospital (PRH) same as applicant

FLORIDA INLAND NAVIGATION DISTRICT

ASSISTANT EXECUTIVE DIRECTOR

Independent taxing district is seeking a qualified professional administrator to perform grants and contract administration as well as other support functions to the Executive Director and the Board of Directors. Minimum qualifications include a four year college degree and experience in contract administration. Starting salary is \$45K to \$50K with excellent benefits. Resumes should be sent to: David K. Roach, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, FL 33477, Fax No. (561)624-6480, telephone (561)627-3386.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN December 29, 1998  
 and January 4, 1999

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

3D-20.0021	12/29/98	1/18/99	24/42	
3D-20.0022	12/29/98	1/18/99	24/42	

**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-1.09422	1/4/99	1/24/99	24/43	24/50
6A-1.09981	1/4/99	1/24/99	24/43	24/50
6A-10.040	1/4/99	1/24/99	24/43	24/50

**DEPARTMENT OF TRANSPORTATION**

14-40.0011	12/30/98	1/19/99	23/32	
14-40.002	12/30/98	1/19/99	23/33	
14-40.003	12/30/98	1/19/99	23/32	23/33

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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14-40.004	12/30/98	1/19/99	23/32	
14-40.005	12/30/98	1/19/99	23/32	
14-40.006	12/30/98	1/19/99	23/32	
14-40.007	12/30/98	1/19/99	23/32	
14-40.008	12/30/98	1/19/99	23/32	
14-40.020	12/30/98	1/19/99	23/32	23/33
14-40.021	12/30/98	1/19/99	23/32	23/33
14-40.030	12/30/98	1/19/99	23/32	23/49
14-56.010	12/29/98	1/18/99	24/41	

**DEPARTMENT OF CITRUS**

20-64.0082	1/4/99	1/24/99	24/39	
20-94.003	1/4/99	1/24/99	24/45	
20-109.003	1/4/99	1/24/99	24/45	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

61J2-1.011	12/30/98	1/19/99	24/46	
61J2-2.031	12/30/98	1/19/99	24/46	
61J2-24.002	12/30/98	1/19/99	24/46	