

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Library and Information Services

RULE TITLE: RULE NO.:

Library Grant Programs 1B-2.011

PURPOSE AND EFFECT: The purpose of this amendment is to modify application and administrative grant guidelines to add a literacy grant program. Guidelines for the literacy grant program are outlined in the application packet which contains information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures and application forms.

SUBJECT AREA TO BE ADDRESSED: Guidelines for library grant programs administered by the Division of Library and Information Services.

SPECIFIC AUTHORITY: 257.14, 257.191, 257.24 FS.

LAW IMPLEMENTED: 257.12, 257.15, 257.191, 257.195, 257.21, 257.23 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 1999

PLACE: Board Room, State Library of Florida, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Barratt Wilkins, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250; (850)487-2651, SUNCOM 277-2651

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES: RULE NOS.:

Standards 5F-2.001

Adoption of the General Code and the Codes of

Liquid-Measuring Devices, Liquefied

Petroleum Gas and Anhydrous Ammonia

Liquid-Measuring Devices, Hydrocarbon

Gas Vapor-Measuring Devices,

Vehicle-Tank Meters, and Vehicle Tanks
Used as Measures of National Institute of
Standards and Technology Handbook 44 5F-2.014

PURPOSE AND EFFECT: The purpose of 5F-2.001 is to adopt the 1999 version of the chemical and physical standards set forth in the American Society for Testing and Materials. The purpose of 5F-2.014 is to adopt the 1999 version of NIST Handbook 44.

SUBJECT AREA TO BE ADDRESSED: Proposed rule 5F-2.001 will specify that the 1999 Annual Book of ASTM Standards is the accepted standard for implementation of Chapter 525, F.S. Proposed rule 5F-2.014 will specify that the 1999 version of NIST Handbook 44 is the accepted standard for implementation of Chapter 525, F.S.

SPECIFIC AUTHORITY: 525.037, 525.14, 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 525.16, 531.40 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, June 1, 1999

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation D 4814-98a ~~D 4814-97b~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 4814-98a ~~D 4814-97b~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(c) No person shall sell or offer for sale gasoline in this state that does not comply with the following requirements:

1. The total ethanol content of gasoline shall not exceed ten percent (10.0%), by volume;

2. The total methanol and co-solvents content of gasoline shall not exceed ten percent (10.0%), by volume;

3. The total methyl tertiary butyl ether (MTBE) content of gasoline shall not exceed fifteen percent (15.0%), by volume;

4. The total ethanol and methyl tertiary butyl ether (MTBE) content of gasoline shall not exceed twelve percent (12.0%), by volume.

(2) Kerosene (Kerosine). The following specifications apply to kerosene No. 1-K and No. 2-K sold or offered for sale in Florida.

(a) Standards. All kerosine No. 1-K and No. 2-K shall conform to the chemical and physical standards for kerosene No. 1-K and No. 2-K as set forth in the American Society for Testing and Materials designation D 3699-98 ~~D 3699-96a~~, "Standard Specification for Kerosine."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 3699-98 ~~D 3699-96a~~, "Standard Specification for Kerosine."

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in the American Society for Testing and Materials designation D 975-98a ~~D 975-97~~ "Standard Specification for Diesel Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 975-98a ~~D 975-97~~, "Standard Specification for Diesel Fuel Oils."

(4) Fuel Oils No. 1 and No. 2. The following specifications apply to fuel oils No. 1 and No. 2 sold or offered for sale in Florida.

(a) Standards. All fuel oils No. 1 and No. 2 shall conform to the chemical and physical standards for fuel oils No. 1 and No. 2 as set forth in the American Society for Testing and Materials designation D 396-98 ~~D 396-97~~, "Standard Specification for Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 396-98 ~~D 396-97~~, "Standard Specification for Fuel Oils."

(5) Water in Retail Storage Tanks. Water in storage tanks containing products enumerated in this section and from which products are sold at retail shall not exceed two inches in depth when measured from the bottom of the tank.

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

(a) American Society for Testing and Materials D 4814-98a ~~D 4814-97b~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel," (approved July 1998 ~~July 1997~~);

(b) American Society for Testing and Materials D 3699-98 ~~D 3699-96a~~, "Standard Specification for Kerosine," (approved April 1998 ~~January 1997~~);

(c) American Society for Testing and Materials D 975-98a ~~D 975-97~~, "Standard Specification for Diesel Fuel Oils" (approved July 1998 ~~April 1997~~);

(d) American Society for Testing and Materials D 396-98 ~~D 396-97~~, "Standard Specification for Fuel Oils" (approved April 1998 ~~April 1997~~).

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, _____.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44.

The general code and the codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 1999 ~~1998~~ Edition issued November 1998 ~~1997~~, published by U.S. Department of Commerce are hereby adopted by reference as rules of the Department of Agriculture and Consumer Services. Copies may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: RULE NO.:

Adoption of Uniform Packaging and Labeling Regulation 5F-3.001

PURPOSE AND EFFECT: The purpose of 5F-3.001 is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 1999 edition of National Institute of Standards and Technology Handbook 130 and change the title of the subsection. Adoption of the current national standards will make Florida's requirements uniform with the national requirements and facilitate interstate commerce and trade. The title change better reflects the content of the subsection.

SUBJECT AREA TO BE ADDRESSED: Requirements for package and labeling of commodities sold in package form in Florida.

SPECIFIC AUTHORITY: 531.41(3) FS.

LAWS IMPLEMENTED: 531.41(13), 531.47, 531.49 FS.

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

TIME AND DATE: 2:00 p.m., Monday, June 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-3.001 Adoption of Uniform Packaging and Labeling Regulation ~~Purpose~~.

The Department of Agriculture and Consumer Services hereby adopts the Uniform Packaging and Labeling Regulation promulgated by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 1999 ~~1998~~ Edition, as the Rule for packaging and labeling of commodities and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 1999 ~~1998~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202) 512-1800. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida, 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3) FS. Law Implemented 531.41(4) FS. History--New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: RULE NO.:

Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices 5F-5.001

PURPOSE AND EFFECT: The purpose of this rule is to amend 5F-5.001 to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 1999 edition of National Institute of Standards and Technology Handbook 44. Adoption of the standards provides for uniformity of Florida's requirements with the national requirements to facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The requirements, including tolerances, specifications and other technical requirements for weighing and measuring devices used for commercial transactions and law enforcement use in the state.

SPECIFIC AUTHORITY: 531.40, 531.41(3) FS.

LAWS IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 2:00 p.m., Monday, June 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-5.001 Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 1999 ~~1998~~ Edition, are hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of Agriculture and Consumer Services. A copy of NIST Handbook 44, 1999 ~~1998~~ Edition, may be obtained from the

Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800.

(2) The violation of any of the provisions of these rules and regulations is subject to the penalties and remedies provided in the Weights, Measures, and Standards Law, Chapter 531, Florida Statutes.

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Methods of Sale
 RULE NO.: 5F-7.005

PURPOSE AND EFFECT: The purpose of this rule is to adopt the most recent national standards for the method of sale of commodities established by the National Conference on Weights and Measures and published in the 1999 edition of National Institute of Standards and Technology Handbook 130. Adoption of the national standards will make Florida's requirements for methods of sale uniform with the national standards and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The methods of sale allowable for commodities being sold by weight, measure or count.

SPECIFIC AUTHORITY: 531.41(3) FS.

LAWS IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 2:00 p.m., Monday, June 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-7.005 Adoption of Uniform Methods of Sale.

The Florida Department of Agriculture and Consumer Services hereby adopts the Uniform Regulation for the Method of Sale of Commodities, as published by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 1999 1998 Edition, as the Rule for the method of sale for commodities, and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook

130, 1999 1998 Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone (850)488-9140.

Specific Authority 531.41(3),(4), 531.45 FS. Law Implemented 531.41(3),(4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, _____.

STATE BOARD OF ADMINISTRATION

RULE TITLE: Reporting Procedures
 RULE NO.: 19-7.013

PURPOSE AND EFFECT: The purpose of the amendment to Rule 19-7.013 is to eliminate the requirement that a confirmation line be included at the bottom of Investment Pool statements.

SUBJECT AREA TO BE ADDRESSED: Modification of this rule will allow the SBA to eliminate one duplicate statement page. The confirmation line is printed at the bottom of the copy of the statement that is enclosed with the original. When this rule was originally implemented, the Pool participants did not have access to review their accounts. Our computerized telephone information system, the voice response unit, give Pool participants the ability to review all their account activity on a daily basis.

SPECIFIC AUTHORITY: 120.53(1), 218.409(4) FS.

LAW IMPLEMENTED: Chapter 218, Part IV 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., Tuesday, June 8, 1999

PLACE: State Board of Administration, 1801 Hermitage Blvd., Manatee Room, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Horace Schow II, General Counsel, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19-7.013 Reporting Procedures.

The State Board of Administration shall forward to each Pool participant a monthly statement containing each account's activity including deposits, withdrawals, balances, earnings and administrative expense charges. ~~A space on the monthly statement shall be provided for an authorized agency official of the Pool participant to certify that all deposits and withdrawals posted to the statement are correct.~~ If no errors are reported to the Board within 14 days, the statement will be considered correct. A semi-annual portfolio activity statement will be forwarded to each participant.

Specific Authority 120.53(1), 218.409(4) FS. Law Implemented Chapter 218, Part IV FS. History--New 8-24-82, Formerly 19-7.13, Amended 12-18-88,

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: District Funds
RULE NO.: 40C-1.004

PURPOSE AND EFFECT: Section 40C-1.004, F.A.C., is being amended to incorporate by reference St. Johns River Water Management District's policy number 99-02, which provides the procedures for the disbursement of District funds by means of wire or electronic transfers.

SUBJECT AREA TO BE ADDRESSED: Procedures for wire or electronic transfer of District funds.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENT: 373.553 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Michael V. McKee, Director, Department of Administration, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4117

THR PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-1.004 District Funds.

(1) No change.

(2) District funds may be disbursed, by wire or electronic transfer according to the procedure set forth in Section II, of Policy 99-02 entitled "Investment of Funds and Wire and Electronic Transfer Procedures," which is hereby incorporated by reference. District funds may be disbursed, with the Governing Board's approval, by wire or electronic transfer according to the following procedure:

~~(a) The Executive Director, or his designee, shall authorize and supervise all wire or electronic transfers of District funds, and shall report all wire or electronic transfer transactions to the Board at its next regular meeting following such transaction.~~

~~(b) The Executive Director shall provide written instructions to each financial entity that will be transferring District funds by wire or electronic transfer indicating which District staff shall have the authority to request wire or~~

~~electronic transfers of District funds, and stating that such financial entity may not wire or electronically transfer District funds without receiving prior written instructions for each transfer.~~

~~(c) The Executive Director, or any staff member authorized by the Executive Director to request wire or electronic transfer of District funds as provided in paragraph (b) above, shall provide written detailed instructions to the financial entity transferring the funds indicating the accounts from and to which District funds are to be transferred by telecopy transmission, hand delivery, or U.S. mail prior to each wire or electronic transfer of District funds.~~

~~(d) The District must receive documentation confirming the transfer of funds from the financial entity directed to transfer the funds.~~

Specific Authority ~~120.53~~, 373.044, 373.113 FS. Law Implemented ~~120.53~~, 373.553 FS. History--New 10-8-91, Amended 3-1-92,_____.

DEPARTMENT OF THE LOTTERY

RULE TITLE: FANTASY 5 Drawings
RULE NO.: 53-29.002

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend the days of the week on which FANTASY 5 drawings are conducted.

SUBJECT AREA TO BE ADDRESSED: FANTASY 5 drawings.

SPECIFIC AUTHORITY: 24.105(10)(d) FS.

LAW IMPLEMENTED: 24.105(10)(d) 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: Diane D. Schmidt, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-29.002 FANTASY 5 Drawings.

(1) FANTASY 5 drawings shall be conducted daily three ~~(3) times per week, on Monday, Wednesday and Friday.~~

(2) through (12) No change.

Specific Authority 24.105(10)(d) FS. Law Implemented 24.105(10)(d) FS. History--New 11-22-93, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE: Hospital Licensure
 RULE CHAPTER NO.: 59A-3

RULE TITLE: Physical Plant Requirements for General, Rehabilitation, and Psychiatric Hospitals
 RULE NO.: 59A-3.081

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to Chapter 59A-3, F.A.C., is to promulgate the physical plant minimum standards to ensure that all new hospitals are structurally capable of serving as shelters for patients, staff and family members of patients and staff and equipped to be self-supporting during and immediately following disasters as required by section 395.1055, F.S. The proposed rule is a result of workshops held with interested parties between March 1994 and September 1996. The proposed rule amendment will not compromise public safety, human health, the environment, or any other protection afforded by law.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the required standards for space, site, structural, roofing, exterior unit, heating, ventilation and air conditioning (HVAC), plumbing and medical gas systems as they pertain to disaster preparedness. In addition, a provision for an external emergency communications system has been incorporated.

SPECIFIC AUTHORITY: 395.1055(d) FS.

LAW IMPLEMENTED: 395.1055, 553.73, 633.022 FS.

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

TIME AND DATE: 1:00 p.m. DST, Wednesday, June 9, 1999

PLACE: Agency for Health Care Administration, Building #1, Plans & Construction Conference Room 100, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James (Skip) Gregory, Chief, Bureau of Plans and Construction, Agency for Health Care Administration, Building #1, Room 145, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)487-0713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-3.081 Physical Plant Requirements for General, Rehabilitation, and Psychiatric Hospitals.

(55) Physical Plant Requirements for Disaster Preparedness of New Hospital Construction.

(a) Definitions. The following definitions shall apply specifically to all new facilities as used in rule 59A-3.081(55):

1. "New facility" means a hospital, or an addition of a wing or floor to a hospital, which is not in operation or has not received a Stage II Preliminary Plan approval pursuant to Chapter 59A-3, F.A.C., prior to the effective date of this rule;

2. "Net square footage" means the clear floor space of an area excluding cabinetry and other fixed furniture or equipment;

3. "During and immediately following" means a period of 72 hours;

4. "Occupied patient area(s)" means the protected location of patients inside of the facility during and immediately following a disaster;

5. "Applicable building code" means the building code enforced by the building official with local jurisdictional authority.

6. "Patient support area(s)" means those area(s) required to ensure the safety and well being of patients during and immediately following a disaster.

(b) New Facility Construction Standards. The following construction standards are in addition to the physical plant requirements described in Chapter 59A-3.079 through Chapter 59A-3.081, F.A.C. These minimum standards are intended to increase the ability of the new facility to be structurally capable of serving as a shelter for patients, staff and the family of patients and staff and equipped to be self-supporting during and immediately following a disaster:

1. Space Standards.

a. For planning purposes, each new facility shall provide a minimum of 30 net square feet per patient served in the occupied patient area(s).

b. Adequate space for administrative and support activities shall be provided for use by facility staff to allow for care of patients in the occupied patient area(s).

c. Adequate space shall be provided for additional staff and family members of patients and staff.

2. Site standards.

a. All new facilities and additions shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation or the floor elevation of all new patient use area(s) and all patient support area(s) and patient support utilities, including mechanical, electrical, and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.

b. At a minimum, new additions or floors added to existing facilities, as determined by their site locations, shall be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency Management Agency.

c. Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route;

d. New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of the applicable building code;

e. New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria of the applicable building code with a minimum wind load factor of 140 miles per hour.

3. Structural Standards. Wind load design of the building structure and exterior envelope including exterior wall systems shall be designed in accordance with the applicable building code.

4. Roofing Standards.

a. Roofing membrane material shall resist the uplift forces specified in the applicable building code. Roof coverings shall be installed according to the specifications provided by the manufacturer.

b. Loose-laid ballasted roofs shall not be permitted;

c. All roof appendages such as ducts, tanks, ventilators, receivers, dx condensing units and decorative mansard roofs and their attachment systems shall be structurally engineered to meet the wind load requirements of the applicable building code. All attachment systems shall be connected directly to the underlying roof structure or roof support structure.

5. Exterior Unit Standards.

a. All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall be designed to resist the wind load requirements and the debris impact requirements as specified by the applicable building code.

b. Permanently attached protective systems such as shutters and baffling shall be designed to meet the wind load requirements and the debris impact requirements as specified by the applicable building code;

c. Removable protective systems designed to intricately fit with the wall/window system of the facility and stored on-site at the facility and that meet the wind load requirements and the debris impact requirements specified by the applicable building code may be utilized to protect the exterior units;

d. All anchoring and attachment to the building of both the permanently attached and removable protective systems shall be designed to meet the impact requirements specified by the applicable building code. These designs shall be signed, sealed and dated by a Florida registered structural engineer;

e. The glazed openings inside or outside of the protective systems shall meet the cyclical loading requirements specified by the applicable building code;

f. All of the impact protective systems shall be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading;

g. No protective system shall restrict the operability of the windows in the occupied patient bedrooms.

h. No protective systems shall reduce the clear window opening below 8% of the gross square footage of the patient room.

6. Heating, Ventilation and Air Conditioning (HVAC) Standards.

a. Air moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of or on the roof of the facility shall be permitted only when either of the following are met:

(I) They are located inside a penthouse designed to meet the wind load requirements of the applicable building code, or;

(II) Their fastening systems are designed to meet the wind load requirements of the applicable building code and they are protected from impact as specified by the applicable building code.

b. All occupied patient areas and patient support areas shall be supplied with sufficient HVAC to ensure the health, safety and well being of all patients and staff during and immediately following a disaster.

c. Systems providing HVAC and their associated support equipment such as a control air compressor essential to the maintenance of the occupied patient and patient support area(s) shall receive their power from the emergency power supply system(s).

d. Ventilation air change rates in occupied patient areas shall be maintained as specified in Chapter 59A-3, F.A.C.

e. Auxiliary equipment and specialties such as hydronic supply piping and pneumatic control piping shall be located and routed in such a manner as to ensure the equipment receiving the services will not be interrupted.

7. Plumbing Standards.

a. There shall be an independent on-site supply or storage capability of potable water tested and approved in accordance with the applicable building code at a minimum quantity of 3 gallons per patient served per day during and immediately following a disaster.

b. There shall be an independent on-site supply or storage capability of potable water tested and approved in accordance with the applicable building code at a minimum quantity of 1 gallon per facility staff and other personnel during and immediately following a disaster.

c. There shall be an independent on-site supply or storage capability of sufficient amount of non-potable water to provide for all patient services such as bathing, washing and flushing and support utilities during and immediately following a disaster.

d. When used, selected system appurtenances such as water pressure maintenance house pumps, and emergency water supply well pumps shall take power from the emergency power supply system(s).

8. Medical Gas Systems Standards. The distribution piping system and appurtenances shall be contained within a protected area(s) designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code.

9. Emergency Electrical Generator and Essential Electrical System Standards.

a. There shall be an on-site Level I emergency electrical generator system designed to support all occupied patient areas and patient support areas with at least the following support services:

(I) Ice making equipment to produce sufficient ice for the patients served;

(II) Refrigerator unit(s) and food service equipment if required by the emergency food plan;

(III) Life safety and critical branch lighting and systems as required by Chapter 59A-3.081(51), F.A.C.;

(IV) Selected HVAC systems and other systems as required by this rule;

b. The emergency generator system shall be fueled by a fuel supply stored on-site sized to fuel the generator for 100 percent load for 48 hours or for actual demand load of the occupied patient areas and patient support area(s) and patient support utilities during and immediately following a disaster.

(I) The fuel supply shall either be located below ground or contained within a protected area that is designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code. If an underground system is utilized, it shall be designed so as to exclude the entrance of any foreign solids or liquids and have approval from the Environmental Protection Agency (EPA);

(II) All fuel lines supporting the generator system(s) shall be protected also with a method designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code.

(III) All panel boards, transfer switches, disconnect switches, enclosed circuit breakers or emergency system raceway systems required to support the occupied patient area(s), patient support area(s) or support utilities shall be contained within a protected area(s) designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code, and shall not rely on systems or devices outside of this protected area(s) for their reliability or continuation of service.

(IV) The emergency generator(s) shall be air or self-contained liquid cooled and it and other essential electrical equipment shall be installed in a protected area(s) designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code.

10. Fire Protection Standards.

a. If the facility required fire sprinklers as part of its fire protection, either of the following shall be met:

(I) Sufficient on-site water storage capacity to continue sprinkler coverage, or;

(II) A plan to provide a Fire Watch as approved by the agency for all areas of the facility without sprinkler coverage.

b. If sprinkler coverage is adversely affected by interrupted water flow, the facility shall provide for additional fire extinguishers in the patient occupied areas.

11. External Emergency Communications Standards. In conjunction with the County Emergency Management Agency, each facility shall provide an alternative form of electronic communication such as on-site radio transmitter or a written agreement with an amateur radio operator volunteer group(s). This agreement shall provide for a volunteer operator and communication equipment to be re-located into the facility in the event of a disaster until communications are restored. Other methods shall be pre-approved by the agency.

Specific Authority 395.1055 FS. Law Implemented 395.1055, 553.73, 633.022 FS. History—New 1-1-77, Formerly 10D-28.81, Amended 1-16-87, 11-23-88, Formerly 10D-28.081, Amended 9-3-92, 6-29-97, 3-18-98.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Nursing Home Licensure	59A-4
RULE TITLE:	RULE NO.:
Plans Submission and Review and Construction Standards	59A-4.133

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to Chapter 59A-4, F.A.C., is to promulgate the physical plant minimum standards to ensure that all new nursing homes are structurally capable of serving as shelters for residents, staff and family members of residents and staff and equipped to be self-supporting during and immediately following disasters as required by section 400.23(2)(a), F.S. The proposed rule is a result of workshops held with interested parties between March 1994 and September 1996. The proposed rule amendment will not compromise public safety, human health, the environment, or any other protection afforded by law.

SUBJECT AREA TO BE ADDRESSED: The proposed rule addresses the required standards for space, site, structural, roofing, exterior unit, heating, ventilation and air conditioning (HVAC), plumbing, and medical gas systems as they pertain to disaster preparedness. In addition, a provision for an external emergency communications system has been incorporated.

SPECIFIC AUTHORITY: 400.23 FS.

LAW IMPLEMENTED: 400.23, 553.73, 633.022 FS.

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

TIME AND DATE: 9:00 a.m. DST, Wednesday, June 9, 1999
PLACE: Agency for Health Care Administration, Building #1, Plans & Construction Conference Room 100, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James (Skip) Gregory, Chief, Bureau of Plans and Construction, Agency for Health Care Administration, Building #1, Room 145, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)487-0713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-4.133 Plans Submission and Review and Construction Standards.

(18) Physical Plant Requirements for Disaster Preparedness of New Nursing Home Construction.

(a) Definitions. The following definitions shall apply specifically to all new facilities as used in rule 59A-4.133:

1. "New facility" means a nursing home, or an addition of a wing or floor to a nursing home, which is not in operation or has not received a Stage II Preliminary Plan approval pursuant to Chapter 59A-4, F.A.C., prior to the effective date of this rule;

2. "Net square footage" means the clear floor space of an area excluding cabinetry and other fixed furniture or equipment;

3. "During and immediately following" means a period of 72 hours;

4. "Occupied resident area(s)" means the protected location of residents inside of the facility during and immediately following a disaster;

5. "Applicable building code" means the building code enforced by the building official with local jurisdictional authority.

6. "Resident support area(s)" means those area(s) required to ensure the safety and well being of residents during and immediately following a disaster.

(b) New Facility Construction Standards. The following construction standards are in addition to the physical plant requirements described in Chapter 59A-4.133(1) through Chapter 59A-4.133(17), F.A.C. These minimum standards are intended to increase the ability of the new facility to be structurally capable of serving as a shelter for residents, staff and the family of residents and staff and equipped to be self-supporting during and immediately following a disaster:

1. Space Standards.

a. For planning purposes, each new facility shall provide a minimum of 30 net square feet per resident served in the occupied resident area(s).

b. Adequate space for administrative and support activities shall be provided for use by facility staff to allow for care of residents in the occupied resident area(s).

c. Adequate space shall be provided for additional staff and family members of residents and staff.

2. Site standards.

a. All new facilities and additions shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevation, whichever requires the highest elevation or the floor elevation of all new resident use area(s) and all resident support area(s) and resident support utilities, including mechanical, electrical, and food services shall be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations, whichever requires the highest elevation.

b. At a minimum, new additions or floors added to existing facilities, as determined by their site locations, shall be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency Management Agency.

c. Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route shall be provided that is located at the same elevation as the public access route;

d. New landscaping elements shall be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations shall be designed to meet the wind load criteria of the applicable building code;

e. New light standards and their foundations used for lighting the on-site emergency access route shall be designed to meet the wind load criteria of the applicable building code with a minimum wind load factor of 140 miles per hour.

3. Structural Standards. Wind load design of the building structure and exterior envelope including exterior wall systems shall be designed in accordance with the applicable building code.

4. Roofing Standards.

a. Roofing membrane material shall resist the uplift forces specified in the applicable building code. Roof coverings shall be installed according to the specifications provided by the manufacturer.

b. Loose-laid ballasted roofs shall not be permitted;

c. All roof appendages such as ducts, tanks, ventilators, receivers, dx condensing units and decorative mansard roofs and their attachment systems shall be structurally engineered to meet the wind load requirements of the applicable building code. All attachment systems shall be connected directly to the underlying roof structure or roof support structure.

5. Exterior Unit Standards.

a. All exterior window units, skylights, exterior louvers and exterior door units including vision panels and their anchoring systems shall be designed to resist the wind load requirements and the debris impact requirements as specified by the applicable building code.

b. Permanently attached protective systems such as shutters and baffling shall be designed to meet the wind load requirements and the debris impact requirements as specified by the applicable building code;

c. Removable protective systems designed to intricately fit with the wall/window system of the facility and stored on-site at the facility and that meet the wind load requirements and the debris impact requirements specified by the applicable building code may be utilized to protect the exterior units;

d. All anchoring and attachment to the building of both the permanently attached and removable protective systems shall be designed to meet the impact requirements specified by the applicable building code. These designs shall be signed, sealed and dated by a Florida registered structural engineer;

e. The glazed openings inside or outside of the protective systems shall meet the cyclical loading requirements specified by the applicable building code;

f. All of the impact protective systems shall be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading;

g. No protective system shall restrict the operability of the windows in the occupied resident bedrooms.

h. No protective systems shall reduce the clear window opening below 8% of the gross square footage of the resident room.

6. Heating, Ventilation and Air Conditioning (HVAC) Standards.

a. Air moving equipment, dx condensing units, through-wall units and other HVAC equipment located outside of or on the roof of the facility shall be permitted only when either of the following are met:

(I) They are located inside a penthouse designed to meet the wind load requirements of the applicable building code, or;

(II) Their fastening systems are designed to meet the wind load requirements of the applicable building code and they are protected from impact as specified by the applicable building code.

b. All occupied resident areas and resident support areas shall be supplied with sufficient HVAC to ensure the health, safety and well being of all residents and staff during and immediately following a disaster.

c. Systems providing HVAC and their associated support equipment such as a control air compressor essential to the maintenance of the occupied resident and resident support area(s) shall receive their power from the emergency power supply system(s).

d. Ventilation air change rates in occupied resident areas shall be maintained as specified in Chapter 59A-4, F.A.C.

e. Auxiliary equipment and specialties such as hydronic supply piping and pneumatic control piping shall be located and routed in such a manner as to ensure the equipment receiving the services will not be interrupted.

7. Plumbing Standards.

a. There shall be an independent on-site supply or storage capability of potable water tested and approved in accordance with the applicable building code at a minimum quantity of 3 gallons per resident served per day during and immediately following a disaster.

b. There shall be an independent on-site supply or storage capability of potable water tested and approved in accordance with the applicable building code at a minimum quantity of 1 gallon per facility staff and other personnel during and immediately following a disaster.

c. There shall be an independent on-site supply or storage capability of sufficient amount of non-potable water to provide for all resident services such as bathing, washing and flushing and support utilities during and immediately following a disaster.

d. When used, selected system appurtenances such as water pressure maintenance house pumps, and emergency water supply well pumps shall take power from the emergency power supply system(s).

8. Medical Gas Systems Standards. The distribution piping system and appurtenances shall be contained within a protected area(s) designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code.

9. Emergency Electrical Generator and Essential Electrical System Standards.

a. There shall be an on-site Level I emergency electrical generator system designed to support all occupied resident areas and resident support areas with at least the following support services:

(I) Ice making equipment to produce sufficient ice for the residents served;

(II) Refrigerator unit(s) and food service equipment if required by the emergency food plan;

(III) Life safety and critical branch lighting and systems as required by Chapter 59A-4, F.A.C.;

(IV) Selected HVAC systems and other systems as required by this rule;

b. The emergency generator system shall be fueled by a fuel supply stored on-site sized to fuel the generator for 100 percent load for 48 hours or for actual demand load of the occupied resident areas and resident support area(s) and resident support utilities during and immediately following a disaster.

(I) The fuel supply shall either be located below ground or contained within a protected area that is designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code. If an underground system is utilized, it shall be designed so as to exclude the entrance of any foreign solids or liquids and have approval from the Environmental Protection Agency (EPA);

(II) All fuel lines supporting the generator system(s) shall be protected also with a method designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code.

(III) All panel boards, transfer switches, disconnect switches, enclosed circuit breakers or emergency system raceway systems required to support the occupied resident area(s), resident support area(s) or support utilities shall be contained within a protected area(s) designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code, and shall not rely on systems or devices outside of this protected area(s) for their reliability or continuation of service.

(IV) The emergency generator(s) shall be air or self-contained liquid cooled and it and other essential electrical equipment shall be installed in a protected area(s) designed and constructed to meet the structural and debris impact requirements as specified by the applicable building code.

10. Fire Protection Standards.

a. If the facility required fire sprinklers as part of its fire protection, either of the following shall be met:

(I) Sufficient on-site water storage capacity to continue sprinkler coverage, or;

(II) A plan to provide a Fire Watch as approved by the agency for all areas of the facility without sprinkler coverage.

b. If sprinkler coverage is adversely affected by interrupted water flow, the facility shall provide for additional fire extinguishers in the resident occupied areas.

11. External Emergency Communications Standards. In conjunction with the County Emergency Management Agency, each facility shall provide an alternative form of electronic communication such as on-site radio transmitter or a written agreement with an amateur radio operator volunteer group(s). This agreement shall provide for a volunteer operator and communication equipment to be re-located into the facility in the event of a disaster until communications are restored. Other methods shall be pre-approved by the agency.

Specific Authority 400.23 FS. Law Implemented 400.23, 553.73, 633.022 FS. History--New 4-1-82, Amended 4-1-84, 2-29-92, Formerly 10D-29.120, 59A-4.120, Amended 2-6-97, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: RULE NO.:

Payment Methodology for Inpatient 59G-6.020
Hospital Services

PURPOSE AND EFFECT: The purpose of the proposed amendment is to delete the existing plan language that provides for an adjustment to a hospital's prospective rate for new or expanded services, for which a certificate of need is required. The effect of the proposed amendment is to remove the existing requirements, which are no longer valid and allow the agency to establish new criteria for adjusting a hospital's prospective rate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the requirement, which allows an adjustment to a hospital's prospective rate.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 1999

PLACE: 2727 Mahan Drive, Conference Room D, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John A. Owens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106C, Tallahassee, Florida 32308, (850)414-2759

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: RULE NO.:

Payment Methodology for Outpatient 59G-6.030
Hospital Services

PURPOSE AND EFFECT: The purpose of the proposed amendment is to delete the existing plan language that provides for an adjustment to a hospital's prospective rate for new or expanded services, for which a certificate of need is required. The effect of the proposed amendment is to remove the existing requirements and allow the agency to establish new criteria for adjusting a hospital's prospective rate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the requirement, which allows an adjustment to a hospital's prospective rate.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 1999

PLACE: 2727 Mahan Drive, Conference Room D, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John A. Owens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106C, Tallahassee, Florida 32308, (850)414-2759

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Definitions
RULE NO.: 64B3-2.003

PURPOSE AND EFFECT: The Board proposes an amendment to the rule to clarify subsections (19) and (20), with regard to screening for blood banks and manual pretesting procedures.

SUBJECT AREA TO BE ADDRESSED: Clarification of definitions.

SPECIFIC AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 FS.

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

TIME AND DATE: 10:00 a.m., June 9, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0797

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-2.003 Definitions.

(1) through (18) No change.

(19) Screening for Blood Banks or Plasmapheresis Centers means interviewing prospective donors in a blood bank or plasmapheresis center ~~for the purpose of donating blood or plasma~~ during which a hemoglobin test using a method classified as waived, a spun hematocrit or a total protein by the refractometer method may be performed.

(20) Manual Pretesting procedures means collecting and labeling specimens; initially separating specimens by centrifugation prior to testing; receiving specimens and requisitions, processing, sorting, accessioning, prior to testing and delivering specimens to the appropriate testing sites; specimen processing for storage and shipping to a reference laboratory; routine cytopreparatory staining; and measuring and aliquoting specimens.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.811, 483.821, 483.823 FS. History-New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 590-2.003, Amended 3-19-98, 5-28-99.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Inactive Status and Reactivation
of Inactive Clinical Laboratory
Personnel License
RULE NO.: 64B3-8.002

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B3-8.002 to revise and clarify the rule language regarding the reactivation of an inactive license.

SUBJECT AREA TO BE ADDRESSED: The reactivation of inactive clinical laboratory personnel license.

SPECIFIC AUTHORITY: 455.711, 483.805(4), 483.819 FS.

LAW IMPLEMENTED: 455.711, 483.819 FS.

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

TIME AND DATE: 10:00 a.m., June 9, 1999

PLACE: Room 324, Collins Building, 107 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-8.002 Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License.

(1) No change.

(2) An inactive status licensee may change to active status at any time provided the licensee meets the continuing education or reexamination requirements of subsection (3) of this rule and following:

(a) pays the active status fees of Rule 64B3-9.004, F.A.C., for each biennium during which the license was inactive; or,

(b) pays the reactivation fee of Rule 64B3-9.005, F.A.C., and; or,

(c) pays, if applicable, the processing fee of Rule 64B3-9.010, F.A.C.; or,

(3) A licensee seeking reactivation to active status must (d) demonstrates competency by reexamination as provided in Section 483.821, F.S., or by documenting continuing education hours as follows:

(a)(e) No change.

(b)(f) No change.

(c)(g) No change.

(d)(h) No change.

(4)(i) No change.

Specific Authority 455.711, 483.805(4), 483.819 FS. Law Implemented 455.711, 483.819 FS. History-New 2-22-94, Formerly 61F3-8.002, Amended 12-26-94, 5-3-95, 12-3-96, Formerly 59O-8.002, Amended _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Fees RULE NO.: 64B8-41.001

PURPOSE AND EFFECT: The Council proposes to make recommendations to the Board of Medicine that certain fees be increased.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 455.711, 468.507, 468.508 FS.

LAW IMPLEMENTED: 455.641, 455.711, 468.508 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-41.001 Fees.

(1) through (9) No change.

(10) The fee for renewal of inactive status shall be \$25.00, \$10.00, \$5.00 of which shall be earmarked for the fund to combat unlicensed activity pursuant to Section 455.2281, Florida Statutes.

(11) The change of status processing fee shall be \$25.00, \$10.00.

Specific Authority 468.507, 468.508, 455.711 FS. Law Implemented 468.508, 455.641, 455.711 FS. History-New 4-9-89, Amended 8-28-90, 11-9-92, Formerly 21M-47.001, Amended 9-21-93, 11-4-93, 1-3-94, Formerly 61F6-47.001, Amended 12-28-94, 5-2-95, Formerly 59R-41.001, Amended 11-24-97, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Licensure by Examination RULE NO.: 64B8-42.002

PURPOSE AND EFFECT: The Council proposes to make recommendations to the Board of Medicine that the rule text be updated to add additional language.

SUBJECT AREA TO BE ADDRESSED: Licensure by examination.

SPECIFIC AUTHORITY: 455.574(1), 468.507 FS.

LAW IMPLEMENTED: 468.509 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-42.002 Licensure by Examination.

(1) Every applicant for certification by examination shall demonstrate to the Council that he meets one of the following:

(a)1. Has a baccalaureate or post baccalaureate degree with a major in human nutrition, food and nutrition, dietetics, food management or equivalent major as determined by the Council from a school or program accredited by the appropriate accrediting agency recognized by the Council on Post-secondary Accreditation or its successor and the United States Department of Education and

2. No change.

(b)1. No change.

2. No change.

(2) through (5) No change.

Specific Authority 468.507, 455.574(1) FS. Law Implemented 468.509 FS. History--New 4-9-89, Amended 11-28-90, 3-24-91, 11-9-92, 5-6-93, Formerly 21M-48.002, Amended 11-4-93, 6-9-94, Formerly 61F6-48.002, Amended 11-12-95, Formerly 59R-42.002, Amended.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines
 RULE NO.: 64B8-44.003

PURPOSE AND EFFECT: The Council proposes to make recommendations to the Board of Medicine that Subsection (4) of this rule be amended.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 455.627, 458.309, 468.507 FS.

LAW IMPLEMENTED: 455.627, 468.517, 468.518(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-44.003 Disciplinary Guidelines.

(1) through (3) No change.

(4) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Section 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION	RECOMMENDED RANGE OF PENALTY
(a) Violating Practice Act or Board or Department Rules (468.518(1)(a))	(a) From a <u>minimum of six months' probation reprimand</u> to revocation or denial of licensure and an administrative fine from \$150 \$400 to \$1,000, depending on the seriousness of the underlying offense and the magnitude of the violation

(b) through (n) No change.

(5) through (7) No change.

Specific Authority 455.627, 468.507, 458.309 FS. Law Implemented 455.627, 468.517, 468.518(2) FS. History--New 12-4-90, Formerly 21M-50.003, Amended 6-22-94, Formerly 61F6-50.003, 59R-44.003, Amended 3-16-98, _____.

DEPARTMENT OF HEALTH

Division of Disease Control

RULE CHAPTER TITLE: Control of Communicable Diseases and Conditions which may significantly Affect Public Health
 RULE CHAPTER NO.: 64D-3

PURPOSE AND EFFECT: The purpose and effect of the rule development is to amend 64D-3, F.A.C., updating procedural changes related to the reporting, investigation, and control of communicable diseases and conditions of public health significance.

SUBJECT AREA TO BE ADDRESSED: The subjects to be addressed are the reporting of communicable diseases and conditions and the procedures for investigation, control and prevention of diseases and conditions of public health significance.

SPECIFIC AUTHORITY: 381.0011(4),(8),(13), 381.003(2), 381.0031(5), 381.006, 384.23, 384.25, 384.33, 392.53, 392.66 FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.0031, 384.23, 384.25, 384.27, 385.202, 392.53 FS.

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

TIME AND DATE: 8:30 a.m., June 9, 1999

PLACE: Department of Health, 1309 Winewood Blvd, Bldg 6, Rm 331, Tallahassee, FL 32399-1734

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Linda M. Baldy, Bureau of Epidemiology, 2020 Capital Circle, S. E., Tallahassee, FL 32399-1734, whose telephone number is (850)488-2905

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLE: Allocation Methodology for the Distribution of Funds Appropriated for Tuberculosis Control
 RULE NO.: 64D-3.025

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to make adjustments to the current allocation methodology for the distribution of categorical tuberculosis funds. The proposed rule amendments provide new language which will more effectively reflect the funding needs of county health departments based on current and future disease incidence trends.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the allocation methodology for the distribution of funds appropriated for tuberculosis control.

SPECIFIC AUTHORITY: 381.0011(4)(13), 381.003(1)(a),(2), 392.54, 392.56 FS.

LAW IMPLEMENTED: 381.0011(4), 381.003(1)(a), 392.54, 392.61(4), 392.66 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 p.m., July 7, 1999
PLACE: 1309 Winewood Boulevard, Building 6, Room 407, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jane Peck, Operations and Management Consultant II, Bureau of Tuberculosis and Refugee Health, 1317 Winewood Boulevard, Building 6, Room 402B, Tallahassee, FL 32399-0700

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe W. Kight, Assistant Division Director, Division of Animal Industry, 407 S. Calhoun Street, Room 321, Tallahassee, Florida 32399-0800, (850)488-0709, FAX (850)487-3641

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 5C-13.004 follows. See Florida Administrative Code for present text.)

5C-13.004 Schedule of Fees.

(1) Necropsy Fees. Necropsy fees will normally include gross necropsy, histopathological, bacteriological, and parasitological examinations. With the exception of poultry examinations, additional charges will be made on all virological and toxicological examinations deemed necessary by the diagnostic veterinarian in charge of the case.

(a) Mammals.

1. Bovine and Equine

- Over 100 lbs \$40.00/animal
Under 100 lbs \$25.00/animal
Fetus \$10.00/animal

2. Porcine:

- Over 250 lbs \$40.00/animal
20 – 250 lbs \$25.00/animal
Under 20 lbs \$10.00/animal
Fetus \$10.00/animal

3. Ovine and Caprine:

- Over 35 lbs \$35.00/animal
Under 35 lbs \$25.00/animal
Fetus \$10.00/animal

4. Canine and Feline:

- Over 20 lbs \$35.00/animal
Under 20 lbs \$25.00/animal
Fetus \$10.00/animal

5. Rodents and Rabbits..... \$20.00/animal

6. Other Mammals

(deer, other exotic species) \$35.00/animal

7. Miscellaneous Animals

(alligators, snakes, etc.) \$35.00/animal

(b) Avian.

1. Poultry (chickens, turkeys, ducks, geese, and other such domesticated birds which primarily serve man as a source of food, either eggs or meat) and Game Birds (quail, chukars, pheasants, etc. (includes microbiology)).... \$20.00/submission

2. Companion Birds:

Psittacine (canary, finch, etc.) \$12.50/bird

3. Wild Birds:

- Waterfowl \$10.00/bird
Raptors \$20.00/bird
Small Wild birds (Grackles, etc.)..... \$10.00/bird

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE: RULE CHAPTER NO.:
State Diagnostic Laboratories 5C-13
RULE TITLE: RULE NO.:
Schedule of Fees 5C-13.004

PURPOSE AND EFFECT: The purpose and effect of these rule changes is to provide changes to offset increasing costs in providing services and to remain consistent with other state and federal laboratory fees, a small increase in fees for selected laboratory system services.

SUMMARY: Increases fees for diagnostic laboratory services commensurate with private, and other state and federal laboratories.

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

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

SPECIFIC AUTHORITY: 585.002(3), 570.07(23) FS.

LAW IMPLEMENTED: 585.61(3),(4) 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: 2:00 p.m., June 4, 1999
PLACE: Department of Agriculture and Consumer Services, Conference Room, Room 316, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800

<u>4. Ratites:</u>	
<u>Birds over 16 weeks of age</u>	<u>\$40.00/bird</u>
<u>Birds 8 to 16 weeks of age</u>	<u>\$30.00/bird</u>
<u>Birds under 8 weeks of age</u>	<u>\$25.00/bird</u>
<u>(2) Bacteriology/Mycology.</u>	
<u>Antibiotic Sensitivity Test</u>	<u>\$5.00/bacterium</u>
<u>Bacterial/Fungal Culture:</u>	
<u>Food Animal</u>	<u>\$1.00/swab/tissue</u>
<u>Non-Food Animal:</u>	
<u>No Isolates Identified</u>	<u>\$4.00/swab/tissue</u>
<u>One – Two Isolates Identified</u>	<u>\$10.00/swab/tissue</u>
<u>Three or More Isolates Identified</u>	<u>\$15.00/swab/tissue</u>
<u>Campylobacter Veneralis Culture</u>	<u>\$4.00swab/tissue</u>
<u>Campylobacter Jejuni Culture</u>	<u>\$10.00/swab/tissue</u>
<u>Contagious Equine Metritis Culture</u>	<u>\$10.00/animal</u>
<u>Cytology</u>	<u>\$5.00/test</u>
<u>Hatchery Air Sample</u>	<u>\$1.00/test</u>
<u>Mycoplasma Culture:</u>	
<u>Food Animal</u>	<u>\$1.00/swab/tissue</u>
<u>Non-Food Animal</u>	<u>\$6.00/swab/tissue</u>
<u>M. paratuberculosis DNA Probe</u>	<u>\$7.50/test</u>
<u>Mycoplasma gallisepticum</u>	
<u>Plate</u>	<u>\$0.50/test</u>
<u>HI</u>	<u>\$1.00/test</u>
<u>(3) Clinical Pathology.</u>	
<u>Complete Blood Count</u>	<u>\$5.00/test</u>
<u>Includes: RBC, WBC, Neutrophils, Lymphocytes, Monocytes, Eosinophils, Basophils, Reticulocytes, PCV, Hemoglobin, MCV, and Platelets.</u>	
<u>Blood Chemistry Profiles</u>	
<u>Avian</u>	<u>\$13.00/profile</u>
<u>Equine</u>	<u>\$13.00/profile</u>
<u>Ruminant</u>	<u>\$13.00/profile</u>
<u>Small Animal</u>	<u>\$13.00/profile</u>
<u>Porcine</u>	<u>\$13.00/profile</u>
<u>Complete Urinalysis</u>	<u>\$3.00/test</u>
<u>Individual Tests Include:</u>	
<u>Albumin</u>	<u>\$3.00/test</u>
<u>Alkaline Phosphatase</u>	<u>\$3.00/test</u>
<u>Amylase</u>	<u>\$3.00/test</u>
<u>Bicarb</u>	<u>\$3.00/test</u>
<u>Bilirubin</u>	<u>\$3.00/test</u>
<u>BUN</u>	<u>\$3.00/test</u>
<u>Calcium</u>	<u>\$3.00/test</u>
<u>Chloride</u>	<u>\$3.00/test</u>
<u>Cholesterol</u>	<u>\$3.00/test</u>
<u>Cholinesterase</u>	<u>\$3.00/test</u>
<u>Creatinine</u>	<u>\$3.00/test</u>
<u>Creatinine Phosphokinase (CPK)</u>	<u>\$3.00/test</u>
<u>Gamma-Glutamyl Transferase</u>	<u>\$3.00/test</u>
<u>Globulin</u>	<u>\$3.00/test</u>
<u>Glucose</u>	<u>\$3.00/test</u>
<u>Hemoglobin</u>	<u>\$3.00/test</u>
<u>Iron</u>	<u>\$3.00/test</u>
<u>Ketone</u>	<u>\$3.00/test</u>
<u>Lactate Dehydrogenase (LDH)</u>	<u>\$3.00/test</u>
<u>Lipase</u>	<u>\$3.00/test</u>
<u>Magnesium</u>	<u>\$5.00/test</u>
<u>Occult Blood</u>	<u>\$3.00/test</u>
<u>PH</u>	<u>\$3.00/test</u>
<u>Phosphorus</u>	<u>\$5.00/test</u>
<u>Potassium</u>	<u>\$5.00/test</u>
<u>Proteins</u>	<u>\$3.00/test</u>
<u>SDH</u>	<u>\$3.00/test</u>
<u>ST (SGOT)</u>	<u>\$3.00/test</u>
<u>ALT (SGPT)</u>	<u>\$3.00/test</u>
<u>Specific Gravity</u>	<u>\$3.00/test</u>
<u>Sodium</u>	<u>\$3.00/test</u>
<u>Thyroid – T4</u>	<u>\$5.00/test</u>
<u>Urine Sediment Evaluation</u>	<u>\$1.00/test</u>
<u>Zinc Sulfate</u>	<u>\$3.00/test</u>
<u>(4) Toxicology.</u>	
<u>Acepromazine</u>	<u>\$5.00/test</u>
<u>Acetylsalicylic Acid</u>	<u>\$5.00/test</u>
<u>Aflatoxin</u>	<u>\$5.00/sample</u>
<u>Aldicarb (Temik)</u>	<u>\$5.00/test</u>
<u>Aldrin</u>	<u>\$5.00/test</u>
<u>Alkaloid & Organic Bases Screen</u>	<u>\$10.00/sample</u>
<u>Alkaloid Identification</u>	<u>\$5.00/test</u>
<u>Amphetamine</u>	<u>\$5.00/test</u>
<u>Anticoagulant Screen</u>	<u>\$10.00/sample</u>
<u>Anticoagulant Identification</u>	<u>\$5.00/test</u>
<u>Arsenic</u>	<u>\$10.00/sample</u>
<u>Atrazine</u>	<u>\$5.00/test</u>
<u>Azinphosmethyl</u>	<u>\$5.00/test</u>
<u>Barbiturates</u>	<u>\$5.00/test</u>
<u>Banamine</u>	<u>\$5.00/test</u>
<u>Bendiocarb (Ficam)</u>	<u>\$5.00/test</u>
<u>Benzocaine</u>	<u>\$5.00/test</u>
<u>Biological Insecticide Test</u>	<u>\$5.00/sample</u>
<u>Brodifacoum</u>	<u>\$5.00/test</u>
<u>Bromadiolone (Supercid)</u>	<u>\$5.00/test</u>
<u>Caffeine</u>	<u>\$5.00/test</u>
<u>Calcium</u>	<u>\$5.00/sample</u>
<u>Cannibis (Marijuana)</u>	<u>\$5.00/test</u>
<u>Carbaryl (Sevin)</u>	<u>\$5.00/test</u>
<u>Carbofuran</u>	<u>\$5.00/test</u>
<u>Chlordane</u>	<u>\$5.00/test</u>
<u>Chlodirazepoxide</u>	<u>\$5.00/test</u>
<u>Chlorophacinone (Caid)</u>	<u>\$5.00/test</u>

<u>Chlorinated Hydrocarbon Insecticide</u>	\$5.00/test
<u>Chlorpromazine</u>	\$5.00/test
<u>Chlorpyrifos</u>	\$5.00/test
<u>Cocaine</u>	\$5.00/test
<u>Copper</u>	\$5.00/test
<u>Coumafuryl (Fumarin)</u>	\$5.00/test
<u>Copper</u>	\$5.00/sample
<u>Cyanide</u>	\$5.00/sample
<u>DDD</u>	\$5.00/test
<u>DDE</u>	\$5.00/test
<u>DDT</u>	\$5.00/test
<u>Demeton (Systox)</u>	\$5.00/test
<u>Diazinon</u>	\$5.00/test
<u>Dichlorvos</u>	\$5.00/test
<u>Dieldrin</u>	\$5.00/test
<u>Diphenadione</u>	\$5.00/test
<u>Disulfoton (Di-Syston)</u>	\$5.00/test
<u>Endosulfan (Thiodan)</u>	\$5.00/test
<u>Endrin</u>	\$5.00/test
<u>Ephedrine</u>	\$5.00/test
<u>Equine Drug Screen</u>	\$15.00/sample
<u>Ethylene Glycol</u>	\$5.00/test
<u>Ethion</u>	\$5.00/test
<u>Ethyl Parathion</u>	\$5.00/test
<u>Fenamifos (Nemacur)</u>	\$5.00/test
<u>Fenthion (Spoton)</u>	\$5.00/test
<u>Fibrinogen</u>	\$3.00/test
<u>Fumonisin</u>	\$5.00/sample
<u>Gamma BHC (Lindane)</u>	\$5.00/test
<u>Gossypol</u>	\$10.00/test
<u>Heavy Metal Screen</u>	\$10.00/sample
<u>Heavy Metal Identification</u>	\$5.00/sample
<u>Heptachlor</u>	\$5.00/test
<u>Herbicide Screen</u>	\$10.00/sample
<u>Herbicide Identification</u>	\$5.00/test
<u>Insecticide/Pesticide Screen</u>	\$10.00/sample
<u>Insecticide/Pesticide Identification</u>	\$5.00/test
<u>Lannate</u>	\$5.00/test
<u>Lead</u>	\$5.00/sample
<u>Magnesium</u>	\$5.00/sample
<u>Malathion</u>	\$5.00/test
<u>Meprobamate</u>	\$5.00/test
<u>Mercury</u>	\$10.00/sample
<u>Methamidophos (Monitor)</u>	\$5.00/test
<u>Methyl Parathion</u>	\$5.00/test
<u>Monensin</u>	\$5.00/test
<u>Mycotoxin Screen</u>	\$10.00/sample
<u>Napthalene</u>	\$5.00/test
<u>Nicotine</u>	\$5.00/test
<u>Nitrate/Nitrite</u>	\$5.00/sample

<u>Ochratoxin</u>	\$5.00/sample
<u>Organic Acid/Neutral Compound Screen</u>	\$10.00/test
<u>Oxamyl</u>	\$5.00/test
<u>Paraquat/Diaquat</u>	\$5.00/sample
<u>Parathion</u>	\$5.00/test
<u>Phenolbarbital</u>	\$5.00/test
<u>Phenothiazine</u>	\$5.00/test
<u>Phenylbutazone</u>	\$5.00/test
<u>Phosphorus</u>	\$5.00/sample
<u>Pidone (Pival)</u>	\$5.00/test
<u>Polychlorinated Biphenyls (PCB)</u>	\$5.00/test
<u>Potassium</u>	\$5.00/sample
<u>Pramitol</u>	\$5.00/test
<u>Procaine</u>	\$5.00/test
<u>Promazine</u>	\$5.00/test
<u>Propoxur (Batgon)</u>	\$5.00/test
<u>Pyriminil</u>	\$5.00/test
<u>Quaternary Ammonium Compounds</u>	\$5.00/test
<u>Reinsch Test</u>	\$7.50/test
<u>Ronnel</u>	\$5.00/test
<u>Selenium</u>	\$5.00/test
<u>Silver</u>	\$5.00/test
<u>Strychnine</u>	\$ 5.00/test
<u>Selenium</u>	\$5.00/sample
<u>Sodium</u>	\$5.00/sample
<u>Sulfacetamide</u>	\$5.00/test
<u>Sulfadiazine</u>	\$5.00/test
<u>T-2</u>	\$5.00/sample
<u>Theobromine</u>	\$5.00/test
<u>Toxaphene</u>	\$5.00/test
<u>Urea</u>	\$5.00/sample
<u>Vomitoxin</u>	\$5.00/sample
<u>Warfarin</u>	\$5.00/test
<u>Xylazine</u>	\$5.00/test
<u>Zearalenone</u>	\$5.00/sample
<u>Zinc</u>	\$5.00/sample

(5) Histopathology.

<u>Cytology</u>	\$10.00/sample
<u>Histopathology:</u>	
<u>One-Three Tissues</u>	\$10.00
<u>Four or more Tissues</u>	\$15.00
<u>Histopathological Slide Furnished</u>	\$7.50/each

(6) Parasitology.

Acridine Orange Stained Blood Smears:

<u>Anaplasma Bodies</u>	\$3.00/test
<u>Babesia Bodies</u>	\$3.00/test
<u>Eperythrozoon Bodies</u>	\$3.00/test
<u>Hemobartonella</u>	\$3.00/test
<u>Anaplasmosis CardTest</u>	\$1.50/serum

Avian Parasites (Blood Smears):

<u>Hemoproteus</u>	\$3.00/sample
<u>Leucocytozoon</u>	\$3.00/sample
<u>Cryptosporidium/Giardia Fluorescent</u>	
<u>Antibody Examination</u>	\$5.00/exam
<u>Fecal Examination</u>	\$2.50/sample
<u>Hemoparasite Examinations:</u>	
<u>Hemobartellona</u>	\$3.00/sample
<u>Microfilaria Testing – Identification:</u>	
<u>Knott’s Test</u>	\$2.50/sample
<u>Occult Heartworm – ELISA Test</u>	\$5.00/sample
<u>Parasite Identification</u>	\$2.00/sample
<u>Rabies – Preparation and Shipment of Head to State</u>	
<u>Health Department</u>	\$7.50/sample
<u>Skin Scraping</u>	\$2.00/sample
<u>Toxoplasmosis – HI Titer</u>	\$5.00/serum
<u>Trichomonas Culture</u>	\$ 3.00/sample
<u>(7) Serology.</u>	
<u>(a) Bacterial.</u>	
<u>Brucella abortus – Plate/Card</u>	\$0.50/serum
<u>Brucella canis – Agglutination</u>	\$5.00/serum
<u>Leptospirosis MA Test (5 serovars)</u>	\$2.50/serum
<u>Mycoplasma gallisepticum – HI</u>	\$1.00/serum
<u>Mycoplasma gallisepticum – Plate Aggl’n</u> . . .	\$0.50/serum
<u>Mycoplasma synoviae – HI</u>	\$1.00/serum
<u>Mycoplasma synoviae – Plate Aggl’n</u>	\$0.50/serum
<u>Pullorum-Typhoid – Plate Aggl’n Test</u>	\$0.50/serum
<u>(b) Viral.</u>	
<u>1. Agar Gel Immunodiffusion (AGID)</u>	
<u>Avian Influenza</u>	\$ 3.50/serum
<u>Bluetongue (BT)</u>	\$ 3.50/serum
<u>Bovine Leukosis (BLV)</u>	\$ 3.50/serum
<u>Caprine Arthritis-Encephalitis (CAEV)</u>	\$ 3.50/serum
<u>Epizootic Hemorrhagic Disease (EHD)</u>	\$ 3.50/serum
<u>Equine Infectious Anemia – Coggins</u>	\$ 3.50/serum
<u>Infectious Bursal Disease (IBD)</u>	\$ 3.50/serum
<u>Other AGID Tests</u>	\$ 3.50/serum
<u>2. Serum Neutralization (SN)</u>	
<u>Bovine Respiratory Syncytial Virus</u>	\$ 3.50/serum
<u>Bovine Viral Diarrhea (BVD)</u>	\$ 3.50/serum
<u>Equine Rhinopneumonitis (ERV)</u>	\$ 3.50/serum
<u>Equine Viral Arteritis (EVA)</u>	\$ 3.50/serum
<u>Infectious Bovine Rhinotracheitis (IBR)</u>	\$ 3.50/serum
<u>Bovine Parainfluenza 3 (PI3)</u>	\$ 3.50/serum
<u>Pseudorabies (PRV)</u>	\$ 3.50/serum
<u>Vesicular Stomatitis (VS) Indiana</u>	\$ 3.50/serum
<u>Vesicular Stomatitis (VS) New Jersey</u>	\$ 3.50/serum
<u>Other SN Tests</u>	\$ 3.50/serum
<u>3. Enzyme Linked Immuno Absorbant Assay (ELISA)</u>	
<u>Feline Immunodeficient Virus (FIV)</u>	\$5.00/serum
<u>Feline Leukemia (FELV)</u>	\$5.00/serum

<u>4. Indirect Fluorescent Antibody (IFA)</u>	
<u>Canine Distemper</u>	\$5.00/serum
<u>Canine Ehrlichiosis</u>	\$5.00/serum
<u>Canine Parvovirus</u>	\$5.00/serum
<u>Equine Influenza</u>	\$5.00/serum
<u>Equine Rhinopneumonitis</u>	\$5.00/serum
<u>Feline Infectious Peritonitis (FIP)</u>	\$5.00/serum
<u>Feline Panleukopenia</u>	\$5.00/serum
<u>Lyme Disease</u>	\$5.00/serum
<u>Potomac Horse Fever</u>	\$5.00/serum
<u>Rocky Mountain Spotted Fever (RMSF)</u>	\$5.00/serum
<u>Transmissible Gastroenteritis (TGE)</u>	\$5.00/serum
<u>Ehrlichia Equi</u>	\$5.00/serum
<u>Other IFA Tests</u>	\$5.00/serum
<u>5. Direct Fluorescent Antibody</u>	
<u>Bovine Coronavirus</u>	\$3.00/test
<u>Bovine Parainfluenza Virus</u>	\$3.00/test
<u>Bovine Respiratory Syncytial Virus</u>	\$3.00/test
<u>Bovine Rotavirus</u>	\$3.00/test
<u>Bovine Viral Diarrhea</u>	\$3.00/test
<u>Canine Coronavirus</u>	\$5.00/test
<u>Canine Distemper</u>	\$5.00/test
<u>Canine Parvovirus</u>	\$5.00/test
<u>Equine Rhinotracheitis</u>	\$5.00/test
<u>Feline Infectious Peritonitis</u>	\$5.00/test
<u>Feline Panleukopenia</u>	\$5.00/test
<u>Infectious Bovine Rhinotracheitis</u>	\$3.00/test
<u>Ovine Progressive Pneumonia</u>	\$3.00/test
<u>Porcine Parvovirus</u>	\$3.00/test
<u>Pseudorabies</u>	\$3.00/test
<u>Transmissible Gastroenteritis</u>	\$3.00/test
<u>Other Direct AB Examinations</u>	\$3.00/test
<u>6. Miscellaneous</u>	
<u>Equine Encephalomyelitis HI</u>	\$ 5.00/serum
<u>Newcastle HI</u>	\$ 5.00/serum
<u>(8) Virology.</u>	
<u>Chlamydia Isolation</u>	\$7.50/tissue/swab
<u>Electron Microscope Examination</u>	\$7.50/tissue/swab
<u>Isolate Identification</u>	\$5.00/identification
<u>Giminez Stain for Chlamydia</u>	\$3.00/pooled tissue
<u>Virus Isolation</u>	\$ 7.50/tissue/swab
<u>(9) Miscellaneous.</u>	
<u>Shipments to Other Laboratories</u>	\$3.00/accession
<u>Testing Out-Of-State Samples</u>	\$7.50/test

Specific Authority 585.002(3), 570.07(23) FS. Law Implemented 585.61(3),(4) FS. History—New 12-25-84, Formerly 5C-13.04, Amended 11-27-88, 5-6-93.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe W. Kight, Assistant Director, Division of Animal Industry, 407 S. Calhoun St., Rm. 321, Tallahassee, FL 32399-0800, (850)488-7079, FAX (850)487-3641

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Leroy M. Coffman, Dir., Div. of Animal Industry, 407 S. Calhoun St., Rm 330, Tallahassee, FL 32399-0800, (850)488-7747; FAX: (850)922-8969

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Equine Infectious Anemia	5C-18
RULE TITLES:	RULE NOS.:
Official Test	5C-18.003
Quarantine	5C-18.007
Procedures for Assembly Points, Approved Quarantine Assembly Points, Approved Quarantine Premises, and Horse Slaughter Sales	5C-18.011

PURPOSE AND EFFECT: The purpose and effect of these rule changes is to created a fee for maintaining an approved quarantined premise and remove requirements of a notarized copy of the test report for movement.

SUMMARY: This rule establishes an annual fee of \$200 for an approved quarantine premise and removes the requirement of a notarized copy of test report.

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

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

SPECIFIC AUTHORITY: 585.002(4),(5), 585.08(2), 585.671 FS.

LAW IMPLEMENTED: 585.002(5), 585.11(1), 585.08(1), 585.145(1),(2), 585.16, 585.671 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: 4:00 p.m., June 4, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, 407 S. Calhoun Street, Room 316, Tallahassee, Florida 32399-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jay S. Levenstein, Chief, Bureau of Animal Disease Control, Division of Animal Industry, 407 S. Calhoun Street, Room 329, Tallahassee, Florida 32399-0800. Phone (850)488-7182

THE FULL TEXT OF THE PROPOSED RULES IS:

5C-18.003 Official Test.

(1) through (1)(d)4. No change.

(2) Rejected Test Report. A report of an EIA test will be rejected if the report:

(a) through (b) No change.

(c) Is not an original owner's copy or a laboratory certified copy; except that for purposes other than change of ownership shows and exhibitions within Florida, a notarized photocopy of the owner's original copy is acceptable.

(3) through (5)(b) No change.

Specific Authority 585.002(4),(5), 585.08(2), 585.671 FS. Law Implemented 585.002(5), 585.671, 585.11(1) FS. History--New 10-15-73, Formerly 5C-18.03, Amended 8-15-94,_____.

5C-18.007 Quarantine.

(1) through (4) No change.

(5) Approved quarantine premises. Any premise where a reactor horse is to be maintained must be approved in advance by the Director.

(a) Written Request. The owner of the premise, or an authorized representative of the owner, must submit a written request for approval of the premise to the Department of Agriculture and Consumer Services, Division of Animal Industry, Post Office Box 6710, Tallahassee, FL 32314.

(b) Fee. Effective July 1, 1999, all approved quarantine premises must pay an annual fee of \$200.00, paid by certified check or money order made payable to the Florida Department of Agriculture and Consumer Services.

(c) Any individual or organization that maintains reactors for research, educational, or therapeutic purposes at an approved quarantine premise shall be exempt from payment of the fee.

(b) through (e) renumbered (d) through (g) No change.

Specific Authority 585.002(4), 585.08(2), 585.671 FS. Law Implemented 585.08(1), 585.145(1), (2), 585.16, 585.671 FS. History--New 10-15-73, Formerly 5C-18.07, Amended 8-15-94,_____.

5C-18.011 Procedures for Assembly Points, Approved Quarantine Assembly Points, Approved Quarantine Premises, and Horse Slaughter Sales.

(1) through (2) No change.

(3) Approved Quarantine Premises. Approved quarantine premises must have valid permits and must comply with all requirements of 5C-18.007(5)(2).

(4) No change.

Specific Authority 585.002(4), 585.08(2), 585.671 FS. Law Implemented 585.671, 585.14, 585.16, 585.23, 585.18, 585.19 FS. History--New 10-15-73, Formerly 5C-18.11, Amended 8-15-94,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe W. Kight, Assistant Director, Division of Animal Industry, 407 S. Calhoun St., Rm 321, Tallahassee, FL 32399-0800, (850)488-7079, FAX: (850)487-3641

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Leroy M. Coffman, Dir., Div. of Animal Industry, 407 S. Calhoun St., Rm 330, Tallahassee, FL 32399-0800, (850)488-7747; FAX: (850)922-8969

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Pseudorabies	5C-21
RULE TITLES:	RULE NOS.:
Definitions	5C-21.002
General Requirements and Limitations	5C-21.010
Vaccination, Approval and Procedures	5C-21.011
Procedures for Control and Eradication of Pseudorabies	5C-21.012
Feral Swine, Movement and Test Requirements	5C-21.015

PURPOSE AND EFFECT: The purpose and effect of these rule changes is to provide changes to the State's Pseudorabies Eradication Program in keeping with requirements of State/Federal/Industry Program Standards and recommendations from Florida's swine industry.

SUMMARY: This rule revision eliminates reference to swine dealers' permits; revises exemptions to negative test requirements; and provides for indemnity for reactor animals.

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

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

SPECIFIC AUTHORITY: 585.002(4), 585.08(2) FS.

LAW IMPLEMENTED: 570.0705, 585.01, 585.002(5), 585.003(1),(2), 585.08(1), 585.11(1),(2), 585.14, 585.145(1),(2), 585.16, 585.17(1),(2), 585.18(1), (2), 585.20, 585.22, 585.23, 585.40 FS.

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

TIME AND DATE: 3:00 p.m., June 4, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, 407 S. Calhoun Street, Room 316, Tallahassee, Florida 32399-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jay S. Levenstein, Chief, Bureau of Animal Disease Control, Division of Animal Industry, 407 S. Calhoun Street, Room 329, Tallahassee, Florida 32399-0800, Phone (850)488-7182

THE FULL TEXT OF THE PROPOSED RULES IS:

5C-21.002 Definitions.

(1) Accredited Veterinarian. A veterinarian licensed in the state of origin and approved by the Deputy Administrator, United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 CFR 160-162 (1998~~3~~).

(2) through (15) No change.

(16) Domestic Swine. Swine which have been maintained in a controlled environment for reproductive or feeding purposes. ~~Feral swine shall be reclassified as domestic swine after a negative pseudorabies test conducted after 30 days of isolation from any infected or free roaming swine.~~

(17) through (19) No change.

(20) Feral Swine. Swine that have lived all (wild) or any part (feral) of their lives as free-roaming animals. ~~Feral swine shall be reclassified as domestic swine after a negative pseudorabies test conducted after 30 days of isolation from any infected or free roaming swine.~~

(21) No change.

(22) Herd Clean-Up Plan. A written, mandatory plan to eliminate pseudorabies from a swine herd which is:

(22)(a) through (22)(d) No change.

(23) Immediate Community. All premises within 2 ~~4-5~~ miles radius of the perimeter boundary of the quarantined feedlot or affected herd.

(24) through (30) No change.

(31) Program Standards. The requirements for the pseudorabies eradication program as provided in USDA APHIS publication, "Pseudorabies Eradication, State-Federal-Industry Program Standards", APHIS 91-55-041~~12~~ (1998~~3~~).

(32) through (35)(c) No change.

(36) Pseudorabies Serologic Test. Any test to determine the presence or absence of pseudorabies antibodies, approved by the Administrator for diagnosis of pseudorabies in non-vaccinated swine, conducted in a laboratory approved by the Administrator, and listed in 9 CFR 85.1 (1998~~3~~).

(37) Pseudorabies Test. Any test for the diagnosis of pseudorabies approved by the Administrator, conducted in a laboratory approved by the Administrator, and listed in 9 CFR 85.1 (1998~~3~~).

(38) through (50) No change.

(51) Materials. Pseudorabies Eradication, State-Federal-Industry Program Standards, APHIS 91-55-041+2, 9 CFR 160-162 (19983) and 9 CFR 85.1 (19983) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented 570.0705, 585.01, 585.08(1), 585.11, 585.145(1) FS. History--New 5-17-87, Amended 10-23-94.

5C-21.010 General Requirements and Limitations.

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

~~(7) Swine dealers, permit and recordkeeping.~~

~~(a) The following dealers, either individuals or other legal entities, must have a permit from the Department:~~

~~1. Any person who engages in the business of buying or selling swine in commerce, either for their own account or as an employee or agent of the seller or buyer; or~~

~~2. Any person who engages in the business of buying or selling swine in commerce on a commission basis.~~

~~(b) Permit required, fees. No person shall conduct business as a swine dealer without a permit. The operator of an approved all market class shall not be required to have a permit as a dealer.~~

~~1. Application for a swine dealer's permit shall be submitted to the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, Post Office Box 6710, Tallahassee, Florida 32314.~~

~~2. The application for a swine dealer's permit must be accompanied by a fee of \$25 paid by certified check or money order made payable to the Florida Department of Agriculture and Consumer Services.~~

~~3. The permit shall expire June 30 of each year and must be renewed prior to expiration. A fee of \$25 must be paid for annual renewal of the permit.~~

~~4. The permit shall bear the name of the dealer and his or her business address.~~

~~(e) Recordkeeping requirements.~~

~~1. Each dealer must keep records of all swine purchased for resale to enable the Department to trace an animal to the farm of origin and to its destination.~~

~~2. All records must be kept for a minimum of two years and must be made available for review upon request by a state or federal representative.~~

~~(d) Dealer permit; denied or revoked. A dealer will be denied a permit or have the permit revoked or be subject to penalties as provided in Section 5C 21.017 when the Department has determined that:~~

~~1. The dealer violated or circumvented recordkeeping requirements of this section or other animal health regulations;~~
~~or~~

~~2. The dealer failed to provide records for review when requested; or~~

~~3. The dealer conducted business regulated by this section after revocation of the permit or failed to acquire such a permit;~~
~~or~~

~~4. The dealer has had a permit revoked within one year.~~

~~(7)(8) Quarantined feedlots.~~

(a) No change.

1. ~~An request application~~ for permit shall be submitted to the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, Post Office Box 6710, Tallahassee, Florida 32314.

2. The ~~request application~~ for permit must be accompanied by a fee of \$100, paid by certified check or money order made payable to the Florida Department of Agriculture & Consumer Services.

3. No change.

4. The permit renewal shall be denied if an application is pending for a qualified pseudorabies negative herd or a pseudorabies monitored feeder pig herd within 2 ~~4-5~~ miles.

5. through (b) No change.

1. Quarantined feedlots shall not be permitted within 2 ~~4-5~~ miles of a qualified pseudorabies negative herd or a pseudorabies monitored feeder pig herd.

2. No change.

3. All swine owners within a 2 ~~4-5~~ miles radius of the proposed location of a quarantined feedlot shall be notified prior to the issuance of a quarantined feedlot permit.

4. through (d) No change.

~~(8)(9) Materials. Notice of Quarantine, AI-30 (Rev. 3-94) and Release of Quarantine, AI-28 (Rev. 3-94), Application for Swine Dealer Permit, DACS 09080 (eff. 9/94), and Application for Pseudorabies Quarantined Feedlot Permit, DACS 09081 (eff. 9/94) are hereby incorporated by reference. Copies may be obtained from the Florida Department of Agriculture, Division of Animal Industry, Room 32933, Tallahassee, Florida 32399-0800.~~

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented 570.0705, 585.002(5), 585.08(1), 585.11, 585.145(1),(2), 585.23, 585.40, 585.17 FS. History--New 10-23-94, Amended _____.

5C-21.011 Vaccination, Approval and Procedures.

(1) through (2)(c) No change.

(d) Vaccinated animals are permanently identified by a numbered pink eartag approved by the State Veterinarian; and

(e) No change.

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented 585.11(1),(2), 585.20, 585.21, 585.145 FS. History--New 10-23-94, Amended _____.

5C-21.012 Procedures for Control and Eradication of Pseudorabies.

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

(b) ~~After July 1, 1995, All~~ swine sold, offered for sale or exhibition, except for slaughter, must have evidence of a negative pseudorabies serologic test which has been conducted within the previous 30 days.

(2) Exemptions to negative test requirements. A negative test is not required for ~~the following:~~

(a) ~~Feeder~~ swine that:

(a) ~~1.~~ Originate in a qualified pseudorabies negative herd; or

(b) ~~2.~~ Originate in a qualified pseudorabies negative gene altered vaccinated herd; or

(c) ~~3.~~ Are under six months of age and oOriginate in a pseudorabies monitored feeder pig herd; or

(d) ~~4.~~ Are under six months of age and oOriginate in a pseudorabies monitored vaccinated feeder pig herd; or

(e) ~~5.~~ Originate directly from a farm of origin in a Stage ~~III or IV~~; or V state or area; or

(f) ~~6.~~ Are sold at an approved all-class market or an approved slaughter market for feeding in a quarantined feedlot ~~or for direct shipment to a recognized slaughtering establishment; or~~

(g) ~~7.~~ Are sold at an approved feeder pig market for feeding without restriction.

(b) ~~Breeder~~ swine that:

1. Originate in a qualified pseudorabies negative herd; or

2. Originate in a qualified pseudorabies negative gene altered vaccinated herd; or

3. Originate directly from a farm of origin in a Stage ~~IV or Stage V~~ state or area.

(3) No change.

(a) Pseudorabies ~~monitored feeder pig~~ herd testing.

1. All swine herds in the state must be tested by conducting an annual pseudorabies serologic test of breeding animals of a representative sample of the breeding herd. The sample size shall be as follows:

a. ~~1-10 swine test entire herd;~~

b. ~~11-35 swine test 10 swine; and~~

c. ~~36 swine and over test 30 percent of the herd or 30 swine, whichever is less.~~

2. Subject to the availability of funds, testing shall be conducted at state expense until ~~July 1, 1995 or until~~ Stage ~~IV~~ ~~is achieved~~ ~~whichever is first~~. At that time, all expenses for conducting the testing required for maintenance of a pseudorabies monitored feeder pig herd shall be the responsibility of the owner.

3. No change.

(b) Circle testing. Herd tests consisting of a representative sample, as described in Subsection (3)(a)1. above, are required of all swine herds within a 2-1.5 miles radius of affected herds. All herds determined to have swine positive to a pseudorabies test shall be quarantined.

(4) through (4)(b) No change.

1. All sows and boars sold at livestock markets and swine buying stations, other than those sold for immediate slaughter, must be tested and be negative to a pseudorabies serologic test within 30 days prior to or on arrival.

~~2. After July 1, 1995, all sows and boars sold at livestock markets and swine buying stations must be tested within 30 days prior to or on arrival.~~

~~3.~~ Herds to which pseudorabies positive swine are traces shall be placed under quarantine.

(5) Disposition of Swine.

(a) The Department may indemnify and reimburse the owner of all animals that have reacted to a pseudorabies test. Such indemnity or reimbursement shall not exceed the sum of \$35.00 per animal.

(b) All sows in infected breeding herds must be tested prior to or at farrowing and all positive sows removed from the herd for slaughter or isolation for slaughter within 15 days after weaning. All boars must be tested quarterly and all positives removed from the herd for slaughter or isolation for slaughter within 15 days after test results are reported.

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented 585.145(1),(2), 585.11(1),(2), 585.20 FS. History—New 10-23-94, Amended

5C-21.015 Feral Swine, Movement and Test Requirements.

(1) Feral swine ~~of unknown status~~ may be moved only for immediate slaughter. Movement to hunting preserves or game farms is not considered as movement to slaughter.

(2) No change.

(3) Feral swine moved for breeding purposes, in addition to meeting the requirements in (2) above, must be segregated from all domestic swine and be found negative to two pseudorabies serologic tests ~~with the first~~ conducted at least 30 to 60 days apart following segregation and the second at 60 to 90 days after the first test.

(4) No change.

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented 585.11(1),(2), 585.145(1),(2), 585.16 FS. History—New 10-23-94, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Jay S. Levenstein, Chief, Bureau of Animal Disease Control, Division of Animal Industry, 407 S. Calhoun St., Rm 329, Tallahassee, FL 32399-0800, (850)488-7182, FAX: (850)487-3641

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Leroy M. Coffman, Dir., Div. of Animal Industry, 407 S. Calhoun St., Rm 330, Tallahassee, FL 32399-0800, (850)488-7747; FAX: (850)922-8969

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: Holidays and Other Authorized Activities
RULE NO.: 53-16.005

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify and further define the circumstances and method by which hours of holiday compensatory leave and holiday pay earned by employees is calculated.

SUMMARY: The rule refines and clarifies the language set forth in 53-16.005(4).

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

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

SPECIFIC AUTHORITY: 24.105(10)(j) FS.

LAW IMPLEMENTED: 24.105(21)(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: 9:00 a.m., June 7, 1999

PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane D. Schmidt, Office of the General Counsel, Capitol Complex, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULE IS:

53-16.005 Holidays and Other Authorized Activities.

(1) through (3) No change.

(4) Each employee filling an authorized established position shall be given all holidays designated in Section 110.117, F.S., if the workload of the Lottery is such that the employee's work can be discontinued.

(a) If the holiday is observed on the employee's regular day off, and the employee is not required to work, the employee will be granted up to eight (8) hours of holiday compensatory leave credits. If the holiday falls or is observed on the employee's regular workday and the employee is required to work, the employee shall receive up to eight (8) hours holiday compensatory leave credits and will be compensated at the rate of 1 1/2 times the employee's hourly base rate of pay for all hours worked on the holiday.

(b) If the actual holiday falls on a weekend and is observed on another day as set forth in Section 110.117(1)(j), Florida Statutes, an employee who works on the observed holiday shall be compensated at the rate of 1 1/2 times the employee's hourly base rate of pay for all hours worked on the observed holiday and shall receive up to 8 hours holiday compensatory

leave credits. If the holiday is observed on the employee's regular day off and the employee is not required to work, the employee shall accrue holiday compensatory leave equal to the number of hours in the employee's regular workday not to exceed eight (8) hours.

(c) If an employee is required to work only on the actual holiday, but not on the observed holiday, the employee will be compensated at the rate of 1 1/2 times the employee's hourly base rate of pay for all hours worked on the actual holiday and shall receive up to 8 hours regular compensatory leave credits. If the holiday falls or is observed on the employee's regular day off and the employee is required to work, the number of hours worked on the holiday shall be counted as hours worked and the employee shall receive up to eight (8) hours holiday compensatory leave credits and be compensated at the rate of 1 1/2 times the employee's hourly base rate of pay for all hours worked on the holiday.

(d) If an employee is required to work both the observed and the actual holidays, the employee will be compensated at the rate of 2 1/2 times the employee's hourly base rate of pay for all hours worked on the actual holiday, and shall be compensated at the rate of 1 1/2 times the employee's hourly base rate of pay for all hours worked on the observed holiday and shall receive up to 8 hours holiday compensatory leave credits for hours worked on the observed holiday. If an employee is required to work both the actual and observed holiday, the holiday shall be recognized on the observed date.

(e) For Memorial Day calculation purposes, the last Monday in May is both the actual and observed holiday. Holiday compensatory leave credits earned by working when a holiday is observed shall be granted as a delayed holiday and shall be compensated in accordance with this subsection. Holiday compensatory leave accrued after June 30, 1992 must be used during the employee's next scheduled leave which would otherwise be charged to annual or regular compensatory leave.

(f) Employees who receive compensation under these provisions for working on a holiday, are not eligible for call back pay for working on the holiday.

(g) Holiday compensatory leave credits earned by working on an observed holiday shall be granted as a delayed holiday and shall be compensated in accordance with this subsection. Holiday compensatory leave accrued after June 30, 1992 must be used during the employee's next scheduled leave, which would otherwise be charged to annual or regular compensatory leave.

(5) through (7) No change.

Specific Authority 24.105(10)(j) FS. Law Implemented 24.105(21)(d) FS. History--New 2-25-93, Amended 7-4-93, 10-13-93,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Diane D. Schmidt, Office of the General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr. General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999

**AGENCY FOR HEALTH CARE ADMINISTRATION
Division of State Health Purchasing**

RULE TITLE: Freestanding Dialysis Center Services
RULE NO.: 59G-4.105

PURPOSE AND EFFECT: To provide freestanding dialysis facilities payment for medically necessary dialysis treatment of eligible recipients. This will incorporate by reference the Florida Medicaid Freestanding Dialysis Center Services Coverage and Limitations Handbook, February, 1999.

SUMMARY: This rule will implement the Medicaid freestanding dialysis center services program for which the Florida Legislature appropriated specific funds in the 1998 General Appropriations Act.

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: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 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. – 11:00 a.m., June 8, 1999

PLACE: Conference Room D, 2728 Ft. Knox Blvd., Bldg. 3, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Rinaldi, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.105 Freestanding Dialysis Center Services.

(1) This rule applies to all freestanding dialysis center service providers enrolled in the Medicaid program.

(2) All freestanding dialysis center service providers enrolled in the Medicaid program must comply with the Florida Medicaid Freestanding Dialysis Center Coverage and Limitations Handbook, February 1999, incorporated by

reference, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, which is incorporated by reference in 59G-4.160. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Rinaldi

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw Jr., AHCA Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 1998

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE TITLE: Physician Services
RULE NO.: 59G-4.230

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Physician Coverage and Limitations Handbook, January 1999. The effect will be to incorporate by reference in the rule the current Florida Medicaid Physician Coverage and Limitations Handbook, January 1999.

SUMMARY: The purpose of the rule is to incorporate by reference the revised Florida Medicaid Physician Coverage and Limitations Handbook, January 1999.

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: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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. – 12:00 p.m., Tuesday, June 8, 1999

PLACE: Agency for Health Care Administration, 2728 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lynne Metz, Agency for Health Care Administration, Medicaid Program Development, 2728 Mahan Drive, Building 3, Room 2215, Tallahassee, Florida 32317-2600, (850)922-7325

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.230 Physician Services.

(2) All physician providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Coverage and Limitations Handbook, January 1999 January 1998, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA 1500 and EPSDT 221, which is incorporated in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History--New 1-1-77, Revised 2-1-78, 4-1-78, 1-2-79, 1-1-80, Amended 2-8-82, 3-11-84, Formerly 10C-7.38, Amended 1-10-91, 11-5-92, 1-7-93, Formerly 10C-7.38, Amended 6-29-93, 9-6-93, Formerly 10P-4.230, Amended 6-13-94, 2-9-95, 3-10-96, 5-28-96, 3-18-98, 9-22-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lynne Metz

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 1999

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Licensee RULE NO.: 61H1-20.001

PURPOSE AND EFFECT: The proposed rule is being amended in order to be in compliance with the underlying statute.

SUMMARY: Rule 61H1-20.001 is being amended to ensure compliance with Section 473.304, Florida Statutes.

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

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

SPECIFIC AUTHORITY: 473.304 FS.

LAW IMPLEMENTED: 473.304 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., or shortly thereafter, Thursday, June 10, 1999

PLACE: The Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.001 Licensee.

(1) No change.

(2) A "suspended certified public accountant" is prohibited from practicing public accounting as a sole proprietor, partner or shareholder and using the CPA designation. A suspended licensee must maintain an active license during the period of suspension. ~~A suspended licensee may be an employee under the supervision of a certified public accountant who holds an active license.~~

Specific Authority 473.304 FS. Law Implemented 473.304 FS. History--New 12-4-79, Formerly 21A-20.01, Amended 10-20-86, Formerly 21A-20.001, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLES: Commissions or Referral Fees 61H1-21.003 Other Business Activities 61H1-21.009

PURPOSE AND EFFECT: Under the authority of the Board, Rule 61H1-21.003 is being amended in order to add new language clarifying the rule's intent and in order to be in compliance with the underlying statute. Rule 61H1-21.009 is being repealed due to it becoming unnecessary, outdated, or because it is covered elsewhere by statute or rule.

SUMMARY: Rule 61H1-21.003 is being amended to add subsections (3) and (4) and to ensure statutory compliance. Rule 61H1-21.009 is being repealed.

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

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

SPECIFIC AUTHORITY: 473.304, 473.3205, 473.315 FS.

LAW IMPLEMENTED: 473.3205, 473.315 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., or shortly thereafter, Thursday, June 10, 1999

PLACE: The Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE FULL TEXT OF THE PROPOSED RULES IS:

61H1-21.003 Commissions or Referral Fees.

(1) through (2) No change.

(3) The CPA must hold appropriate licenses as required.

(4) If the CPA is not independent as described in 61H1-21.001, F.A.C., it must be disclosed in the engagement letter. However, if the only reason for not being independent is the fact that the Certified Public Accountant is being compensated by a commission or contingent fee then the lack of independence does not have to be disclosed.

Specific Authority 473.304, 473.3205 FS. Law Implemented 473.3205 FS. History--New 12-4-79, Formerly 21A-21.03, Amended 3-28-89, Formerly 21A-21.003, Amended 2-23-98.

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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 1999 and January 22, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: RULE NO.:

Form of Practice and Name-Shared Office Space 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.

SUMMARY: Rule 61H1-26.001 is being amended to allow for shared-office facilities.

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

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

SPECIFIC AUTHORITY: 473.304, 473.3101, 473.321 FS.

LAW IMPLEMENTED: 473.3101, 473.321 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., or shortly thereafter, Thursday, June 10, 1999

PLACE: The Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) through (2) No change.

(3) Certified Public Accountants may share office facilities provided 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. 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.

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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Fees
RULE NO.: 61H1-31.001

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to decrease the amount for candidates transferring partial credits from another state and in order to delete the late fees imposed by the Board for scan sheets for the Laws and Rules Examination.

SUMMARY: Rule 61H1-31.001 is being amended to decrease the fee for first time candidates transferring partial credits from another state and to delete the late fees assessed for scan sheets.

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

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

SPECIFIC AUTHORITY: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 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., or shortly thereafter, Thursday, June 10, 1999

PLACE: The Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-31.001 Fees.

(1) For the applicant to sit for the Uniform CPA Examination, as a first time candidate or for candidates transferring partial credits from another state, thirty-five dollars (\$35.00) and fifty dollars (\$50.00) per part; fifty dollars (\$50.00) per part for extended/conditioned candidates; ~~one hundred ninety five dollars (\$195.00) for candidates transferring partial credits from another state~~. The Department will defer the fee until the next examination if the applicant is unable to sit for the examination due to illness, death in the immediate family, military service, or jury duty provided the applicant's illness is supported by a notarized statement of a physician, or absence, by reason of military service is

supported by a copy of military order or a letter from the Commanding Officer or death in immediate family is supported by a notarized statement by the applicant and a copy of the death certificate or obituary, or jury duty is supported by evidence from the appropriate court. Such request must be made in writing within sixty (60) days from the last day of the examination.

(2) through (9) No change.

(10) The scan sheet for the Laws and Rules Examination must be postmarked by or on July 15. ~~If it is postmarked after July 15 but by or on September 15, a \$100 fee will be imposed by the Board. If it is postmarked between September 16 and December 1, a \$200 fee will be imposed.~~ No Laws and Rules Examination scan sheet will be accepted if it is postmarked after December 1.

(11) through (12) No change.

Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 3-4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8-30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLES: Disciplinary Guidelines; Range of

Penalties; Aggravating and Mitigating Circumstances

Citations 61H1-36.004 61H1-36.005

Minor Violation, Notice of Non-Compliance 61H1-36.0055

PURPOSE AND EFFECT: The proposed rules are being amended in order to be in compliance with the underlying statutes.

SUMMARY: Rules 61H1-36.004, 36.005 and 36.0055 are being amended to ensure statutory compliance.

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

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

SPECIFIC AUTHORITY: 455.224, 455.225, 455.225(3), 455.2273, 473.304 FS.

LAW IMPLEMENTED: 455.224, 455.225, 455.2273, 473.3101, 473.323(1)(m) 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., or shortly thereafter, Thursday, June 10, 1999

PLACE: The Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE FULL TEXT OF THE PROPOSED RULES IS:

61H1-36.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) No change.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM

(a) through (k) No change.

(l) <u>Licensees practicing in an unlicensed firm (including sole proprietors) Firm practicing without license</u> or otherwise in violation of 473.309, 473.3101, and 473.323(1)(g), F.S.	Reprimand and \$100 per month fine to maximum of \$5,000 and suspension of right to practice until corrected
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(m) through (o) No change.

(3) No change.

Specific Authority 455.2273 FS. Law Implemented 455.2273, 473.323(1)(m) FS. History--New 1-7-87, Amended 9-16-87, 8-25-88, 6-18-91, 12-30-91, Formerly 21A-36.004, Amended 12-7-93, 5-23-94,_____.

61H1-36.005 Citations.

(1) through (2) No change.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) No change.

(b) Licensees practicing in an unlicensed firm (including sole proprietors)

~~Firm practicing without license~~

or otherwise in violation of

473.309, ~~473.323(1)(g)~~, 473.3101, and ~~473.323(1)(g)~~, F.S.

(c) No change.

(4) through (5) No change.

Specific Authority 455.224, 455.225, 473.304 FS. Law Implemented 455.224 FS. History--New 12-30-91, Formerly 21A-36.005, Amended 12-7-93, 5-23-94,_____.

61H1-36.0055 Minor Violation, Notice of Non-Compliance.

(1) No change.

(2) The following violations are minor violations for which the Department may issue a notice of non-compliance:

(a) through (b) No change.

(c) Licensees practicing in a firm which was not licensed ~~Failure of a firm to become licensed~~ within three months of the date the firm began doing business. Any late fees shall still apply.

(d) through (h) No change.

(3) No change.

Specific Authority 455.225(3), 473.304 FS. Law Implemented 455.225, 473.3101 FS. History--New 10-15-97, Amended 7-16-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 1999

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO: 99-15R

RULE TITLE:

RULE NO.:

Federal Regulations Adopted by Reference 62-204.800

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments update through March 31, 1999, the adoptions by reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 CFR Parts 60, 61, and 63.

SPECIFIC AUTHORITY: 403.8055 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.8055 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, FS.

SUBSTANTIALLY AFFECTED PERSONS MAY FILE OBJECTIONS WITH THE ENVIRONMENTAL REGULATION COMMISSION AT THE FOLLOWING ADDRESS: 3900 Commonwealth Boulevard, Mail Station 18, Tallahassee, Florida 32399-3000, Attention: Jacki McGorty. Objections must be received within 14 days of publication of this notice and must specify the portions of the proposed rule to which the person objects and the reason for the objection. Objections, which are frivolous, will not be considered sufficient to prohibit adoption of the rule as published.

WRITTEN COMMENTS: The Secretary of the Department of Environmental Protection will consider written comments received within 21 days of publication of this notice. Comments should be submitted to Ms. Sandy Ladner, Division of Air Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

(7) Chapter 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 CFR Part 60, revised as of July 1, 1996, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 CFR 60, Subpart D, Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

2. 40 CFR 60, Subpart Da, Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

3. 40 CFR 60, Subpart Db, Industrial-Commercial-Institutional Steam Generating Units, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

4. 40 CFR 60, Subpart Dc, Small Industrial-Commercial-Institutional Steam Generating Units, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

6. 40 CFR 60, Subpart Ea, Municipal Waste Combustors for which Construction is Commenced after December 20, 1989 and on or before September 20, 1994, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

13. 40 CFR 60, Subpart J, Petroleum Refineries, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

33. 40 CFR 60, Subpart AA, Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and on or Before August 17, 1983, amended March 2, 1999, 64 FR 10105 (effective July 1, 1999).

34. 40 CFR 60, Subpart AAa, Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983, amended March 2, 1999, 64 FR 10105 (effective July 1, 1999).

36. 40 CFR 60, Subpart CC, Glass Manufacturing Plants, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

44. 40 CFR 60, Subpart NN, Phosphate Rock Plants, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

53. 40 CFR 60, Subpart XX, Bulk Gasoline Terminals, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

55. 40 CFR 60, Subpart DDD, Volatile Organic Compound (VOC) Emissions From the Polymer Manufacturing Industry, amended March 9, 1999, 64 FR 11536 (effective July 1, 1999).

68. 40 CFR 60, Subpart SSS, Magnetic Tape Coating Facilities, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

72. 40 CFR 60, Subpart WWW, Municipal Solid Waste Landfills, amended February 24, 1999, 64 FR 9258 (effective July 1, 1999).

(d) General Provisions Adopted. The following general subparts of 40 CFR Part 60 are adopted and incorporated by reference:

1. 40 CFR Part 60, Subpart A, General Provisions, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

(8) Chapter 40, Code of Federal Regulations, Part 60, Subpart C, Emission Guidelines and Compliance Times.

(c) Municipal Solid Waste Landfills. 40 CFR 60, Subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills, amended June 16, 1998, 63 FR 32743; amended February 24, 1999, 64 FR 9258 (effective July 1, 1999).

(9) Chapter 40, Code of Federal Regulations, Part 61, National Emission Standards for Hazardous Air Pollutants.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 CFR Part 61, revised as of July 1, 1996, or later as specifically indicated, are adopted and incorporated by reference.

7. 40 CFR 61, Subpart L, Benzene Emissions from Coke By-Product Recovery Plants, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

8. 40 CFR 61, Subpart M, National Emission Standard for Asbestos, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

9. 40 CFR 61, Subpart N, Inorganic Arsenic Emissions From Glass Manufacturing Plants, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

(d) General Provisions Adopted. The following general subparts of 40 CFR Part 61 are adopted and incorporated by reference:

1. 40 CFR 61, Subpart A, General Provisions, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

(10) Chapter 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 CFR Part 63, revised as of July 1, 1996, or later as specifically indicated, are adopted and incorporated by reference:

13. 40 CFR 63, Subpart U, Hazardous Air Pollutant Emissions: Group I Polymers and Resins, amended March 9, 1999, 64 FR 11536 (effective July 1, 1999).

15. 40 CFR Part 63, Subpart X, Hazardous Air Pollutants From Secondary Lead Smelting, amended January 29, 1999, 64 FR 4570 (effective July 1, 1999).

27. 40 CFR 63, Subpart JJJ, National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins, amended March 9, 1999, 64 FR 11536 (effective July 1, 1999).

(d) General Provisions Adopted. The following general subparts of 40 CFR Part 63 are adopted and incorporated by reference:

1. 40 CFR 63, Subpart A, General Provisions, amended February 12, 1999, 64 FR 7458 (effective July 1, 1999).

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History--New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Howard L. Rhodes, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kirby B. Green, Deputy Secretary, Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 1998

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-04R

RULE CHAPTER TITLE: State Revolving Loan Program for Stormwater Facilities

RULE CHAPTER NO.: 62-504

RULE TITLES:	RULE NOS.:
Definitions	62-504.200
General Program Information	62-504.300
Program Administration Costs	62-504.400
Loan Agreements	62-504.430
Funds Reserved for Specific Purposes	62-504.500
Priority List Information	62-504.600
Priority List Management	62-504.680

PURPOSE AND EFFECT: The proposed rule revisions would accomplish three substantive rule changes, update the two forms incorporated in the rule by reference to reflect the proposed rule changes, and clarify existing rule provisions. The procedure for assessing loan service fees would be modified to satisfy changing federal requirements. There would be no increase in the service fee authorized under the proposed rule, and there would be no increase in the loan repayments resulting from the proposed change in the loan service fee provisions. Provision for updating the planning portion of the priority list would be made to purge the list of projects for which funding is no longer being pursued. A deadline would be established for adding projects to an adopted priority list to enable timely disclosure of information to affected parties. Definitions incorporating Forms 62-504.900(1) and (2) would be revised to reflect the proposed rule amendments. Changes to the forms would reflect proposed rule changes. Various rule revisions would clarify existing rule provisions.

SUMMARY: The loan service fee no longer would be capitalized as part of the State Revolving Fund loan principal. The fee would be assessed after execution of the loan agreement and, at the project sponsor's election, either paid immediately or paid with interest by the time the second loan repayment is due. The provision allowing planning portion projects on the project priority list to be carried over from year-to-year without further evidence of interest in funding on the part of the project sponsor would be stricken. The date of publication of the Florida Administrative Weekly announcement of a project priority list management hearing would be the deadline for submittal of a request to have a project added to the current list at the scheduled hearing. Definitions of "loan application" and "request for inclusion" incorporating Forms 62-504.900(2) and (1), respectively, would reflect the pending effective date for the proposed rule amendments. Various clarifications of the existing rule would address the loan service fee, grant allocation assessment, capitalized interest rate, and interest rate provisions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 403.1835(5)(a) FS.

LAW IMPLEMENTED: 403.1835 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., June 11, 1999

PLACE: Department of Environmental Protection, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

If an accommodation is needed for a disability in order to participate in this activity, please notify the Americans with Disabilities Act Coordinator at (850)488-2996 or 1(800)955-8771 (TDD) at least seven days prior to the event.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Richard W. Smith, P.E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, Telephone (850)488-8163

THE FULL TEXT OF THE PROPOSED RULES IS:

62-504.200 Definitions.

For purposes of this Rule:

(1) "Adjusted post-allowance project costs" means the post-allowance project costs less capitalized interest and loan repayment reserve ~~the following:~~

- ~~(a) Capitalized interest;~~
- ~~(b) Loan repayment reserve; and~~
- ~~(c) Loan service fee.~~

(2) No change.

(3) "Capitalized interest" means interest accruing at the rate of 60% of the 20-Bond GO Index as cited in rule 62-504.430(3), F.A.C., and compounding annually from the time when disbursements are made until six months before the first semiannual loan repayment is due.

(4) through (11) No change.

(12) "Loan application" means Form 62-504.900(2), Loan Application, effective ~~November 11, 1998~~, which is incorporated herein by reference, for construction loan financial assistance. Copies of this form may be obtained by writing to the Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

(13) through (15) No change.

(16) "Post-allowance project costs" means costs for allowable construction, equipment, materials, demolition, allowable land acquisition under rule 62-504.300(1)(a), F.A.C., contingency, capitalized interest, technical service costs incurred after construction bid opening, and loan repayment reserve, ~~and loan service fee.~~

(17) through (19) No change.

(20) "Request for inclusion" means form 62-504.900(1), Request for Inclusion on the Priority List for Stormwater Facilities, effective ~~[EFFECTIVE DATE]~~, which is incorporated herein by reference. Copies of this form may be obtained by writing to the Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

(21) through (25) No change.

Specific Authority 403.1835(5)(a) FS. Law Implemented 403.1822, 403.1835, 403.1836 FS. History—New 11-11-98, Amended.

62-504.300 General Program Information.

(1) The categories of allowable project costs include the following:

(a) through (b) No change.

~~(c) Administrative loan service fee charged by the Department under rule 62-504.400, F.A.C.;~~

(d) through (m) renumbered (c) through (l) No change.

Specific Authority 403.1835(5)(a) FS. Law Implemented 403.1835, 403.1836, 403.1838 FS. History—New 11-11-98, Amended.

62-504.400 Program Administration Costs.

(1) A loan service fee based on a percentage of the total loan amount less the portion of the loan for capitalized interest and loan repayment reserve shall be paid by the local government. The service fee percentage shall be established at the beginning of each fiscal year by the Department for all loans to be executed during that year. Each loan agreement shall identify the loan service fee percentage and the loan service fee amount. The loan service fee shall be assessed at the time of loan agreement execution. The loan recipient may elect to pay the entire loan service fee at the time of loan agreement execution or pay it plus capitalized interest thereon no later than by the time that the second semiannual loan repayment is due. Five-year projections of loan program administration expenses shall be made by the Department to establish the service fee percentage for each year. These projections shall take into account the balance of the administrative funds available under Rule 62-504.500(2), F.A.C., at the beginning of each fiscal year and the estimated investment earnings thereon, funds resulting from scheduled loan repayments, federal and state appropriations for the fiscal year under consideration and that are available at the time the fee is being established, and projected expenses to administer the program. The earnings on investments shall be estimated using an interest rate one-percent below the Thomson Publishing Corporation's "Bond Buyer" 20-Bond GO Index weekly average yield for the full weeks during the January 1 to March 31 period immediately preceding the date of the loan service fee determination. The fee percentage shall be sufficient to ensure that the balance of administrative funds available at the beginning of the first year is not less than the sum of the administrative expenses for the succeeding two fiscal years and the projected balance at the end of the fifth year is not less than zero. The fee percentage shall be rounded to the nearest one-tenth percent. A fee based on the adjusted post allowance project costs shall be paid once as a loan service fee by the loan recipient. The procedures for determining the amount of the loan service fee shall be as set forth in rule 62-503.400(1), F.A.C. The loan service fee shall not be less than 2% nor greater than 4%. Loan service fees shall be adjusted downward, maintaining the previously established fee percentage, if procurement contracts result in a loan decrease.

(2) No change.

Specific Authority 403.1835(5)(a) FS. Law Implemented 403.1835, 403.1836 FS. History--New 11-11-98, Amended.

62-504.430 Loan Agreements.

To receive a loan, a local government must enter into a negotiated written agreement with the Department. The Department shall have the primary responsibility for drafting the agreement and settling its terms. Loan agreements shall provide for the following:

(1) The local government shall establish a loan repayment reserve account. When pledged revenues result from the operation of stormwater, water, or water and sewer systems entirely owned and operated by a single local government responsible for loan repayment, the reserve shall be in the amount of 0.03 times the total loan amount less the portion of the loan for capitalized interest and loan repayment reserve adjusted post allowance project costs. When pledged revenues result from revenues other than those previously described in this subsection or the local government responsible for loan repayment is other than as previously described in this subsection, repayment security in addition to the 1.15 amount described in subsection (6) below or increased loan repayment reserves shall be negotiated. Any loan repayment reserve in excess of that based on the 0.03 factor specified above shall be established using local funds.

(2) No change.

(3) The interest rate shall be 30% of the market rate as established using the Thomson Publishing Corporation's "Bond Buyer" 20-Bond GO Index. The market rate (20-Bond GO Index) shall be established by the Department as of January 1, April 1, July 1, and October 1 of each year and shall be the average weekly yield during the three months immediately preceding the date of determination. The average weekly yield shall be derived from the yields reported in the "Bond Buyer" for the full weeks occurring during the three-month period. ~~Once established in the loan agreement, the interest rate shall be fixed for the principal amount of the loan in accordance with the loan agreement.~~ Interest rates for additional funds (if any) lent to the local government via a loan agreement amendment shall be established using procedures identical to those described in this subsection. The market rate used to determine the loan interest rate shall be computed as follows:

(a) through (b) No change.

(4) No change.

(5) The grant allocation assessment rate and the interest rate shall be combined and applied independently to the unpaid loan principal to determine the amount of each uniform semiannual repayment payable under subsection (2) above. Once established in the loan agreement, the combined grant allocation assessment rate and the interest rate shall be fixed for the principal amount of the loan. The one-to-one relationship between the amount of the grant allocation assessment and the amount of the interest also shall be fixed for

the principal amount of the loan. The combined grant allocation assessment rate and the interest rate shall not exceed the interest rate paid on the last bonds sold pursuant to Section 14, Article VII, State Constitution. Loan repayments will have grant allocation assessment, interest, and principal components.

(6) through (13) No change.

Specific Authority 403.1835(5)(a), 216.349 FS. Law Implemented 403.1835, 403.1836 FS. History--New 11-11-98, Amended.

62-504.500 Funds Reserved for Specific Purposes.

A portion of the annual revenue received in the Sewage Treatment Revolving Loan fund for stormwater facilities loans are reserved for use by small communities. Funds are also reserved to reimburse the Department for its administrative expenses in managing the program. The reserves are addressed in the following:

(1) No change.

(2) Service fees collected for loan program administration under Rule 62-504.400, F.A.C., shall be deposited in the Department's Grants and Donations Trust Fund. Fee proceeds, including investment earnings, shall be reserved to pay for the administration of the financial assistance programs of the Bureau of Water Facilities Funding ~~Department's revolving loan program administration expenses.~~

Specific Authority 403.1835(5)(a) FS. Law Implemented 403.1835, 403.1836 FS. History--New 11-11-98, Amended.

62-504.600 Priority List Information.

Each year, a revised priority list shall be adopted at a public hearing held by the Department. The list becomes effective after adoption, but not before July 1 of the fiscal year for which it is developed. A local government may define a stormwater facilities project as consisting of any combination of facilities that each qualify under rule 62-504.655, F.A.C., for the fundable or contingency portion. Other projects may be defined as consisting of facilities that qualify for the planning portion as a result of differences between the projects in readiness to proceed. The scope of a fundable or contingency portion project described on the priority list shall not be increased to encompass additional work unless such increases have been subject to the prioritization procedures of rule 62-504.650, F.A.C., and either the list development procedures of rule 62-504.655, F.A.C., or the list management procedures of rule 62-504.680, F.A.C., as appropriate.

(1) The Department shall accept a request for inclusion on the next year's priority lists when it is postmarked or delivered between December 1 and February 15. ~~Resubmittal shall not be necessary if the requested project was included on a preceding year's list.~~ However, Current target date and estimated cost information shall be provided by the February 15 deadline for any project previously listed on the planning

portion or contingency portion to qualify for listing on the fundable portion. Procedures for the review of requests for inclusion shall be:

- (a) through (d) No change.
- (2) No change.

Specific Authority 403.1835(5)(a) FS. Law Implemented 403.1835, 403.1836 FS. History--New 11-11-98, Amended

62-504.680 Priority List Management.

The fundable portion of the project list may be modified as the result of a public hearing as described in subsection (1) below or as a result of an administrative action as described in subsection (2) below. The Department shall modify the contingency portion of the priority list as described in subsection (3) below. Modifications to the planning portion of the priority list shall be pursuant to subsections (4) and (5) below. At the request of a local government, a project shall be rescheduled or withdrawn from the priority list as described in subsection (6) below.

(1) Upon receipt of a written request to conduct a public hearing for the purpose of modifying the project list, the Department shall schedule a public hearing to be held within 90 days for the purpose of assigning additional funds to projects on the fundable portion and adding projects to the bottom of the fundable portion if unassigned funds are available and the requirements of this subsection are met. Requests shall include the information identified below and shall be submitted to the Department of Environmental Protection, Bureau of Water Facilities Funding, MS 3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 before the date on which the public notice for the hearing appears in the Florida Administrative Weekly. Previously funded projects, projects currently on the fundable portion, projects advancing from the contingency portion, projects listed on the previous year's planning portion, and other projects not previously described represent different preference groupings listed in descending order of funding preference. Projects shall be subranked according to priority score within each preference grouping. Projects categorized in paragraphs (a) and (b) below and having equal priority scores within a preference grouping shall be further subranked in order of the date of postmark or delivery to the Department, whichever is earlier, of the request for additional funds assignment or for the addition of a project to the fundable portion. However, additional funds shall not be assigned to any segmented project nor shall funds be assigned to any additional project sponsored by a local government that has already received the maximum funding assignment allowed for the fiscal year unless additional state or federal appropriations have been made which increase the estimate, made at the time of list adoption, of the funds available.

- (a) through (6) No change.

Specific Authority 403.1835(5)(a) FS. Law Implemented 403.1835, 403.1836 FS. History--New 11-11-98, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi A. Drew, Director, Division of Water Facilities, Department of Environmental Protection, 2600 Blair Stone Road, MS #3500, Tallahassee, Florida 32399-2400, Telephone (850)487-1855

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David B. Struhs, Secretary, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #10, Tallahassee, Florida 32399-3000, Telephone (850)488-1554

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-85R

RULE CHAPTER TITLE: Small Community Wastewater

Facilities Grants 62-505

RULE TITLES: Definitions 62-505.200

General Program Information 62-505.300

Priority Determination 62-505.650

PURPOSE AND EFFECT: The proposed rule revisions would accomplish four objectives and would update, to reflect the proposed rule changes, the two forms incorporated in the rule by reference. The rule provisions for eligibility for participation in the grant program would enable use of 1990 data (and 2000 data after the turn of the century) until such time as more current data becomes available. The current decennial census data may not be available during the period that the project list is to be developed in the year for which new decennial census data is to be made available. The provision that would limit State Revolving Fund loans, under rule chapter 62-503, F.A.C., to the non-grant funded share of the post-allowance (construction related) project cost portion of the total project cost would avoid situations where the project sponsor might have to qualify for a pre-construction loan before any pre-construction allowances under a grant could be disbursed. However, the pre-construction allowances probably would be necessary to get the work completed to qualify for such a loan. Therefore, pre-construction loan funding would not be a likely source of the non-grant share of the pre-construction costs. The provision that a project sponsor must obtain a binding commitment for the non-grant share of the project costs within a reasonable time after execution of a grant agreement would ensure that grant funding would result in timely project completion. No grant disbursements would be made prior to the grant recipient's securing the non-grant share of project costs in order to avoid grant recovery in the event the non-grant share cannot be obtained. The flow factor component of the priority system would be established using

smaller units of measurement to enable greater differentiation between project priority scores. This is necessary because a difference in flows in the small facilities might not be significant using larger units of measurement.

SUMMARY: The community population and income data used to determine eligibility for participation in the grant program would be based on the latest published decennial census data. The definitions that incorporate Forms 62-505.900(1) and (2) into rule chapter 62-505, F.A.C., would provide for the effective date of the proposed rule revision. The forms track the proposed changes to the rule. Only post-allowance project costs would be allowable for loan funding under rule chapter 62-503, F.A.C. A commitment for the non-grant share of project costs must be secured within 180 days of grant execution and before any grant funds are disbursed. The number of decimal places used to document the flow factor component of the priority score would be increased from two to four so that a flow differential of one hundred gallons per day would be significant. The flow factor formula would be altered such that the base flow factor would increase by one ten-thousandth for each 100-gallon increase in flow.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 403.1835(5)(a) FS.

LAW IMPLEMENTED: 403.1835 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., June 24, 1999

PLACE: Department of Environmental Protection, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

If an accommodation is needed for a disability in order to participate in this activity, please notify the Americans with Disabilities Act Coordinator at (850)488-2996 or 1(800)955-8771 (TDD) at least seven days prior to the event.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Richard W. Smith, P.E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, Telephone (850)488-8163

THE FULL TEXT OF THE PROPOSED RULES IS:

62-505.200 Definitions.

For purposes of this rule:

(1) through (4) No change.

(5) "Financially disadvantaged small community" or "disadvantaged community" shall mean, for the purposes of financially disadvantaged small community grant funding, a municipality which according to the latest published U.S.

Department of Commerce decennial census had a total population of 7,500 or less and a per capita annual income less than the state per capital annual income. Data may be obtained from the State Data Center, 200 Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida 32399-2151.

(6) through (8) No change.

(9) "Grant application" means Form 62-505.900(2), Grant Application, effective ~~November 30, 1998~~, which is incorporated herein by reference. Copies of this form may be obtained by writing to the Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

(10) through (15) No change.

(16) "Request for inclusion" means form 62-505.900(1), Request for Inclusion on the Priority List for Wastewater Facilities Grants, effective ~~November 30, 1998~~, which is incorporated herein by reference. Copies of this form may be obtained by writing to the Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

(17) through (20) No change.

Specific Authority 403.1838(3)(a)(b) FS. Law Implemented 403.1835, 403.1838 FS. History--New 11-30-98, Amended.

62-505.300 General Program Information.

(1) through (6) No change.

(7) The portion of the post-allowance project costs that is not funded by a disadvantaged community grant or a rural hardship community grant shall be allowable for loan funding under rule chapter 62-503, F.A.C. However, the project sponsor must obtain a separate fundable portion listing for loan funding under rule chapter 62-503, F.A.C.

(8) through (9) No change.

(10) A project sponsor shall obtain, within 180 days of grant agreement execution, a binding commitment for the non-grant share of the project costs described in, and to be incurred under, the grant agreement if such funds are not available at the time of grant application. No grant disbursements shall be made before the non-grant share has been secured.

Specific Authority 403.1838(3)(a)(b) FS. Law Implemented 403.804, 403.1835, 403.1838 FS. History--New 11-30-98, Amended.

62-505.650 Priority Determination.

The project priority score is determined based upon public health as well as surface and ground water pollution considerations. The quantity of existing flow that will be collected, treated, or which otherwise generates the need for the project shall be used as a further determinant of priority. Special consideration shall be given to a project which will assist in the restoration or protection of a priority water body

identified in an adopted Surface Water Improvement and Management (SWIM) Plan. The project priority score shall be rounded to the nearest one ten-thousandth (0.0001) of a point.

(1) No change.

(2) The project's base score shall be adjusted by multiplying it by the flow factor for the highest existing average daily flow for a one-month period generating the need for the associated facility. However, a minimum flow factor of ~~5,000~~, corresponding to a flow of ~~0.05 million gallons per day~~, and a maximum flow factor of ~~5.71~~, corresponding to a flow of ~~one million gallons per day~~, shall be used. Flow factors for any flow not listed below may be determined by interpolating between the data tabulated below or by using the formula:

Flow factor = ~~5,000~~ + [~~0.752~~ X (flow in ~~0.05 million~~ gallons per day)/~~1,000,000~~]

Flow (million gallons per day)	Flow Factor
100 1.00 and greater	5.0001 5.71
1,000 0.75	5.0010 5.53
10,000 0.50	5.0100 5.34
100,000 0.25	5.1000 5.15
1,000,000 0.05 and less	6.0000 5.00

(3) No change.

Specific Authority 403.1838(3)(a),(b), 403.1835(7) FS. Law Implemented 403.1835, 403.1838 FS. History—New 11-30-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi A. Drew, Director, Division of Water Facilities, Department of Environmental Protection, 2600 Blair Stone Road, MS #3500, Tallahassee, Florida 32399-2400, Telephone (850)487-1855

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David B. Struhs, Secretary, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #10, Tallahassee, Florida 32399-3000, Telephone (850)488-1554

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 1999

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-86R

RULE CHAPTER TITLE: State Revolving Fund Program for Drinking Water Facilities

RULE TITLES: Definitions
General Program Information
Pre-construction Loans for Rate-Based Community Water Systems
Pre-construction Grants for Financially Disadvantaged Communities

Construction Grants for Financially Disadvantaged Communities 62-552.370
 Program Administration Costs 62-552.400
 Project Allowances 62-552.420
 Construction Loans for Rate-Based Community Water Systems 62-552.430
 Funds Reserved for Specific Purposes Priority Determination 62-552.500
 62-552.650
 Forms for the State Revolving Fund Program for Drinking Water Facilities 62-552.900

PURPOSE AND EFFECT: The proposed rule revisions would accomplish several objectives. Limitations on land purchase costs would preclude the subsidized purchase, using State Revolving Fund (SRF) funds, of property that might be acquired for purposes in addition to that of siting community water systems. This would conserve program funds for community water system needs. The limitation that State Revolving Fund assistance is available only for improving existing (as opposed to new) community water systems would be eliminated to reflect the change in EPA policy governing the SRF program. The maximum repayment period for pre-construction loans that do not result in construction loans would be shortened to avoid long term administration of relatively small loans. Pre-construction loans would not be made available for the non-grant portion of projects to avoid potential delays in initiating projects while loan applicants develop the financial planning necessary to qualify for an SRF loan. The proposed requirement for a project sponsor to obtain a timely commitment for the non-grant share of project costs would minimize delays in project implementation and thereby enable efficient use of program funding. Withholding grant disbursements until the commitment is obtained would minimize grant recoveries in the event problems in obtaining the non-grant share are encountered. Clarification would be provided regarding the eligibility and prioritization of projects that have public health risk components. The procedure for assessing loan service fees would be modified to establish procedural uniformity with the SRF program administered under the Amended Clean Water Act and to facilitate access to the administrative funds necessary to operate the SRF program for drinking water facilities. There would be no increase in the loan service fee authorized under the proposed rule, and there would be no increase in the loan repayments resulting from the proposed rule change. Collected loan service fees would be used solely to administer the financial assistance programs of the Bureau of Water Facilities Funding to protect the integrity of the SRF programs. Project allowances would no longer reflect the costs associated with the acquisition of property or water supply capacity in order to bring the funding benefits more in line with required planning, design, and administrative activities. Clarification would be made as to grant and loan shares of project costs funded with both types of financial assistance. Clarification would be made as to the eligibility of engineering and administrative allowances for projects funded

with pre-construction and, subsequently, with construction financial assistance in order to preclude double funding benefits. The maximum project cost upon which allowances are based would be increased regardless of whether regionalization or consolidation would occur. While this could decrease the amount of funds available for other projects, it would significantly simplify the program by eliminating different maximums applicable to different situations. Clarifications would be made as to the conditions under which increases to allowances would be made. The procedures for adjusting allowances affected by the maximum project cost upon which pre-construction project allowances are based would be established. Clarification would be made as to the appropriate grant percentage to be used in conjunction with adjustments, if any, to allowances when construction grant projects are funded. More options would be provided to secure loans to allow consideration of loan applicants that have not demonstrated the ability to service long-term debt or for whom limited default remedies would be available. This would serve to protect the interests of the State while enabling loan assistance to applicants with potentially higher risks of loan default. It also would avoid situations where a loan would be denied because the existing security provisions would not be adequate to ensure loan repayment.

SUMMARY: The cost of acquiring land would be limited to the fair market value of the property necessary for locating project facilities. The limitation that State Revolving Fund assistance would be available only for improving existing community water systems would be eliminated. The maximum repayment period for pre-construction loans would be 10 years. However, the pre-construction loan balance may be rolled-over into a construction loan and repaid over a period as long as 30 years if the pre-construction activities are properly completed. Pre-construction loans would not be available to supplement pre-construction grants. Project allowances included in a pre-construction loan or grant would be limited to a maximum estimated post-allowance project cost of \$2 million. A binding commitment for the non-grant share of project costs would have to be obtained within 180 days of the grant agreement. The existing public health risk priority requirement for construction grant funding of projects and project components would be clarified. Clarification also would be provided that a compliance priority component of a project that also has a separate public health risk priority component may be funded with a construction grant, but only after all public health risk projects and components of all projects have been so funded. The compliance priority components for each project would be individually ranked for construction grant funding based on priority considerations for each compliance component standing by itself, regardless of the relative costs of project components. A further clarification would be made that project components to which an "other" priority is assigned are not eligible for construction grant funding. Clarification would be made that pre-construction projects, involving either a grant or

a loan, would be funded if any part of the project would eliminate a public health risk. However, after the pre-construction assistance, the "umbrella" public health risk priority no longer would apply to subsequent construction project funding. Loan service fees would no longer be capitalized as part of the SRF loan principal. The fee would be assessed after execution of the loan agreement, and either paid at that time or paid with accrued interest by the due date of the second scheduled loan repayment. The collected fees would be used solely to administer the financial assistance programs of the Bureau of Water Facilities Funding. Allowances for the planning, design and administration of projects would not reflect the costs associated with the acquisition of property or water supply capacity. Clarification would be made that allowances that are to be included in a construction assistance agreement preceded by a pre-construction assistance agreement would be limited to the incremental difference, if any, between the available allowances. Clarification would be made that when both grant and loan assistance is given, the loan assistance amount would be determined after determining the grant assistance amount. Allowances under pre-construction assistance agreements would be limited to a post-allowance project cost of \$2,000,000 regardless of whether consolidation or regionalization is involved. Clarification would be made that increases to allowances initially provided under pre-construction assistance agreements are available only after projects have been planned and designed according to such agreements. Further, increases would be available only in conjunction with a construction assistance agreement. Allowance adjustments would be made after execution of the last procurement contract covered by the scope of work described in the construction assistance agreement. The grant funding percentage for engineering and administrative allowance adjustments would be at 85% for projects having post-allowance project costs not exceeding \$2,000,000. The grant funding percentage for engineering and administrative allowance adjustments would be at 65% or 85%, depending on the median household income and financial burden ratio, for projects having post-allowance project costs exceeding \$2,000,000. More options would be provided to secure loans in situations where the ability to service long-term debt has not been demonstrated or limited default remedies would be available. These options would include requiring additional reserve funds, liens on assets, special personal or corporate debt service obligations, debt guarantees, or other equivalent options that would ensure debt repayment. Forms 62-552.900(1) through (3) would be updated to reflect the proposed rule changes. There would be other clarifications and reorganizations of rule provisions to track the proposed rule revisions regarding loan service fees, pre-construction loan roll-over, criteria for obtaining 65% and 85% grant funding levels, loan agreement security features, project allowances, project allowance adjustments, and priority for grant funding.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 403.8532 FS.

LAW IMPLEMENTED: 403.8532, 403.804 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:

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

PLACE: Department of Environmental Protection, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

If an accommodation is needed for a disability in order to participate in this activity, please notify the Americans with Disabilities Act Coordinator at (850)488-2996 or 1(800)55-8771 (TDD) at least seven days prior to the event.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Richard W. Smith, P. E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, Telephone (850)488-8163

THE FULL TEXT OF THE PROPOSED RULES IS:

62-552.200 Definitions.

For purposes of this rule chapter:

(1) through (2) No change.

(3) "Adjusted post-allowance project costs" means the costs associated with post-allowance project activities for a project that will qualify for construction loan or construction grant funding. Capitalized interest, and loan repayment reserve, ~~and loan service fee costs~~ pertain to loans only, and such costs for loan funded projects are excluded from adjusted post-allowance project costs.

(4) through (24) No change.

(25) "Post-allowance project costs" means allowable costs for post-allowance activities and contingency and, for projects to be funded with loans, capitalized interest, and loan repayment reserve, ~~and loan service fee.~~

(26) through (37) No change.

Specific Authority 403.8532, 403.852 FS. Law Implemented 403.8532 FS. History--New 4-7-98, Amended 8-10-98,_____.

62-552.300 General Program Information.

(1) through (2) No change.

(a) Land, including easements and rights-of-way, that will be acquired from a willing seller and is necessary for the location of the facilities to be funded. Funding of an acquisition shall be limited to the fair market value of the property necessary to locate the project facilities thereon including mandatory set-backs and buffer areas. However, the cost of

acquisition shall not be included in the adjusted post-allowance project cost for the purpose of establishing allowances under rule 62-552.420, F.A.C.;

~~(b) Administrative loan service fee charged by the Department under rule 62-552.400, F.A.C.;~~

(c) through (l) renumbered (b) through (k) No change.

~~(l)(m)~~ Acquiring all or part of an existing public water system from a willing seller as part of a consolidation or regionalization project. Funding of an acquisition shall be limited to the fair market value. However, the cost of acquisition shall not be included in the adjusted post-allowance project cost for the purpose of establishing allowances under rule 62-552.420, F.A.C.; and

~~(m)(n)~~ Capacity purchase in an existing public water system. However, the cost of capacity purchase shall not be included in the adjusted post-allowance project cost for the purpose of establishing allowances under rule 62-552.420, F.A.C.

(3) through (3)(f) No change.

(g) Any project sponsored by a for-profit private owner or investor-owner entity of a community water system that regularly serves 1,500 service connections or more within the a single certified or franchised area in which the project will be located unless such project will result in the consolidation of the project sponsor's public water system and at least one additional public water system;

(h) through (j) No change.

(4) through (5) No change.

(6) The repayment period for loans under this rule chapter and the Act shall be limited as follows:

(a) Construction loans shall be repaid in no more than 20 years except for loans to project sponsors qualifying as financially disadvantaged communities. The 30-year limitation established under section 403.8532, F.S., shall be available only for construction loans for projects to serve financially disadvantaged communities.

(b) Pre-construction loans shall be repaid in no more than 10 years. However, when construction loans are executed to finance the facilities planned and designed under a pre-construction loan, the project sponsor shall have the option to convert the repayment period to the repayment period negotiated for the construction loan.

(7) through (12) No change.

~~(13) Loans secured by rate-based revenues and grants for financially disadvantaged communities shall be available only to project sponsors for the improvement of existing community water systems.~~

Specific Authority 403.8532 FS. Law Implemented 403.804, 403.8532 FS. History--New 4-7-98, Amended 8-10-98,_____.

62-552.350 Pre-construction Loans for Rate-Based Community Water Systems.

Funding of pre-construction loans for planning, engineering, and administrative allowances shall be made only to project sponsors having rate-based community water systems for projects which have a public health risk priority component under rules 62-552.650(4)(a) through (d), F.A.C. A pre-construction loan shall not be available as a supplement to a pre-construction grant. A pre-construction loan project sponsor must qualify as a small community unless the project priority is based, in part, on consolidation or regionalization under rule 62-552.650(5)(c), F.A.C. Pre-construction loans shall be available only after a listing on the fundable portion of the priority list has been obtained, a complete loan application has been submitted to the Department, and execution of a loan agreement for which the Department shall have the primary responsibility for drafting and settling of terms. Pre-construction loans shall be available before the completion of project planning.

(1) The maximum estimated adjusted post-allowance project costs, for the purpose of establishing upon which the allowances, shall be based shall be limited to \$2,000,000 \$1,000,000 unless the project priority is based, in part, on consolidation or regionalization under rule 62-552.650(5)(c), F.A.C., in which case the maximum shall be limited to \$1,500,000.

(2) through (4) No change.

(5) Loan agreements shall provide for the following:

(a) The loan repayment reserve, semiannual loan repayment, interest rate determination, loan service fee, loan security features, escrow account, pledged revenue coverage, legal affirmation, assurances of compliance with SRF program requirements, disbursement, and annual certification requirements of rule 62-552.430, F.A.C.

(b) through (e) No change.

(f) A project sponsor shall be entitled to roll over the pre-construction loan principal into a construction loan when a project to be funded with such an additional completion loan has been planned and designed according to the schedule incorporated into a pre-construction loan agreement and the project has been included on the fundable portion of the priority list for a construction loan. However, the loan service fee, if included in the principal of the pre-construction loan, shall not be rolled over into the principal of the construction loan. The loan service fee for both the pre-construction and construction portions of the total loan principal shall be applied as described under rule 62-552.400(1), F.A.C.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History—New 8-10-98, Amended.

62-552.360 Pre-construction Grants for Financially Disadvantaged Communities.

Grants shall be available only after a listing on the fundable portion of the priority list has been obtained, a complete grant application has been submitted to the Department, and a grant agreement has been executed. Pre-construction grants shall be available before the completion of project planning.

(1) through (2) No change.

(3) Pre-construction grants for financially disadvantaged communities shall be for 85% of the allowances under rule 62-552.420, F.A.C., unless a lesser amount is requested by the project sponsor.

(4) through (6) No change.

(7) Pre-construction grants shall be subject to the requirements and limitations of rules 62-552.370(1)(j),(2),(3), F.A.C.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History—New 8-10-98, Amended.

62-552.370 Construction Grants for Financially Disadvantaged Communities.

Grants shall be available only to project sponsors that qualify as financially disadvantaged communities. Additionally, projects must meet the financial burden, benefit limitation, and priority criteria under this rule section. Grants shall be available only after a listing on the fundable portion of the priority list has been obtained, a complete grant application has been submitted to the Department, and a grant agreement has been executed.

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

~~(b)±.~~ The grant funding shall not exceed 85% of any allowance under rule 62-552.420, F.A.C., and the estimated post-allowance project costs when the median household income is below 80% of the statewide average not more than and the financial burden ratio is at least 0.5% as established that stated as the criteria under rule 62-552.200(14)(b)±, F.A.C.

~~(c)±.~~ The grant funding shall not exceed 65% of any allowance under rule 62-552.420, F.A.C., and the estimated post-allowance project costs when the following conditions have been met:

~~1.±.~~ The median household income is at least 80% of the statewide average but less not more than the statewide average and the financial burden ratio is at least 1.0% that stated as the criteria as established under rule 62-552.200(14)(b)±, F.A.C., or

~~2.±.~~ The median household income is below 80% of the statewide average not more than that stated as the criterion under rule 62-552.200(14)(b)±, F.A.C., without regard to and the financial burden ratio is less than 0.5% as established under rule 62-552.200(14)(b), F.A.C.

(b) through (d) renumbered (e) through (g) No change.

~~(h)(e) Grants shall be awarded only for projects and for project components to which a public health risk has been assigned and components thereof, regardless of cost, to which a public health risk or compliance priority is assigned under rules 62-552.650(4)(a) through (d)(e), F.A.C. When a multiple component project has both public health risk and compliance priority components, project components to which compliance priorities have been assigned under rule 62-552.650(4)(e), F.A.C., may be grant funded. The grant funding of project components having compliance priorities under rule 62-552.650(4)(e), F.A.C., shall be subject to the following considerations:~~

1. through 2. No change.

3. No project component to which an "other" priority has been assigned under rule 62-552.650(4)(f), F.A.C., shall be eligible for grant funding.

(f) renumbered (i) No change.

~~(j) A project sponsor shall obtain, within 180 days of grant agreement execution, a binding commitment for the non-grant share of the project costs described in, and to be incurred under, the grant agreement if such funds are not available at the time of grant application. No grant disbursements shall be made before the non-grant share has been secured.~~

(2) through (3) No change.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History—New 8-10-98, Amended _____.

62-552.400 Program Administration Costs.

(1) A loan service fee based on a percentage of the total loan amount less the portion of the loan for capitalized interest, and loan repayment reserve, and loan service fee shall be paid once as a loan service fee by the loan recipient. The service fee percentage shall be established at the beginning of each fiscal year by the Department for all loans to be executed during that year. Each loan agreement shall identify the loan service fee percentage and the loan service fee amount. The loan service fee shall be assessed at the time of loan agreement execution. The loan recipient may elect to pay the entire loan service fee at the time of loan agreement execution or pay it plus capitalized interest thereon no later than by the time that the second semiannual loan repayment is due. Projections of loan program administration costs over a period of five (5) years shall be made by the Department to establish the service fee percentage for each year. These projections shall take into account the balance of the administrative funds available under rule 62-552.500(2), F.A.C., at the beginning of each fiscal year and the estimated investment earnings thereon, funds resulting from scheduled loan repayments, federal and state appropriations for the fiscal year under consideration and that are available at the time the fee is being established, and projected expenses to administer the program. The earnings on investments shall be estimated using an interest rate 1% below the Thomson Publishing Corporation's "Bond Buyer" 20-Bond GO Index average weekly yield for the full weeks during the

January 1 to March 31 calendar year quarter immediately preceding the fiscal year for which the loan service fee is being established. The fee percentage authorized shall be not more than that required to ensure that the balance of administrative funds available at the beginning of the first year is not less than the sum of the administrative expenses for the succeeding two (2) fiscal years and the projected balance at the end of the fifth year is not less than zero. The fee percentage shall be rounded to the nearest 0.1%. However, the loan service fee shall not be less than 2% nor greater than 4%. Loan service fees shall be adjusted downward if procurement contracts result in a loan decrease.

(2) No change.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History—New 4-7-98, Amended _____.

62-552.420 Project Allowances.

Certain allowances shall be included in the allowable project cost at the request of the project sponsor. However, the costs of acquiring land, including easements and rights-of-way; acquiring existing public water systems; and purchasing capacity in an existing public water system shall be excluded from the adjusted post-allowance project costs for the purpose of establishing allowances. Allowances shall be used in lieu of reimbursement for incurred costs. When administrative and engineering allowances are disbursed under a pre-construction loan or pre-construction grant, the project sponsor shall be ineligible to receive the same allowances disbursements under a construction loan or construction grant for the same project. The amount of the disbursements under a construction assistance agreement shall be established by subtracting the amount previously disbursed under a pre-construction agreement from that allowable under the construction assistance agreement. When a construction project is funded with a combination of a grant and a loan, the financial assistance shall have both grant and loan components. The grant percentage established under rule 62-552.370(1)(b) or (c), F.A.C., shall be applied to each allowance to determine the grant portion under such combined grant and loan assistance. The loan portion of administrative and engineering allowances shall be for the remainder after subtracting the grant portion from the total of each allowance. There shall be no loan portion for a planning allowance since no pre-construction loans shall be made in conjunction with pre-construction grants.

(1) The allowance for administrative expenses not exceed the following:

(a) For pre-construction loans and pre-construction grants construction loans, the allowance shall not exceed 0.6% of the adjusted post allowance project costs. The maximum allowance that may be requested for projects with adjusted post allowance project costs less than \$2,000,000 shall be \$12,000 regardless of the adjusted post-allowance project costs.

(b) For ~~pre-construction grants~~ construction loans and construction grants, the allowance shall not exceed ~~85% of~~ 0.6% of the adjusted post-allowance project costs. However, ~~the maximum allowance that may be requested for projects with adjusted post-allowance project costs not exceeding \$2,000,000 shall be \$12,000 less than \$1,000,000 shall be 85% of \$6,000.~~

(c) For construction grants, the allowance shall not exceed the amount determined using the appropriate grant percent, listed under rule 62-552.370(1)(a), F.A.C., of 0.6% of the adjusted post allowance project costs. ~~The maximum allowance that may be requested for projects with adjusted post allowance project costs less than \$1,000,000 shall be \$5,100 for 85% grants or \$3,900 for 65% grants the above referenced appropriate grant percent of \$6,000.~~

(2) The allowance for engineering work performed before construction bid opening shall not exceed the following:

(a) For pre-construction loans and pre-construction grants, the allowance shall not exceed the larger of the allowance listed under "Engineering Amount" for the range in costs or the amount calculated using the percentage listed under "Engineering Amount" multiplied by the estimated adjusted post-allowance project costs ~~or the minimum engineering amount listed for the range in costs as given in the table below.~~ The amount of the allowance shall be subject to the adjusted post-allowance project costs limitation of \$2,000,000 under rule 62-552.350(1) or 62-552.360(6), F.A.C., respectively.

<u>Adjusted Post - allowance Project Costs</u>	<u>Engineering Amount</u>
Less than \$500,000	10.3% or \$21,000
At least \$500,000 but less than \$1,000,000	8.5% or \$52,000
At least \$1,000,000 but less than \$2,000,000 <u>\$5,000,000</u>	7.5% or \$85,000
<u>At least \$2,000,000 but less than \$5,000,000</u>	<u>6.8% or \$150,000</u>
At least \$5,000,000 but less than \$10,000,000	6.4% or \$375,000
At least \$10,000,000 but less than \$50,000,000	6.0% or \$640,000
At least \$50,000,000	5.7% or \$3,000,000

(b) For construction loans and construction ~~pre-construction~~ grants, the allowance shall not exceed the ~~larger of the allowance amount calculated using the percentage listed under "Engineering Amount" for the range in costs or the amount calculated using the percentage listed under "Engineering Amount"~~ multiplied by the estimated adjusted post-allowance project costs ~~or the minimum engineering amount listed for the range in costs as given in the table under paragraph (a) above.~~

(c) For construction grants, the allowance shall not exceed the larger amount determined using the appropriate grant percent, identified under rule 62-552.370(1)(a), F.A.C., of the amount calculated using the percentage listed under "Engineering Amount" multiplied by the estimated adjusted post allowance project costs ~~or the minimum engineering amount listed for the range in costs as given in the table under paragraph (a) above.~~

(3) The allowance for planning work under a pre-construction loan or a pre-construction grant shall be independent of other allowances for engineering work and administrative expenses under this rule section. The amount of the allowance shall be subject to the adjusted post-allowance project costs limitation of \$2,000,000 under rule 62-552.350(1) or 62-552.360(6), F.A.C., respectively. The planning allowance shall not exceed the following:

(a) For pre construction loans, the allowance shall not exceed the larger of the allowance listed under "Planning Amount" for the range in costs or the amount calculated using the percentage listed under "Planning Amount" multiplied by the estimated adjusted post-allowance project costs ~~or the minimum planning amount listed for the range in costs as given in the table below:~~

<u>Adjusted Post-allowance Project Costs</u>	<u>Planning Amount</u>
Less than \$1,000,000	4.4% or \$15,000
At least \$1,000,000 but not more than \$2,000,000 <u>\$1,500,000</u>	3.9% or \$44,000

(b) ~~For pre construction grants, the allowance shall not exceed the larger of the amount determined using 85% of the amount calculated using the percentage listed under "Planning Amount" multiplied by the estimated adjusted post-allowance project costs or the minimum planning amount listed for the range in costs as given in the table under paragraph (a) above.~~

(4) No change.

(5) Increases to allowances shall be subject to the procedures for obtaining a priority for funding under either rule 62-552.655 or 62-552.680(1), F.A.C., and to the following:

(a) There shall be no increase in the amount of a planning allowance.

~~(b)(6)~~ An increase, if requested, to the administrative or engineering allowance shall be according to the following:

1. An increase in an allowance initially included in a pre-construction loan or pre-construction grant shall be available only when a project has been planned and designed according to the schedule incorporated into a pre-construction assistance agreement and only made in conjunction with a construction loan or construction grant that provides funding for facilities designed under the pre-construction loan or pre-construction grant. The amount of an allowance increase shall be established by subtracting the allowance based upon the originally estimated costs for post-allowance activities documented in the pre-construction assistance agreement application from the allowance based upon the adjusted post-allowance project costs established upon execution of the final procurement contract for which the design was funded under the pre-construction assistance agreement. The costs included in such final adjusted post-allowance project costs shall be in the award amount(s) for the construction related contract(s) included in the project scope as described in the construction assistance agreement, regardless of whether project funding has been segmented under rule 62-552.500(1)(d) or 62-552.600(1)(b), F.A.C. estimated costs

~~for post allowance activities documented in the completed water facilities plan subject to adjustment under paragraph (b) below:~~

~~a. When an increase in post-allowance project costs occurs for a project funded first with a pre-construction grant that has not been limited by the \$2,000,000 maximum adjusted post-allowance project costs imposed by rule 62-552.360(6), F.A.C., and then funded with a construction grant for any part of the project, an increase to grant participation in engineering and administrative allowances shall be made at the 85% grant participation level for that part of the project being funded with the construction grant.~~

~~b. When an increase in post-allowance project costs occurs for a project funded first with a pre-construction grant that has been limited by the \$2,000,000 maximum adjusted post-allowance project costs imposed by rule 62-552.360(6), F.A.C., and then funded with a construction grant for any part of the project, an increase to grant participation in engineering and administrative allowances shall be made at the construction grant participation level for that part of the project being funded with the construction grant.~~

~~c. When a project funded first with a pre-construction grant that has been limited by the \$2,000,000 maximum adjusted post-allowance project costs imposed by rule 62-552.360(6), F.A.C., and then is funded with a construction grant for any part of the project, grant participation in that part of the engineering and administrative allowances previously disallowed by the \$2,000,000 maximum shall be available on request. Such grant funding shall be made at the construction grant participation level for that part of the project being funded with the construction grant.~~

~~2. An increase in an allowance initially included in a construction loan or construction grant shall be available when the amount of all construction related contract awards exceeds the estimate documented in the construction assistance agreement. The amount of an allowance increase shall be established by subtracting the allowance based upon the originally estimated costs for post-allowance activities documented in the construction assistance agreement from the allowance based upon the adjusted post-allowance project costs established upon execution of the final procurement contract. The costs included in such final adjusted post-allowance project costs shall be in the award amount for the construction related contracts included in the project scope as described in the construction assistance agreement, regardless of whether project funding has been segmented under rule 62-552.500(1)(d) or 62-552.600(1)(b), F.A.C.~~

~~(b) An adjustment in the allowances initially included in a construction loan or construction grant shall be made to reflect adjusted post allowance project costs established upon execution of procurement contracts. Any increase to allowances shall be subject to the procedures of either rules 62-552.655 or 62-552.680(1), F.A.C.~~

~~(6)(7) A Decreases to allowances shall be made by amendment to the financing agreement which the Department shall prepare and provide to the project sponsor for execution subject unilaterally by the Department according to the following:~~

~~(a) Decreases to allowances established under pre-construction grants or pre-construction loans shall be made by amendment to the financing agreement which the Department shall prepare and provide to the project sponsor for execution. The amount of the any decrease under pre-construction grants or pre-construction loans shall be established as follows:~~

~~1. When planning is not completed as required by a financing agreement, the amount of the decrease shall be established by eliminating all remaining undisbursed allowances from the pre-construction grant or pre-construction loan amount.~~

~~2. When planning is completed but facilities are not designed as required by a financing agreement, the amount of the decrease shall be established as the engineering allowance for the incomplete design work based on the estimated adjusted post-allowance costs documented in the completed facilities plan. The decrease shall be applied to all remaining undisbursed allowances under the pre-construction loan or pre-construction grant. If necessary, the decrease shall be recovered in conjunction with a construction loan or construction grant that provides funding for any part of the designed facilities. Allowances are subject to further adjustment under paragraph (6)(b) below above.~~

~~(b) The amount of any dDecreases to allowances established under construction grants or construction loans shall be made by amendment to the financing agreement which the Department shall prepare and provide to the project sponsor for execution. The amount of the decrease shall be established under paragraph (6)(b) above: by subtracting the allowance based upon the adjusted post-allowance project costs established upon execution of the final procurement contract from the allowance based upon the originally estimated costs for post-allowance activities documented in the construction assistance agreement. The costs included in such final adjusted post-allowance project costs shall be in the award amount for construction related contracts included in the project scope as described in the construction assistance agreement, regardless of whether project funding has been segmented under rule 62-552.500(1)(d) or 62-552.600(1)(b), F.A.C.~~

~~1. When a decrease in post-allowance project costs occurs for a project funded first with a pre-construction grant that has not been limited by the \$2,000,000 maximum adjusted post-allowance project costs imposed by rule 62-552.360(6), F.A.C., and then funded with a construction grant for any part of the project, a decrease to grant participation in engineering~~

and administrative allowances shall be made at the 85% grant participation level for that part of the project being funded with the construction grant.

2. When a decrease in post-allowance project costs occurs for a project funded first with a pre-construction grant that has been limited by the \$2,000,000 maximum adjusted post-allowance project costs imposed by rule 62-552.360(6), F.A.C., and then funded with a construction grant for any part of the project, a decrease to grant participation in engineering and administrative allowances shall be made only if the costs drop below the maximum and then the grant decrease shall be made at the 85% grant participation level for that part of the project being funded with the construction grant.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History—New 4-7-98, Amended 8-10-98.

62-552.430 Construction Loans Agreements for Rate-Based Community Water Systems.

To receive a loan, a project sponsor must enter into a negotiated written agreement with the Department. The Department shall have the primary responsibility for drafting the agreement and settling its terms. Loan agreements shall provide for the following:

(1) The project sponsor shall establish a loan repayment reserve account. When pledged revenues result from the operation of water systems or water and sewer systems entirely owned ~~and operated~~ by a single project sponsor responsible for systems operation and for loan repayment, the reserve shall be 0.03 times the total loan amount less the portion of the loan for capitalized interest, and loan repayment reserve, ~~and the loan service fee~~. When pledged revenues result from other revenues, ~~or~~ the project sponsor responsible for loan repayment is other than as previously described in this subsection, ~~or the project sponsor has not demonstrated the ability to service long term debt, or all default remedies under subsection (15) below are not available to the Department,~~ the repayment security in the form of coverage in addition to the 1.15 amount and other security features described in subsection (4) below ~~or an increased loan repayment reserve~~ shall be negotiated. However, any loan repayment reserve in excess of that based on the 0.03 factor specified above shall be established using local funds unless the project sponsor qualifies as a financially disadvantaged community.

(2) through (3) No change.

(4) Pledged revenues resulting from the operation of water systems or water and sewer systems entirely owned ~~and operated~~ by a single project sponsor responsible for systems operation and for loan repayment ~~each year~~ shall be as follows:

(a) When the project sponsor has demonstrated the ability to service long term debt and all default remedies under subsection (15) below are available to the Department, pledged revenue shall be not less than 1.15 times the amount required to make each semiannual loan repayment; unless the project sponsor establishes an escrowed reserve using local funds in an amount not less than one semiannual loan repayment. The

~~pledged revenue coverage for the loan from the Department shall not result from or be transferred from or be derived from coverage required by senior lien debt documents. When pledged revenues result from other revenues or the project sponsor responsible for loan repayment is other than as previously described in this subsection, the pledged revenue coverage shall be negotiated.~~

(b) When the project sponsor has demonstrated the ability to service long term debt but all default remedies under subsection (15) below are not available to the Department, pledged revenues shall be not less than 1.15 times the amount required to make each semiannual loan repayment.

(c) ~~When the project sponsor has not demonstrated the ability to service long term debt and all default remedies under subsection (15) below are not available to the Department, pledged revenues shall be not less than 1.15 times the amount required to make each semiannual loan repayment. In addition, special loan security provisions shall be negotiated that provide assurance that debt service requirements will be fulfilled. The additional security provisions shall be as follows:~~

1. Additional escrowed reserve funds equivalent to not less than five semiannual loan repayments. Upon request from a financially disadvantaged community, the Department shall include the equivalent of one of the five additional semiannual loan repayments in the loan repayment reserve funds to be included in the loan principal under subsection (1) above. Escrowed funds shall be accompanied by a lien on the assets of the project sponsor in the amount of the total loan principal less the amount of security of principal provided by the additional escrowed funds.

2. A letter of credit from a bank or trust company, having a combined capital and unimpaired surplus of not less than \$50 million, authorized to transact commercial banking or savings and loan business in the State of Florida and insured by the Federal Deposit Insurance Corporation assuring that no less than five semiannual loan repayments will be made. The letter of credit shall be accompanied by a lien on the assets of the project sponsor in the amount of the total loan principal less the amount of security of principal provided by the letter of credit.

3. A personal or corporate, as applicable, obligation ensuring that all semiannual repayments can be made.

4. Other security features equivalent to those described in subparagraphs 1. through 3. above.

(d) ~~When the project sponsor has not demonstrated the ability to service long term debt and all default remedies under subsection (15) below are available to the Department, pledged revenues shall be not less than 1.15 times the amount required to make each semiannual loan repayment.~~

(5) Pledged revenues resulting from the operation of water systems or water and sewer systems that are not entirely owned by a single project sponsor responsible for systems operation and for loan repayment shall be subject to the negotiated loan security provisions under paragraph (c) above.

(6) Pledged revenue coverage for the loan from the Department shall not result from or be transferred from or be derived from coverage required by senior lien debt documents.

(5) through (13) renumbered (7) through (15) No change.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History--New 4-7-98, Amended 8-10-98,_____.

62-552.500 Funds Reserved for Specific Purposes.

A portion of the funds allocated each year by the Department, including the financially disadvantaged community funds established under rule 62-552.300(8), F.A.C., is reserved for the benefit of small communities. Funds are also reserved to reimburse the Department for its administrative costs in managing the program.

(1) No change.

(2) Service fees under rule 62-552.400, F.A.C., shall be deposited in the Department's Grants and Donations Trust Fund. Fee proceeds, including investment earnings, shall be reserved to pay for the administration of the financial assistance programs of the Bureau of Water Facilities Funding used by the Department to implement the financial assistance program authorized by the Act.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History--New 4-7-98, Amended 8-10-98,_____.

62-552.650 Priority Determination.

(1) No change.

(2) Each project, or component of a project when a project has components qualifying for different baseline priority scores, shall be assigned a baseline priority score to indicate protection of public health, compliance with the Act or other enforceable requirements, or another lower priority need.

(a) When a construction loan project has components qualifying for different baseline priority scores, the score for the entire project shall be the highest number of points for which at least 50% of the estimated project costs qualify. When no single project component generates at least 50% of the estimated project costs, the cost of the highest priority component shall be combined with one or more lower priority component costs, at the lowest number of points associated with any of the combined components, to achieve the 50% threshold and thereby establish the overall project baseline priority score.

(b) When a construction grant project has components qualifying for different baseline priority scores, each component shall be assigned its own priority score. A project must have a public health risk assigned to it or to one of its components to qualify for a construction grant under rule 62-552.370(1)(h), F.A.C. The priority of any project component, regardless of the ratios of component costs to total project cost, shall not establish overall project baseline priority score.

(c) When a pre-construction project has components qualifying for different baseline priority scores, one of the project components must have a public health risk assigned to it to qualify for a loan under rule 62-552.350, F.A.C., or a grant under rule 62-552.360, F.A.C. Such a public health risk priority establishes the overall project baseline priority score. However, an overall pre-construction project baseline priority score shall not be carried over to any subsequent construction grant or construction loan project. Any prioritization of a construction project shall be subject to the applicable paragraph (a) or (b) above.

(3) through (5) No change.

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History--New 4-7-98, Amended_____.

62-552.900 Forms for the State Revolving ~~Fund Loan~~ Program for Drinking Water Facilities.

Each form is listed below by rule number, which is also the form number, and with the title and effective date. Copies of the following forms, which are hereby incorporated by reference and identified by this rule number, may be obtained by writing to the Bureau Chief, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400:

(1) Request for Inclusion on the Priority List for Drinking Water Facilities, dated (Effective _____ ~~08-10-98~~).

(2) Loan Application, dated (Effective _____ ~~08-10-98~~).

(3) Grant Application, dated (Effective _____ ~~08-10-98~~).

Specific Authority 403.8532 FS. Law Implemented 403.8532 FS. History--New 4-7-98, Amended 8-10-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi A. Drew, Director, Division of Water Facilities, Department of Environmental Protection, 2600 Blair Stone Road, MS #3500, Tallahassee, Florida 32399-2400, Telephone (850)487-1855

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David B. Struhs, Secretary, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #10, Tallahassee, Florida 32399-3000, Telephone (850)488-1554

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 8, 1999

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Marine Resources

DOCKET NO.: 93-03R

RULE CHAPTER TITLE: The Comprehensive Blue Crab Control Code

RULE CHAPTER NO.: 62R-8

Control Code 62R-8

RULE TITLES:	RULE NOS.:
Blue Crab Food Processing-General	62R-8.001
Definitions	62R-8.002
Permit and Certification	
Requirements; Revocation	62R-8.003
General Blue Crab Food Supplies	
and Protection	62R-8.004
Personnel	62R-8.005
General Blue Crab Food Equipment	
and Utensils	62R-8.006
General Blue Crab Sanitary	
Facilities and Controls	62R-8.007
Other Facilities and Operations; General	62R-8.008
Specific Blue Crab Plant Operations	62R-8.009
Blue Crab Standards and Container	
Identification	62R-8.010
Inspection of Blue Crab Food	
Processing Plants	62R-8.011
Examination and Condemnation of	
Blue Crab Food	62R-8.012
Procedure When Infection Is Suspected	62R-8.013
Pasteurization of Crab Meat	62R-8.014
PURPOSE, EFFECT AND SUMMARY: To repeal the Comprehensive Blue Crab Control Code because the Florida Department of Agriculture and Consumer Services is adopting rule language.	
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs (SERC) 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: 370.071(1) FS.	
LAW IMPLEMENTED: 370.071 FS.	
IF REQUESTED WITHIN 21 DAYS OF DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:	
TIME and DATE: 10:30 a.m., June 8, 1999	
PLACE: Florida Department of Agriculture and Consumer Services, Conner Building, 1st Floor Meeting Room, 3125 Conner Blvd., Tallahassee, Florida	
If an accommodation is needed for a disability in order to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)488-2996 or (800)955-8771(TDD), at least seven days prior to the event	
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark L. Collins, Environmental Administrator, Bureau of Marine Resource Regulation and Development, M.S. 205, 3900 Commonwealth Boulevard, Tallahassee, Florida, Phone: (850)488-5471	

THE FULL TEXT OF THE PROPOSED RULES IS:

62R-8.001 Blue Crab Food Processing-General.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.101, 381.311, 381.531, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.21, 16B-28.021, 16R-8.001, Repealed.

62R-8.002 Definitions.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a), (b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.101, 381.311, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.22, 16B-28.022, 16R-8.002, Repealed.

62R-8.003 Permit and Certification Requirements; Revocation.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.101, 381.311, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Joint Administrative Procedures Committee Objection filed--See FAW Vol. 12, No. 8, February 21, 1986, Formerly 16B-28.23, 16B-28.023, 16R-8.003, Repealed.

62R-8.004 General Blue Crab Food Supplies and Protection.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a), (b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.101, 381.311, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.24, 16B-28.024, 16R-8.004, Repealed.

62R-8.005 Personnel.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.111, 381.351, 381.411(1),(2),(3) FS. History--New 7-28-77, Formerly 16B-28.25, 16B-28.025, 16R-8.005, Repealed.

62R-8.006 General Blue Crab Food Equipment and Utensils.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.111, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.26, 16B-28.026, 16R-8.006, Repealed.

62R-8.007 General Blue Crab Sanitary Facilities and Controls.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.071, 381.091, 381.101, 381.311, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.27, 16B-28.027, 16R-8.007, Repealed.

62R-8.008 Other Facilities and Operations; General.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.311, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.28, 16B-28.028, 16R-8.008, Repealed.

62R-8.009 Specific Blue Crab Plant Operations.
 Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.311, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.29, 16B-28.029, 16R-8.009, Repealed.

62R-8.010 Blue Crab Standards and Container Identification.

Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.111, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.30, 16B-28.030, 16R-8.010, Repealed.

62R-8.011 Inspection of Blue Crab Food Processing Plants.

Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.111, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.31, 16B-28.031, 16R-8.011, Repealed.

62R-8.012 Examination and Condemnation of Blue Crab Food.

Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.111, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Joint Administrative Procedures Committee Objection Filed--See FAW Vol. 12, No. 8, February 21, 1986, Formerly 16B-28.32, 16B-28.032, 16R-8.012, Repealed.

62R-8.013 Procedure When Infection is Suspected.

Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f),(g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.111, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.33, 16B-28.033, 16R-8.013, Repealed.

62R-8.014 Pasteurization of Crab Meat.

Specific Authority 370.021, 370.071, 20.25(6), 20.06(4), 381.031(1)(g)3 FS. Law Implemented 20.25(6), 381.031(1)(a),(b),(c),(d),(e),(f) (g), 381.061(2),(3),(4),(5),(6),(9), 381.071, 381.091, 381.101, 381.111, 381.351, 381.411(1),(2),(3), 386 FS. History--New 7-28-77, Formerly 16B-28.34, 16B-28.034, 16R-8.014, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark L. Collins, Environmental Administrator, Bureau of Marine Resource Regulation and Development, M.S. 205, 3900 Commonwealth Boulevard, Tallahassee, Florida, Phone: (850)488-5471

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David C. Heil, Chief, Bureau of Marine Resource Regulation and Development

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Technician RULE NO.: 64B3-5.004

PURPOSE AND EFFECT: The proposed rule amendment is intended to address technicians who perform high complexity testing.

SUMMARY: The proposed rule amendment sets forth criteria for technicians who perform high complexity testing.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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., June 9, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.004 Technician.

(1) through (4) No change.

(5) Qualifications for Technicians who perform High Complexity Testing. Technicians performing high complexity testing as defined in 42 C.F.R. 493.10 and 493.17, and who have been licensed after September 1, 1997, shall meet the minimum educational and training qualifications provided in 42 C.F.R. 493.1489, including a minimum of an associate degree in laboratory science, medical laboratory technology, or equivalent education and training.

(6)(5) No change.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.004, Amended 5-26-98, 9-20-98, 1-11-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 1999

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES:	RULE NOS.:
Examination and Reexamination Fees	64B3-9.003
Processing Fee	64B3-9.010

PURPOSE AND EFFECT: The proposed rule amendment to Rule 64B3-9.003 increases the examination and reexamination fees for the specialty of blood banking, immunohematology to \$175. The proposed amendment to Rule 64B3-9.010 is intended to clarify the circumstances under which a processing fee is required.

SUMMARY: The proposed amendment to 64B3-9.003 increases the examination and reexamination fees for the specialty of blood banking, immunohematology to \$175. The proposed amendment to Rule 64B3-9.010 specifies that the processing fee of \$50 is required when the licensee applies for a change in licensure status at any time other than during licensure renewal.

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

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

SPECIFIC AUTHORITY: 455.587, 455.711, 483.807(1) FS.

LAW IMPLEMENTED: 455.587, 455.711, 483.807 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., June 9, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-9.003 Examination and Reexamination Fees.

(1) No change.

(2) The fee for the generalist technician and the specialty of blood banking, immunohematology examination or reexamination is ~~\$175~~ \$70.

Specific Authority 483.807(1) FS. Law Implemented 483.807 FS. History--New 12-7-93, Formerly 61F3-9.003, 59O-9.003, Amended 5-26-98, 1-28-99, _____.

64B3-9.010 Processing Fee.

A licensee shall pay a processing fee of \$50.00 when the licensee applies for a change in licensure status at any time other than during licensure renewal. The renewal period shall

begin ninety (90) days prior to the end of the biennium and shall end on the last of the biennium. The fee for processing a licensee's request to change licensure status at any time other than at the beginning of a licensure cycle shall be \$50.00.

Specific Authority 455.587, 455.711, 483.807(1) FS. Law Implemented 455.587, 455.711, 483.807 FS. History--New 12-26-94, Formerly 59O-9.010, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: 64B3-9.003 (April 9, 1999); 64B3-9.010 (April 2, 1999).

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES:	RULE NOS.:
Definitions	64D-2.002
Confidentiality	64D-2.003
Testing Requirements	64D-2.004
Registration of HIV Testing Programs	64D-2.006

PURPOSE AND EFFECT: The proposed rules will implement changes made to the Omnibus AIDS Act during the 1998 Legislative Session.

SUMMARY: The proposed amendments to Rule 64D-2.002 are technical in nature. One amendment adds "preliminary test" to the list of HIV/AIDS related terms defined in statute and the second clarifies the definition of a health care provider. The proposed amendments to Rule 64D-2.003 on confidentiality correct statutory references, incorporate the revised "Partner Notification Protocol for Practitioners," and include the additional disclosures of HIV information permitted by statute. These disclosures are related to significant exposures and situations related to the care of developmentally disabled persons. The proposed amendments to Rule 64D-2.004 incorporate the "Model Protocol for HIV Counseling and Testing for County Health Departments and Registered Testing Programs" and the "Model Protocol for HIV Counseling and Testing Conducted Outside County Health Departments and Registered Testing Programs," delete language related to pre and post-test counseling, and update the address for the Bureau of HIV/AIDS. The proposed amendments to Rule 64D-2.006 implement the reregistration of HIV testing programs and incorporate the Department of Health Form 1781, Application for Registration and Reregistration of HIV Testing Programs.

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 alternatives, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 381.0011, 381.004(10), 381.0041(10), 384.33 FS.

LAW IMPLEMENTED: 381.0011, 381.0031(4), 381.004, 381.0041, 384.31, 455.674 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., June 8, 1999

PLACE: 1309 Winewood Blvd, Building 6, Room 103, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Laura Gengler Reeves, Planner II, Bureau of HIV/AIDS, Division of Disease Control, 2020 Capital Circle, S. E., Bin# A09, Tallahassee, Florida 32399-1715, (850)413-0739, (FAX) (850)414-0038

THE FULL TEXT OF THE PROPOSED RULES IS:

64D-2.002 Definitions.

As used in this chapter, "HIV test," "HIV test result," "preliminary test," "Significant exposure," and "Test subject" have the same meaning as in s. 381.004(2), F.S., and the following words and phrases shall have the following meanings:

- (1) through (8) No change.

Specific Authority 381.0011, 381.004(10), 381.0041(10) FS. Law Implemented 381.0011, ~~381.004, 483, 454, 394, 397, 458, 459, 466, 461, 462, 401-23~~ FS. History--New 11-6-85, Formerly 10D-93.62, Amended 7-12-89, 5-30-90, 1-20-92, 5-1-96, Formerly 10D-93.062, Amended.

64D-2.003 Confidentiality.

(1) Any person, including the department, and any county health department, contract provider, testing program authorized by the department, health care provider or health care facility ~~who conducts HIV-related testing~~ shall comply with the confidentiality provisions of s. 381.004(3)(~~e~~)(f), F.S., and ~~this rule Rule 64D-2.003, F.A.C.~~, in administering the HIV test, protecting the identity of the test subject, and managing records which contain laboratory reports of HIV test results or any report or notation of a laboratory report of an HIV test.

(2) No person, including health care facilities and health care providers as defined in Rule 64D-2.002(4)(~~13~~) and (5)(~~14~~), F.A.C., shall disclose or be compelled to disclose the identity of a test subject or his or her HIV test results, except to the following persons:

- (a) No change..
- (b) Any person designated in a legally effective release executed by the test subject prior to or after the performance of the HIV test. The following releases are legally effective:
 - 1. through 2. No change.

3. A hospital can honor a general release without prior written authorization, provided the hospital first obtains the test subject's written informed consent in accordance with Rule 64D-2.004, F.A.C., and releases the information in accordance with s. 395.3025 ~~395.017~~, F.S. The informed consent shall include a statement to the effect that the test subject's HIV test results can be released to anyone to whom the test subject gives written permission to see or to copy his or her medical record.

(c) Any medical personnel who experience a significant exposure during the course of employment or in the performance of professional duties ~~in accordance with Rule 10D-93.0681, F.A.C.~~ or non-medical personnel who experience a significant exposure while providing emergency assistance.

(d) An authorized agent or employee of a health care facility or health care provider if:

- 1. through 2. No change.
- 3. An agent or employee has a need to know the identity of a test subject or his or her HIV test results if:

a. The agent or employee has a need to know the identity of a test subject or his or her HIV test result ~~in order~~ to discharge properly his or her duties in the ordinary course of participating in or administering the business operations of a health care facility or health care provider. Examples of these agents or employees are:

- (I) through (IV) No change.

b. The agent or employee has a need to know the identity of a test subject or his or her HIV test results ~~in order~~ to discharge properly his or her duties in the ordinary course of providing patient care. Examples of these agents or employees include, but are not limited to:

- (I) through (II) No change.

c. The agent or employee has a need to know the identity of a test subject or his or her HIV test results ~~in order~~ to learn or to teach properly in the ordinary course of an approved educational program in a medical teaching facility or a research program under ~~Chapter Section 405, F.S. of Florida Statutes~~. Examples of these agents or employees include, but are not limited to:

(I) Students, interns, and residents involved in making rounds at a teaching hospital.

(II) Researchers and their assistants engaged in research authorized under ~~Chapter Section 405, F.S. of Florida Statutes~~.

(e) Health care providers involved in the care or treatment of a test subject and consulting between or among themselves or with health care facilities to determine diagnosis or treatment of a test subject. This is not an exception to s. 395.3025 ~~395.017~~, F.S., which requires hospitals to obtain written authorization before furnishing patient records to anyone other than the patient.

- 1. through 2. No change.
- (f) through (j) No change.

(k) The provisions of s. 951.27, F.S., permit the county and municipal detention facilities to test inmates for HIV. The results of that HIV test can be given to the authority specified by related rules or, if none, to the highest ranking official in charge of the jail, or detention facility.

~~(k)(4)~~ Pursuant to s. 960.003(2)-(5), F.S., and ~~s. 775.0877(2), F.S., Rule 10D-93.068(8)(j), F.A.C.~~, the victim of a ~~criminal sexual~~ offense involving the transmission of body fluids from one person to another shall, upon request, obtain the HIV test results of the person charged with or convicted of the ~~criminal sexual~~ offense. The test results shall be disclosed in accordance with s. 381.004(3)(~~c~~)(~~e~~), F.S. The test results shall not be disclosed to any other person except as expressly authorized by law or court order.

~~(l)(4)~~ In accordance with specific circumstances established in s. ~~455.674~~ ~~455.2416~~, F.S., a practitioner regulated through the Division of Medical Quality Assurance within the Department of Health can disclose the identity of an HIV-positive patient to the patient's sex or needle-sharing partner. Any notification of a sex or needle-sharing partner pursuant to this section shall be done in accordance with the "Partner Notification Protocol for Practitioners," dated ~~March 1999~~ ~~May 1, 1990~~, incorporated by reference in this rule. This protocol can be obtained from the Department of Health, Bureau of HIV/AIDS, 2020 Capital Circle, S. E., Bin A09, Tallahassee, Florida 32399-1715.

~~(m)(4)~~ No change.

(n) Employees of residential facilities or community-based care programs licensed under Chapter 393, F.S., for developmentally disabled persons if the employees are directly involved in the care, control, or custody of such test subject and have a need to know such information.

(o) A person allowed access by a court order which is issued in compliance with s. 381.004(3)(~~e~~)(~~f~~)9., F.S.

(p) A person allowed access by order of a judge of compensation claims of the Division of Workers' Compensation of the Department of Labor and Employment Security. Such order shall not be issued by a judge of compensation claims unless the person seeking the test results has demonstrated a compelling need for the test results which cannot be accommodated by other means.

(3) All patient records, client records or medical records containing HIV test results are recommended to shall be kept in the following manner:

(a) through (d) No change.

(e) A subpoena ~~directed to the department~~ for medical records containing HIV test results is not sufficient to release such records, except for HIV testing performed in hospitals as provided in s. 381.004(3)(g), F.S. ~~The recipient shall notify in writing the county health department district legal counsel so that appropriate action can be taken.~~

(4) Pursuant to s. 381.004(3)(~~f~~)(~~g~~), F.S., oral disclosure of HIV test results shall be accompanied by oral notice and followed by a written notice within 10 days. This written notice shall include the following statement: "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of such information without the specific written consent of the person to whom such information pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is NOT sufficient for this purpose." This written statement shall not be required for disclosures made in accordance with s. 381.004(3)(~~e~~)(~~f~~)3., and 4., F.S.

(5) The anonymity of individuals tested for HIV in county health department anonymous test sites or other testing programs approved through the department registration process to conduct anonymous testing, by the designated agent of the county health department, when anonymous testing is requested, shall be ensured as follows:

(a) Names or other specified identifying information about test subjects shall not be collected ~~or released for any purpose without the signed, informed consent of the test subject.~~

(b) A unique identification number shall be assigned to the test subject, and identically numbered labels shall be used to identify all records and blood specimens.

(c) The identification number shall be given to the individual ~~in writing with the authorized signature of a staff member of the county health department or contract provider in order~~ for the individual to secure test results and receive ancillary services at a later time.

~~(d) The county health department or contract provider shall compile and maintain statistical records, without the individual's name, for the following services:~~

- ~~1. Number of tests provided;~~
- ~~2. Number of pre-test counseling sessions;~~
- ~~3. Number of post-test counseling sessions; and~~
- ~~4. Number of referrals for medical or other support services.~~

~~(d)(e) Fees for anonymous HIV testing cannot be collected in a form which can be used to identify the test subject. Fees shall not be charged for HIV anonymous testing if the test subject verbally declares an inability to pay in accordance with s. 402.33, F.S.~~

Specific Authority 381.0011, 381.004(10), 381.0041(10), ~~384.33~~ FS. Law Implemented 381.0011, 381.0031(4), 381.004, 381.0041, ~~455.674-395.017, 402.33, 405, 766.101, 960.003, 455.2416, 409.175, 945.35, 796.08, 951.27, 384.30~~ FS. History-New 11-6-85, Formerly 10D-93.64, Amended 7-12-89, 5-30-90, 1-20-92, Formerly 10D-93.064, Amended.

64D-2.004 Testing Requirements.

(1) Pursuant to s. 381.004(3)(a), F.S., informed consent shall be obtained prior to testing for HIV except in the limited situations outlined in s. 381.004(3)(~~h~~)(~~i~~), F.S. Informed consent shall include an explanation that the information identifying

the test subject and the results of the test are confidential and protected against further disclosure to the extent provided by law. Information shall also be included on the fact that persons who test positive will be reported to the local county health department and that anonymous testing is available.

(2) In addition to the information on confidentiality, reporting and anonymous testing listed above, a An explanation of the following information constitutes sound and reasonable practice in providing information sufficient to secure informed consent:

(a) through (b) No change.

(c) The procedures to be followed, ~~including pre and post test counseling;~~ and

(d) No change.

(3) No change.

(4) Informed consent to perform a test for HIV shall be in writing for the following:

(a) From the potential donor or from the donor's legal representative prior to the first donation of blood, plasma, organs, skin, semen, or other human tissue. ~~The consent form must specify that the donor is consenting to repeated HIV testing of each of his donations for the subsequent year. The consent form must be signed annually prior to transfusion or other use;~~

(b) through (c) No change.

(5) The following minors can be tested for HIV without parental consent provided the minor gives informed consent:

(a) Any minor who requests examination, testing, consultation or treatment for a sexually transmissible disease, including HIV, in accordance with s. 384.30, F.S., and who demonstrates sufficient knowledge and maturity to make an informed judgment. ~~Children 12 years or older should be presumed to be able to exercise informed judgment unless facts suggest otherwise.~~

(b) Any minor who has reached the age of 17 years who gave consent to the donation of his or her blood, in compliance with s. 743.06, F.S.

(c) No change.

(6) Any health care provider attending a pregnant woman for conditions related to her pregnancy shall counsel the woman on the benefits of treatment to reduce the risk of transmission from infected women to their babies and offer HIV testing in accordance with s. 384.31, F.S.

~~(7)(6)~~ Pursuant to s. 381.004(8), F.S., the Department of Health developed the Model Protocol for HIV Counseling and Testing for County Health Departments and Registered Testing Programs HIV Test Counseling, dated March 29, 1999 ~~October 1991~~, and the Model Protocol for HIV Counseling and Testing Conducted Outside County Health Departments and Registered Testing Programs, dated March 29, 1999, consistent with the provisions of this section and incorporates ~~these~~ documents by reference in this rule. The model protocols can be obtained from the Department of Health, Bureau of

HIV/AIDS Office of Disease Intervention, 2020 Capital Circle, S. E., Bin A09, 1317 Winwood Boulevard, Tallahassee, Florida 32399-1715 0700.

~~(7) In reporting test results, the approved laboratory shall report the written test results to the county health department, contract provider, health care facility, or health care provider who ordered the HIV test.~~

(8) Persons ordering an HIV test must ensure that all reasonable efforts are made to notify the test subject of the test result and relate certain information to the test subject in accordance with s. 381.004(3)(c), F.S., and the applicable Model Protocol for HIV Counseling and Testing specified in Rule 64D-2.004(7), F.A.C. If the test subject was tested in a facility, such as a jail or hospital emergency department, and was released before being notified of a positive HIV test result, the facility may inform the county health department to notify the test subject. The county health department, contract provider, health care facility, or health care provider shall notify the test subject of HIV test results in person during a prescheduled return visit to the test site or home visit by the health care provider. Blood banks and persons who collect blood, organs, skin, semen, or other tissue shall comply with Rule 64D-2.005, F.A.C., and s. 381.0041(5), (6), F.S.

~~(9) No test results, negative or positive, shall be revealed to the test subject by telephone or by mail, except by blood banks, pursuant to s. 381.0041(6), F.S., or persons who collect blood, organs, skin, semen, or other tissue who find evidence of HIV infection in the donor, pursuant to s. 381.0041(5), F.S.~~

Specific Authority 381.0011, 381.004(10), 381.0041(10), ~~384.33~~ FS. Law Implemented 381.0011, 381.0031(4), 381.004, 381.0041, ~~384.31~~ FS. History—New 11-6-85, Formerly 10D-93.67, Amended 7-12-89, 1-20-92, 5-1-96, Formerly 10D-93.067, Amended.

64D-2.006 Registration of HIV Testing Programs.

(1)(a) All county health departments and persons who conduct or make any personal, telephone or mail contact or other communication to a person, or make any announcement, solicitation, display, or advertisement to inform the general public that they are conducting a testing program as defined in (b) below, must first register with the Department of Health, Bureau of HIV/AIDS Office of Disease Intervention and must reregister annually. Initial rRegistration and subsequent reregistration shall be approved by the department based upon compliance with s. 381.004(5), F.S., ~~as evidenced by a completed application and subsequent receipt of certificate of registration.~~

(b) For the purpose of this rule, an HIV testing program is a program which provides HIV testing services with the sole purpose of either identifying HIV infection infected persons, or providing HIV testing services as an adjunct to the provision of comprehensive, out-patient care and treatment to HIV infected persons. This definition does not include any health care provider that performs or provides HIV testing services which are incidental to the primary diagnosis or care of a patient.

(c) When the testing program satisfactorily completes the registration or reregistration requirements, the department shall mail a certificate of registration to the program.

~~(2) Effective January 1, 1990, An application for initial registration to conduct an HIV testing program shall be made to the department on DOH Form 1781, 11/98 Oct-89, Application for Registration and Reregistration of HIV Testing Programs, incorporated by reference in this rule. The application can be obtained from the Department of Health, Bureau of HIV/AIDS, 2020 Capital Circle, S. E., Bin A09 DOH Office of Disease Intervention, 1317 Winewood Boulevard, Tallahassee, Florida 32399-17150700. A completed application shall be mailed to the Department of Health, Bureau of HIV/AIDS, Attention: Counseling and Testing Program Registration DOH Office of Disease Intervention at the same address and shall be accompanied by the \$100.00 initial registration fee. No fee is required for reregistration.~~

~~(3) The initial registration fee shall be made payable to the department and will be deposited in the Department of Health DOH Deputy Secretary for Health Grants and Donations Trust Fund.~~

~~(4) Persons or facilities receiving funding pursuant to s. 381.004(4), F.S., shall be exempt from payment of the initial registration fees.~~

~~(5) Effective October 1, 1998, HIV testing programs must reregister with the department annually. The application form for reregistration, DH Form 1781, 11/98, will be mailed by the Department of Health, Bureau of HIV/AIDS to the registered testing program 60 days prior to the program's reregistration date. Reregistration dates have been established as follows:~~

~~(a) Testing programs registered with the department prior to October 1, 1998, will be notified in writing of their reregistration date by January 31, 1999.~~

~~(b) Testing programs who register with the department on or after October 1, 1998, will be sent a certificate of registration with a designated reregistration date.~~

~~(6) Pursuant to this section, if the application for reregistration is not received by the reregistration date, the certification is expired and the program is not authorized to continue operating.~~

~~(7)(5) Each certificate of registration shall be valid only for the person or facility to which it was issued. The certificate of registration must be posted in a conspicuous location in the facility.~~

~~(8)(6) The certificate of registration shall not be subject to sale, assignment or other transfer.~~

~~(9)(7) The department shall be notified in writing no later than 15 days upon change of ownership or classification, suspension, revocation, or voluntary cessation of operation and the certificate of registration shall be returned immediately to the department.~~

~~(10)(8) The department shall deny, suspend, or revoke the registration of a person or agency which:~~

(a) fails to comply with s. 381.004(5), F.S., or the rules in implementation thereof; or

(b) causes to happen an intentional or negligent act which physically or materially affects the health, safety, or welfare of the person receiving services.

~~(11)(9) Pursuant to s. 381.031, F.S., the department shall have the right to make inspections and investigations by any duly authorized officer or employee of the department as are necessary in order to respond to complaints or to determine compliance with the provisions of s. 381.004(5), F.S., and the rules adopted thereto.~~

~~(12)(40) The department shall institute injunctive proceedings in a court of competent jurisdiction when violations of the provisions of s. 381.004(5), F.S., or any rules promulgated thereunder constitute an emergency affecting the immediate health, safety, and welfare of a person receiving services.~~

~~(13)(44) Pursuant to s. 381.004(5)(a), F.S., the program shall be directed by a person with a minimum number of 15 contact hours of experience in counseling persons with human immunodeficiency virus. Examples of counseling include: informing a test subject of an HIV positive test result; providing case management services to HIV-infected persons; facilitating a support group for HIV-infected persons; and providing medical care.~~

~~(14)(42) Each person providing post-test counseling to a patient with a positive test result shall have received specialized training which shall be equivalent to consistent with the Department of Health DOH specialized training in providing post-test counseling to HIV-positive clients. Specialized training must include information on the following:~~

~~a. Confidentiality, the meaning of a positive test result and the importance of not donating blood, blood products, tissues, or sperm;~~

~~b. Early intervention, referrals and linkages to care/services;~~

~~c. Prevention of secondary HIV transmission;~~

~~d. Partner counseling and referral services;~~

~~e. HIV infection reporting; and~~

~~f. Documentation of test results.~~

~~(13) All patient records shall be confidential as required by rule 64D 2.003, F.A.C., and maintained in the following manner:~~

~~(a) the laboratory shall convey a copy of the HIV test results to the originating clinic or health care provider;~~

~~(b) one person in the clinic shall have responsibility for the test results (i.e., senior clinic nurse, medical records librarian, etc.);~~

~~(c) this person shall keep the test results secure until the client returns for post-test counseling;~~

~~(d) the counselor shall note the HIV test results in the client's laboratory test portion of the medical file; and~~

~~(e) a copy of the test results shall be kept on file for at least one year.~~

Specific Authority 381.004 FS. Law Implemented 381.004, ~~381.031~~ FS. History--New 11-29-89, Amended 5-1-96, Formerly 10D-93.076, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sherry Riley, Bureau of HIV/AIDS, Department of Health
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Landis K. Crockett, M.D., M.P.H., Division Director, Disease Control, Department of Health
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: September 25, 1998
Purchase Order No.: EV 2415

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Overpayment and Benefit Recovery
PURPOSE AND EFFECT: This proposed rule amendment changes the use of a federal regulation cite as the sole authority governing certain food stamp collection procedures and defines recipient.

RULE NO.: 65A-1.900

SUMMARY: This rule amendment will clarify that reference to 7 CFR 273.18 as the authority for collections does not apply to collection procedures for agency error in the Food Stamp program. These specific collection procedures are conducted in accordance with section 844, Public Law 104-193. Section 844, Public Law 104-193 will be inserted as a reference to collection procedures for agency error in the Food Stamp program. Additionally, the rule amendment adds a definition for the use of the word recipient and indicates the transfer of the Division of Public Assistance Fraud to the Department of Law Enforcement.

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: 120.53, 414.41, 414.45 FS.

LAW IMPLEMENTED: 24.115(4), 414.31, 414.41 FS.

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

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

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wilbur Williams, Coordinator for Special Programs, 1317 Winewood Boulevard, Building 3, Room 412J, Tallahassee, Florida 32399-0700

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.900 Overpayment and Benefit Recovery.
Opening paragraph through (1)(h) No change.

(1)(i) Recipient: Recipient is defined as a person in receipt of and included in the cash assistance benefit. However, this includes the payee of the cash assistance benefit whose needs are not included in determining the amount of the benefit; payees are responsible for reporting changes in circumstances of the assistance group to the department on behalf of the assistance group.

(2) through (4)(a) No change.

(b) Monthly repayment amounts of food stamp overpayments shall be negotiated in accordance with 7 CFR 273.18, as amended, except for agency error repayments. Agency error repayments will be required in accordance with section 844, Public Law 104-193.

(c) through (5)(b) No change.

(c) The method of repayment of a food stamp overpayment shall be as specified in 7 CFR 273.18, as amended, except when the repayment involves an agency error. Agency error repayments will be required in accordance with section 844, Public Law 104-193.

(d) through (8) No change.

(9) Determination of Intentional Program Violation.

(a) Pursuant to ss. 414.39 and 414.41, F.S., the department will refer cases of suspected fraud as defined in subparagraph (1)(d)2. to the Office of the Auditor General, Division of Public Assistance Fraud (DPAF), for investigation. Effective October 1, 1999, DPAF will be transferred to the Department of Law Enforcement. In cases of suspected fraud in the AFDC and temporary cash assistance (excluding RAP) or food stamp programs the department will, upon the recommendation of DPAF, pursue a determination of IPV through either court action, administrative disqualification hearing (ADH), or both where permitted by 7 CFR 273.16, and 45 CFR 235.112. The department will, upon the recommendation of DPAF, pursue a determination of IPV through court action when instances of suspected fraud occur in the Medicaid or refugee assistance programs.

(b) through (12) No change.

Specific Authority ~~420.53~~, 414.41, 414.45 FS. Law Implemented 24.115(4), 414.31, 414.41 FS. History--New 7-21-92, Amended 1-5-93, 9-5-93, Formerly 10C-1.900, Amended 7-9-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rodney McInnis, Management Review Specialist
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kim Shaver, Chief, Policy Bureau

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 30, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.: 4-127 RULE TITLE: Fees and Procedures Regarding Department Information and Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in the Florida Administrative Weekly, Vol. 25, No. 15, on April 16, 1999.

The following was not included in the publication of this rule:
NAME OF PERSON ORIGINATING PROPOSED RULE: Jamie Payne, Document Processing, Department of Insurance
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Nipper, Division of Administration, Department of Insurance

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: 5J-13.004 RULE TITLE: Security Claims

NOTICE OF CORRECTION

The Florida Department of Agriculture and Consumer Services, Division of Consumer Services, announces a correction to the Notice of Proposed Rulemaking regarding Rule Chapter 5J-13 which appeared in the May 7, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 18. Specifically, the notice published in the May 7, 1999, issue indicates a hearing date of May 31, 1999. The correct hearing date is June 1, 1999, with no change in time.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON MAY 25, 1999

The Governor and Cabinet, on May 25, 1999, sitting as head of the Department of Revenue, will consider approval of amendments to Rule 12-25.009, F.A.C., Performance of Audit Services, for adoption. The proposed rule amendments are

needed to remove the requirement that contract auditors comply with any written or verbal directions issued by the Department, beyond those specifically authorized by statute or rule. The proposed amendments were originally noticed in the Florida Administrative Weekly of April 2, 1999, Vol. 25, No. 13, p. 1326. A public hearing on the proposed rule was held on April 27, 1999. No comments were received at the public hearing.

DEPARTMENT OF REVENUE

Sales and Use Tax

NOTICE OF CABINET AGENDA ON MAY 25, 1999

The Governor and Cabinet, on May 25, 1999, sitting as head of the Department of Revenue, will consider approval of amendments to Rule 12A-1.0091, F.A.C., Cleaning Services; Rule 12A-1.044, F.A.C., Vending Machines; Rule 12A-1.061, F.A.C., Rentals, Leases, and Licenses to Use Transient Accommodations, and Rule 12A-1.097, F.A.C., Public Use Forms; Rule 12A-1.064, F.A.C., Sales in Interstate and Foreign Commerce; Sales to Nonresident Dealers; Sales to Diplomats; Rule 12A-1.096, F.A.C., Industrial Machinery and Equipment for Use in a New or Expanding Business; and proposed repeal of Rule 12A-1.098, F.A.C., Itinerant Merchants, Flea Market Vendors and Other Retailers Without Permanent Places of Business, for adoption. The proposed amendments were originally noticed in the Florida Administrative Weekly of April 2, 1999, Vol. 25, No. 13, pp. 1326-1335. A public hearing on the proposed rule amendments and rule repeal was held on April 27, 1999. No comments were received at the public hearing.

DEPARTMENT OF REVENUE

Miscellaneous Tax

NOTICE OF CABINET AGENDA ON MAY 25, 1999

The Governor and Cabinet, on May 25, 1999, sitting as head of the Department of Revenue, will consider approval of amendments to Rule 12B-8.003, F.A.C., Tax Statement; Overpayments, for adoption. The proposed amendments incorporate updates to the annual return for the Florida Life and Health Guaranty Association Credit, and Police Officers' and Firefighters' Pension Trust Fund Schedules. The proposed amendments were originally noticed in the Florida Administrative Weekly of April 2, 1999, Vol. 25, No. 13, pp. 1337-1338. A public hearing on the proposed rule was held on April 27, 1999. No comments were received at the public hearing.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

NOTICE OF CABINET AGENDA ON MAY 25, 1999

The Governor and Cabinet, on May 25, 1999, sitting as head of the Department of Revenue, will consider approval of amendments to Rule 12D-13.057, F.A.C., Cancellation of Void

Tax Certificates and Tax Deeds; Procedure; Return of Payments, for adoption. The proposed amendments delete a rule provision requiring the Clerk of Court to provide information on erroneous tax deeds. The proposed amendments were originally noticed in the Florida Administrative Weekly of April 2, 1999, Vol. 25, No. 13, pp. 1338-1339. A public hearing on the proposed rule was held on April 27, 1999. No comments were received at the public hearing.

DEPARTMENT OF CITRUS

RULE CHAPTER NO.: 20-111
RULE CHAPTER TITLE: Ownership and Use of "Made with Florida Citrus" Mark
RULE NO.: 20-111.0021
RULE TITLE: Exclusive Category Rights
NOTICE OF CHANGE

SUMMARY OF CHANGE: In response to comments and information received from staff and members of the citrus industry, the rule is revised to read as follows:

20-111.0021 Exclusive Category Rights.

Upon request of the applicant, exclusive rights to use the "Made with Florida Citrus" mark in a specific food category shall be granted by the Department with the following restrictions.

(1) Exclusive rights shall be extended only to the first user of the mark in that specific food category.

(2) Such exclusive rights shall be granted ~~for a maximum of two years initially for up to three years~~ from the date license to use the mark is issued ~~and shall not be renewable, with no more than the initial year of which may be for the purpose of product and market development. If, during the period such rights are effective, Department determines that licensee has failed to comply with the provisions for use of the "Made With Florida Citrus" mark as set forth herein, such exclusive category rights shall be withdrawn. Thereafter, the license shall be exclusive from year to year provided the following events (exclusivity criteria) have occurred:~~

(a) The licensee shall introduce at least one (1) new product using Florida citrus products as an ingredient, or

(b) The licensee shall demonstrate a marketing-to-sales ratio for the product comparable to the licensee's primary business, and either

1. demonstrate significant volume or share growth of the products as compared to the previous year, or

2. have agreed with the Department to use Florida citrus products as an ingredient in product categories other than the original product, or

3. increase the breadth or depth of distribution of the products over the preceding year, including, but not limited to, distribution in additional channels of trade.

(3) If during the period such rights are effective, Department determines that licensee has failed to comply with the provisions for use of the "Made With Florida Citrus" mark as set forth herein, such exclusive category rights shall be withdrawn.

(4)(3) To qualify for exclusive category rights for salad dressings, sauces or marinades, the licensee must agree to utilize an estimated minimum of ~~638,000~~ 90,000 pounds of Florida citrus solids on an annual basis and shall furnish Department with records to substantiate use.

Specific Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History--New 4-28-98.

NOTE: Although this is a new rule, delete/add coding was used in this change notice to reflect changes from the originally proposed rule.

Notice of proposed rule was published in Florida Administrative Weekly, Vol. 25, No. 5, February 5, 1999.

MARINE FISHERIES COMMISSION

NOTICE OF CABINET MEETING

Proposed amendment of Rule 46-4.002, F.A.C., relating to gear definitions, as published in the January 22, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 3, with no changes, was deferred from the April 27, 1999 agenda of the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, and will be resubmitted to the Board of Trustees, 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 May 25, 1999

PLACE: The Jacksonville City Council Room, Jacksonville City Hall, 117 West Duval Street, Jacksonville, 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 May 25, 1999 Cabinet meeting may be obtained by writing to Judy Brooks, Department of Environmental Protection, Room 1014, 3900 Commonwealth Blvd., Tallahassee, Florida 32399.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.231
 RULE TITLE: Physician Assistant
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in the above cited rule as published in Vol. 25, No. 8, Florida Administrative Weekly, February 26, 1999. These changes are in response to comments received from the Joint Administrative Procedures Committee.

The following changes were made to the Florida Medicaid Physician Assistant Coverage and Limitations Handbook, January 1999, which is being incorporated by reference in the rule.

1. On page 1-4, we are correcting the reference from Chapter 61F6-17 to Chapter 64B8-30, F.A.C.; adding a reference to Chapter 458, F.S.; and deleting the reference to Chapter 61F6-19.

2. On page 1-4, we are adding 458, F.S. as the statutory cite for the provision that "A physician may supervise up to a maximum of four PAs."

3. On page 2-33, we are deleting the term "normally" and changing "including but not limited to" to "examples are."

We are adding the cite 458, F.S. to the Law Implemented.

Copies of the full text of the Florida Medicaid Physician Assistant Coverage and Limitations Handbook, January 1999, may be obtained by contacting Belinda McClellan, Medicaid Program Development, (850)488-4481.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-05R

RULE CHAPTER NO.: 62-302
 RULE CHAPTER TITLE: Surface Water Quality Standards
 RULE NO.: 62-302.700
 RULE TITLE: Special Protection, Outstanding Florida Waters, Outstanding National Resource Water

NOTICE OF CONTINUATION OF PUBLIC HEARING ON PROPOSED RULEMAKING

The Department of Environmental Protection announces the continuation of a public hearing to adopt proposed changes to Chapter 62-302 of the Florida Administrative Code that are intended to update the listing of state and federally managed areas (e.g., state aquatic preserves, state forests) which are designated as Outstanding Florida Waters. The original notice of proposed rulemaking, published in the December 24, 1998 issue of the Florida Administrative Weekly, Vol. 24, No. 52, pages 6956-6958, stated that the proposed rule amendments were scheduled for consideration and possible approval for adoption by the Florida Environmental Regulation Commission on January 28, 1999 at 9:00 a.m. Adoption proceedings were opened by the Florida Environmental Regulation Commission at the January 28 meeting, but were

continued to public hearings held on February 25, 1999 and April 29, 1999, both at 9:00 a.m. in Tallahassee. These adoption proceedings have been further continued to another public hearing of the Florida Environmental Regulation Commission scheduled at the time, date, and place shown below:

TIMES AND DATES: 9:00 a.m., Wednesday, May 26, 1999 and 9:00 a.m., Thursday, May 27, 1999

PLACE: Florida Department of Environmental Protection, Room 609, Twin Towers Office Building, 2600 Blair Stone Road, 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 (800)955-8771 (TDD), at least seven days before the meeting.

The Department regrets any inconvenience this rulemaking continuation may have caused.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OR THE PROPOSED RULE IS: Eric Shaw, Division of Water Facilities, Mail Station 3575, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Telephone (850)921-9929, Suncom 291-9929, FAX: (850)921-5655

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-51R

RULE CHAPTER NO.: 62-672
 RULE CHAPTER TITLE: Minimum Requirements for Earthen Dams Used In Phosphate Mining and Beneficiation Operations and For Dikes Used in Phosphogypsum Stack System Impoundments

RULE NOS.: 62-672.100
 62-672.200
 62-672.300
 62-672.500
 62-672.600
 62-672.620
 62-672.650
 62-672.670
 62-672.720
 62-672.750

RULE TITLES:
 General
 Definitions
 Construction of New Dams
 Inspections
 Construction of New Perimeter Earthen Dikes
 Assessment of Existing Perimeter Earthen Dikes
 Operational Requirements for Perimeter Earthen Dikes
 Inspection and Maintenance Requirements for Perimeter Earthen Dikes
 Assessment of Existing Phosphogypsum Stacks
 Procedures for Raising Phosphogypsum Stacks

- 62-672.760 Procedures for Decanting Process Water from Top of Phosphogypsum Stack
- 62-672.770 Phosphogypsum Stack Inspection and Maintenance
- 62-672.780 Phosphogypsum Stack System Operation Plans
- 62-672.870 Emergency Measures

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. 25, No. 12, March 26, 1999, issue of the Florida Administrative Weekly:

62-672.100 General.

(1) Phosphate Mining and Beneficiation Operations. The provisions of rules 62-672.100(1) and 62-672.200 through 62-672.570 apply to phosphate mining and beneficiation operations in the manner and to the extent set forth therein. It is the conclusion of the Environmental Regulation Commission that the most common causes for past failures of earthen dams used for impoundment of liquid industrial wastes from phosphate mining and beneficiation operations have been insecure foundations, inadequate supervision of construction, poor routine inspections, and/or inadequate maintenance. It is the intent of the Environmental Regulation Commission to establish requirements which will eliminate or reduce failures of earthen dams to the greatest ~~lowest~~ possible extent. This rule, therefore, emphasizes an intensive surveillance program which is designed to expose critical conditions in dams sufficiently in advance of failure to permit corrective maintenance and avoidance of disaster. It shall be incumbent upon owners of earthen dams to construct and maintain them on the basis that these requirements are minimum safety standards which shall normally be exceeded to ensure that there shall be no discharge from said dams into the waters of the State of Florida other than that specifically authorized by the Department of Environmental Protection. All earthen dams for impounding, above natural ground elevation, liquid industrial wastes from phosphate mining and beneficiation operations shall be constructed in accordance with a design and set of detailed specifications prepared, sealed and signed by a professional engineer registered in Florida who is competent in the field of dam design, construction and maintenance. Results of field and laboratory tests from an adequate number of test borings and soil samples shall be the basis for computations pertaining to seepage and stability analyses. Construction specifications contained in this rule shall apply to dams on which construction begins after the effective date of the rule. Inspection and maintenance specifications contained in this rule shall apply to all active and retired phosphate industry dams immediately upon the effective date of the rule.

(2) Phosphogypsum Stack Systems. The provisions of rules 62-672.100(2), 62-672.200, and 62-672.600 through 62-672.870 apply to phosphogypsum stack system impoundments in the manner and to the extent set forth therein. The purpose of these rules is to ensure the physical integrity of impoundments used to manage phosphogypsum and process water generated during the course of production of phosphate fertilizer. These rules establish minimum design, construction, operation, inspection and maintenance requirements to ensure that phosphogypsum stack system impoundments meet critical safety standards and do not cause unplanned releases to the environment. Owners of phosphogypsum stack systems are required to maintain inspection logs and to develop and maintain plans to respond to emergency conditions. All requirements of this rule shall apply upon effective date of this rule except as otherwise provided in specific provisions of this rule.

62-672.200 Definitions.

(1) through (5) No change.

(6) Backup power – A secondary ~~Two~~ sources of power not likely to fail simultaneously with the primary source.

(7) Beach or Delta – A gently sloping area of gypsum deposited within the settling compartment, above the process water level.

(8) Beneficiation – The processing of phosphate ore to separate the phosphate rock from the associated sand and clays.

(7) through (21) renumbered (9) through (23) No change.

(~~24~~)(22) New perimeter earthen dike – A perimeter earthen dike which is the subject of a complete ~~an~~ application for a department permit to construct or laterally expand a phosphogypsum stack system submitted to the department ~~completed~~ after [effective date of rule].

(23) through (32) renumbered (25) through (34) No change.

(~~35~~)(33) Qualified Company Employee – An employee trained pursuant to rule section ~~rule section~~ 62-672.800 specifically in the area of their job duties.

(34) through (41) renumbered as (36) through (43) No change.

62-672.300 Construction of New Dams.

(1) Design.

(a) No change.

(b) Soil testing-A program of soil sampling and testing adequate to determine the characteristics of the foundation material which will support the proposed dam and of the material to be used for construction of the dam shall be performed. Sampling shall include borings or ~~and/or~~ in-place samples from the exposed excavation face. All borings shall be logged using a recognized engineering soil classification system, (such as Unified System) with location and depths of all samples recorded on the log. Tests such as the determination of in-place densities, shear-strength; and permeabilities of the

foundation and embankment soils shall be performed. Tests on foundation soils shall be performed on either undisturbed samples or on the in-place soil. Tests on embankment soils shall be performed on samples remolded to the densities to be used in construction. ~~All soil test data used for design shall be derived from tests performed in compliance with the American Society of Testing Materials, American Association of State Highway Officials, or U.S. Army Corps of Engineers soil testing specifications and procedures.~~

(c) through (g) No change.

(2) through (5) No change.

(6) Documentation.

(a) After completion of construction and before the above-grade deposition of industrial waste behind the dam, the permittee shall contact the department to arrange for a department representative to inspect the facility in the company of the permittee. The owner of an earthen dam shall maintain in a permanent file the following construction records pertaining to said dam. The owner shall furnish a copy of the similar file and certification of completion of construction within 30 days after completion of the dam to the department ~~for approval. This approval shall constitute authorization to operate said dam.~~

1. through 8. No change.

62-672.500 Inspections.

(1) No change.

(2) Active dams shall be inspected weekly unless a defect has been disclosed, in which event the defective area of the dam shall be inspected daily until corrective maintenance has cured such defect. Inspections shall be made by ~~competent~~ employees of the owner of the dam who have been trained in accordance with rule 62-672.500(9). The findings on each inspection shall be recorded, signed by the inspector, and filed after any necessary corrective action is initiated by supervisory personnel. The inspector shall travel on foot, horseback, or wheeled vehicle suitable for traversing the terrain involved at slow speeds. Dams shall be inspected from the crest and from the toe through the use of all-weather toe roads or other means of direct inspection from the toe of the dam. Items to be noted on weekly (or daily) inspections shall include:

(a) through (f) No change.

(3) No change.

(a) through (d) No change.

(4) When a critical condition as listed in rule 62-672.500(7) is suspected during a weekly or monthly inspection, the inspector shall ensure that a ~~competent~~ technical representative of the dam owner is made aware of the condition immediately. If the existence of the critical condition is confirmed, the department shall be notified immediately. A written report of the condition and the actions proposed for its

correction shall be made to the department within seven (7) days from the time existence of the critical condition is confirmed.

(5) through (10) No change.

62-672.600 Construction of New Perimeter Earthen Dikes.

(1) through (4) No change.

(5) Methods of construction.

(a) Each new dike shall be constructed to meet or exceed the minimum safety requirements of the specifications and design for that dike. Appropriate earthmoving equipment shall be used to place materials in dike construction. The soil shall be compacted and density tests shall be performed to ensure that the designed densities are obtained. A ~~qualified~~ representative of the third-party engineer shall be present on the site during construction of the dike and liner, and during construction and installation of spillways and penetrations through the dike or liner. The department shall be advised of the date on which construction of a new dike will begin so that a department representative can inspect the site.

(b) No change.

(6) No change.

62-672.620 Assessment of Existing Perimeter Earthen Dikes.

(1) Within nine months of [the effective date this rule], the owner of a phosphogypsum stack system shall submit to the department documentation that existing perimeter earthen dikes have either been:

(a) and (b) No change.

(c) evaluated by a third-party engineer who certifies the safety and stability of the dikes ~~as being adequate.~~

(2) and (3) No change.

62-672.650 Operational Requirements for Perimeter Earthen Dikes.

(1) No change.

(2) Temporary Nonemergency Use of Design Freeboard.

(a) through (e) No change.

62-672.670 Inspection and Maintenance Requirements For Perimeter Earthen Dikes.

(1) and (2) No change.

(3) All perimeter earthen dikes and water control structures shall be inspected weekly unless a critical condition listed in rule 62-672.670~~(6)~~~~(5)~~ has been disclosed, in which event the defective area of the dike shall be inspected daily until corrective maintenance has cured such defect. Water level elevations and freeboard compliance shall be determined at least every 12 hours. Piezometric water levels within the dike shall be measured quarterly if piezometers have been installed. The inspections shall be made by a qualified company employee or contractor employed or retained by the owner of the dike which employee or contractor has been trained in

accordance with rule 62-672.800. The findings of each inspection shall be recorded in a log which log shall be made available to the department upon request.

(4) When a critical condition listed in rule 62-672.670(6) is suspected during an inspection, the inspector shall ensure that a ~~competent~~ technical representative of the dike owner is made aware of the condition immediately. If the existence of the critical condition is confirmed, the department shall be notified immediately. A written report of the condition and the actions proposed for its correction shall be made to the department within seven (7) days from the time existence of the critical condition is confirmed.

(5) through (8) No change.

62-672.720 Assessment of Existing Phosphogypsum Stacks.

(1) Within nine months of [effective date] ~~the effective date of the new rule~~, the owner of an existing phosphogypsum stack for which a closure permit has not been issued shall provide to the department documentation that the stack has either been:

- (a) No change.
- (b) evaluated by a third-party engineer who certifies the safety and stability of the stack ~~as being adequate~~.
- (2) No change.

62-672.750 Procedures For Raising Phosphogypsum Stacks.

Phosphogypsum stacks shall be raised in accordance with the following minimum standards:

- (1) and (2) No change.
- (3) The overall average exterior slope of the phosphogypsum stack shall be established based on the results of stability analyses previously performed by a third-party engineer to demonstrate or certify ~~that~~ the safety and stability of the stack ~~are adequate~~ throughout the life of the stack. The overall average exterior slope of the phosphogypsum stack shall be no steeper than two (2.0) horizontal to one (1.0) vertical for stacks greater than 50 feet in height.
- (4) and (5) No change.

62-672.760 Procedures For Decanting Process Water From Top of a Phosphogypsum Stack.

The owner of a phosphogypsum stack system, including inactive stacks or temporarily inactive stacks, shall comply with the following requirements for decanting process water from the top of phosphogypsum stacks.

- (1) One or more of the following three methods may be used to decant water from the top of ~~a an~~ active phosphogypsum stack:
 - (a) overflow broad crested weir dug in gypsum, such as controlled flow through an open cut;
 - (b) decant pipe placed in a backfilled cut; or

(c) siphon line or positive pressure line that does not penetrate the gypsum dike.

Any exception to the above shall be specifically recommended approved, on a case-by-case basis, by a third-party engineer and approved by the department upon a demonstration that such exception will maintain the integrity of the impoundment. Any exception to the requirements specified in rules 62-672.760(2)-(14) shall be specifically recommended approved, on a case-by-case basis, by a third-party engineer and the department shall be notified of the exception in a timely manner.

(2) through (10) No change.

(11) Backfilling operations shall incorporate one or more of the following construction steps or procedures, as applicable, or other methods certified as equivalent methods approved by a third-party engineer.

- (a) through (d) No change.
- (12) and (13) No change.

(14) All inspections shall be documented in writing and the findings shall be recorded, signed by the qualified company employee ~~who that~~ conducted the inspection and maintained at the facility for a period of not less than three years.

62-672.770 Phosphogypsum Stack Inspection And Maintenance.

(1) Personnel or agents of the department may accompany inspectors on any inspection required by this rule, or inspect starter dikes or gypsum dikes at any other time which is reasonable under the circumstances involved. They may also examine any inspection reports and shall be furnished copies thereof upon request.

(2) A completed new phosphogypsum stack system, including the starter dike, shall be thoroughly inspected prior to the deposition of process water in it. The liner, spillways and water level control structures shall be certified by the design third-party engineer as meeting all specifications of the design, and the degree of compaction of the fill shall also be certified. Legible photographs, either aerial or ground, may be used to document this initial inspection, but shall not in themselves constitute certification. A complete file describing the items inspected and their condition shall be maintained by the owner, and a copy shall be furnished to the department.

(3) All stack compartments, including any noted areas containing critical conditions as listed in rule 62-672.770~~(6)(5)~~ until corrected, shall be inspected daily. Stack slopes, collection ditches, and drain outlets shall be inspected weekly. Flow from drain outlets shall be checked quarterly. The total areal coverage of water on the stack shall be estimated each month and the total water inventory on top of the stack shall be estimated annually. ~~The then current height and elevation of the stack shall be measured and reported annually.~~ The required inspections and estimates shall be carried out by a qualified company employee or contractor employed or retained by the owner of the phosphogypsum stack which employee or

contractor has been trained in accordance with rule 62-672.800. The results of the required inspections and estimates shall be recorded in a log which shall be maintained by the owner of the phosphogypsum stack and made available to representatives of the department upon request.

(4) No change.

(5) Each phosphogypsum stack shall be inspected annually by a third-party engineer with experience in the field of construction and operation of phosphogypsum stacks at the same time that the annual inspection of the associated perimeter earthen dike occurs as required by rule 62-672.670. One copy of the report pertaining to such an inspection shall be furnished to the department, and the original report shall be retained by the owner. The report shall include an updated aerial photograph and shall state the area of the top of the stack and the current height ~~and~~ ~~or~~ elevation of the stack. The annual inspection report shall include recommendations and corrective measures taken. If corrective measures are not completed by the time of annual submittal, then follow up inspections shall be conducted by the third-party engineer on a quarterly basis with quarterly project reports submitted until completion of all corrective measures.

(6) through (8) No change.

62-672.780 Phosphogypsum Stack System Operation Plans.

(1) through (8) No change.

(9) The adequacy of the facility's site-specific action plan and emergency measures shall be based on a five-year water balance analysis which shall be rechecked at five year intervals. The water balance calculations shall be performed for the 5-year period using input rainfall quantities which shall include the 100-year September rainfall, the 100-year annual rainfall, and multi-year rainfall events that have an equivalent probability for not being exceeded during the 5-year period. The annual rainfall quantities shall be distributed amongst the various months, where applicable, in proportion to the long term normal monthly rainfalls. For any facility that has been issued a department permit authorizing the discharge of process water to surface waters of the state and that cannot demonstrate that the storage volume will remain below the "must treat" trigger in such a water balance analysis, the owner shall provide reasonable assurance that treatment systems are in place that will operate at a rate that will avoid overtopping of the perimeter dike, provided, however, that for inactive or temporarily deactivated phosphogypsum stack systems, alternate methods to comply with the intent of this rule recommendation may be proposed for department approval. The department shall approve the alternate method for inactive or temporarily deactivated phosphogypsum stack systems upon a demonstration that such method will prevent overtopping of the perimeter dike. Any additional treatment capacity necessary to meet the terms of this rule recommendation shall

be installed within three years of the effective date of this rule or within 18 months of receipt by the owner of all necessary permits or other prior approvals whichever occurs later.

(10) No change.

62-672.870 Emergency Measures.

(1) Temporary use of the design freeboard.

(a) Temporary use of the design freeboard of a perimeter earthen dike ~~is shall be authorized when the water level is at the design freeboard during emergency water conditions if such use can occur safely and when such use~~ is necessary to prevent the release of untreated process water. Such use of the freeboard shall only be allowed when a third-party engineer has approved such use and when documentation demonstrating the continued safety and stability of the dike is submitted to the department. Such documentation shall include a listing of any operational limitations or constraints recommended by the third-party engineer as set forth in this section together with confirmation that the owner will comply with such recommendations. The third-party engineer shall base their recommendations on:

1. through 4. No change.

(b) The report by the third-party engineer shall specify conditions under which such use may be undertaken so as not to jeopardize the integrity of the dike ~~authorized~~, such as:

1. through 3. No change.

(c) No change.

(2) and (3) No change.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.:

RULE TITLE:

64B3-7.001

Licensure Examinations

SECOND NOTICE OF CHANGE

Notie 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. 25, No. 4, of the January 29, 1999, issue of the Florida Administrative Weekly. The first notice of change was published in the April 9, 1999, Florida Administrative Weekly. The Board, at its meeting of April 30, 1999, voted to make an additional change to the rule in response to comments received at the meeting. The change is as follows:

In subsection (6), a new section shall be added to read as follows, "(h) A candidate may choose to take one of the generalist medical technonogist examinations administered by the American Society of Clinical Pathologists (ASCP), the National Certification Agency for Medical Laboratory Personnel (NCA), or American Medical Technologists (AMT). Upon passage the applicant shall be licensed as a technologist in microbiology, serology/immunology, clinical chemistry, hematology and immunohematology."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-8.002
RULE TITLE: Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 4, of the Florida Administrative Weekly on January 29, 1999, has been withdrawn.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009
RULE TITLE: Standard of Care for Office Surgery

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Medicine hereby gives notice of an additional public hearing to be held on the above-referenced rule on June 3, 1999, at 6:00 p.m., at the Hyatt Regency Tampa, Two Tampa City Center, Tampa, Florida 33602. The Board may take action on this rule at its regularly scheduled meeting, to be held June 4-5, 1999, at the location set forth above. The rule was originally published in Vol. 25, No. 3, of the January 22, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office 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 HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-4.002
RULE TITLE: Occupational Therapy Aides and Other Unlicensed Personnel Involved in the Practice of Occupational Therapy

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Occupational Therapy hereby gives notice of an additional public hearing on the above-referenced rule to be held on June 14, 1999 at 9:00 a.m., or shortly thereafter, at the

Nova Southeastern University, Health Professions Division, Hall Auditorium, 3200 S. University Drive, Ft. Lauderdale, Florida. This additional public hearing is being held in response to comments received from the staff of the Joint Administrative Procedures Committee. The rule was originally published in Vol. 25, No. 14, of the April 9, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy/MQA, 2020 Capital Circle, S. E., Bin # C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office 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 HEALTH

Council of Medical Physicists

RULE CHAPTER NO.: 64B23-6
RULE CHAPTER TITLE: Discipline
RULE NOS.: 64B23-6.001, 64B23-6.002
RULE TITLES: Penalties, Aggravating and Mitigating Circumstances, Citations

NOTICE OF CHANGE

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rules 64B23-6.001 and 64B23-6.002, F.A.C., published in the February 5, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 3. The changes are in response to written comments received from the Joint Administrative Procedures Committee and comments by staff. The proposed rules were changed to read as follows:

64B23-6.001 Penalties.

(2) Unless mitigating or aggravating factors are demonstrated when the Department finds an applicant or licensee whom it regulates under chapter 483, Part IV, Florida Statutes, has committed any of the acts set forth in section 483.901(6), Florida Statutes, it shall issue a final order imposing appropriate penalties based on the severity and repetition of the offense within the ranges recommended in the following disciplinary guidelines:

(a) Attempting to obtain, obtaining or renewing a license to practice medical physics by bribery, by fraudulent misrepresentation, or through an error of the Department. In the case of an applicant, the Department shall deny the application. In the case of a licensee, the Department shall ~~revoke the license impose a penalty of a reprimand to revocation and a fine from \$500 to \$1,000, based on the severity of the offense.~~

(b) Having a license to practice medical physics revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country. In the case of a licensee, the Department shall impose a penalty ranging from reprimand to probation ~~revocation~~ and a fine from \$500 ~~250~~ to \$1,000, ~~depending upon the nature of the offense and the substantiating evidence.~~ In the case of an applicant, the Department shall deny the application.

(s) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that he is not competent to perform. The Department shall impose a penalty ranging from an administrative fine of \$1,000 and one year of probation, up to a maximum of revocation or denial of the license ~~reprimand to revocation and a fine from \$250 to \$1,000, depending on the severity of the offense.~~

~~(t) Violating any provision of chapters 483, Part IV, or 455, Part II, Florida Statutes, or any rule of the Department. The Department shall impose a penalty ranging from reprimand to revocation and a fine from \$250 to \$1,000, depending on the severity of the offense.~~

~~(u)(v) Conspiring with another licensee or with any other person to commit an act, or committing an act, which would tend to coerce, intimidate or preclude another licensee from lawfully advertising his services. The Department shall impose a penalty of reprimand to probation and a fine from \$250 to \$500.~~

~~(v)(w) Fraud, deceit, or misconduct in the practice of medical physics. The Department shall impose a penalty ranging from probation ~~reprimand~~ to revocation and a fine from \$500 ~~250~~ to \$1,000, ~~depending on the severity of the offense.~~~~

~~(x) Violating any provision of section 483, Part IV, Florida Statutes, or section 455.624, Florida Statutes. The Department shall impose a penalty within the ranges provided in paragraph (1) of this rule for any violation of section 483, Part IV, Florida Statutes, and a penalty within the range provided in section 455.624, Florida Statutes, for violations thereof.~~

~~(w) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform. The Department shall impose a penalty ranging from probation to revocation and a fine from \$250 to \$500.~~

~~(x) Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting ro performance of such responsibilities knows, or has reason to know, such person is not qulaified by training, experience, and authorization when required to perform them. The Department shall impose a penalty of probation to revocation and a fine from \$500 to \$1000.~~

(y) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. The Department shall impose a penalty of reprimand to suspension and a fine from \$250 to \$500 dollars.

Specific Authority 455.627(1), 483.901(6)(a) FS. Law Implemented 455.624, 455.627, 483.901(6)(a) FS. History--New_____.

64B23-6.002 Aggravating and Mitigating Circumstances. The Department will give consideration to aggravating and mitigating circumstances in determining the penalty to be imposed in any given case. The following factors will influence the Department's decision:

- ~~(1) The severity of the offense;~~
- ~~(1)(2) The danger to the public;~~
- ~~(3) The number of repetitions of offenses;~~
- ~~(2)(4) The length of time since the violation when no further complaints have been made against the licensee;~~
- ~~(5) The number of times the licensee has been previously disciplined by the Department;~~
- ~~(3)(6) The length of time licensee has practiced without having any disciplinary action taken;~~
- ~~(4)(7) The damage to the patient caused by the violation;~~
- ~~(5)(8) Any efforts of rehabilitation by the licensee;~~
- ~~(6)(9) The licensee's actual knowledge of the violation;~~
- ~~(7)(10) Attempts by the licensee to correct or stop the violation, or the refusal of the licensee to correct or stop the violation;~~
- ~~(8)(11) Related violations by the licensee in Florida or in another jurisdiction, including findings of guilty or innocence, penalties imposed and penalties service;~~
- ~~(9)(12) The degree to which the licensee was involved in the violation;~~
- ~~(10)(13) The degree to which the licensee benefited from the violation;~~
- ~~(11)(14) The cost of the disciplinary action.~~

Specific Authority 455.627(3), 483.901(6)(a) FS. Law Implemented 455.627(3), 483.901(6)(a) FS. History--New_____.

64B23-6.003 Citations.
(3) The following violation may be disposed of by the Department by citation with the specified penalty:

VIOLATIONS	PENALTY
<u>(c) Payment of fees with a bad check.</u>	<u>\$200 fine</u>

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.:	RULE TITLE:
64D-3.011	Control of Communicable Diseases, Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12; Forms and Guidelines

SECOND 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. 25, No. 4, January 29, 1999 issue of the Florida Administrative Weekly, Notice of Change published in Vol. 25, No. 6, February 12, 1999 issue of the Florida Administrative Weekly, and Notice of Change published in Vol. 25, No. 13, April 2, 1999 issue of the Florida Administrative Weekly:

64D-3.011 Control of Communicable Diseases, Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12; Forms and Guidelines.

(1) Immunization Requirements – The school board of each district and the governing authority of each nonpublic school shall establish and enforce as policy that prior to admittance or attendance in a public or nonpublic school, grades preschool and kindergarten through 12, each child shall present or have on file with said school a completed DH Form 680, Florida Certification of Immunization, as incorporated by reference in 64D-3.011(5) for the prevention of diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, and mumps. In addition, documentation of the following immunizations are also required on the Florida Certification of Immunization:

(a) prior to admittance, attendance or transfer to a preschool, completion of Haemophilus influenzae type b vaccination,

(b) effective for the 1997/98 school year, prior to admittance, attendance or transfer to 7th grade, completion of the hepatitis B series, a second dose of measles vaccine (preferably MMR) and a tetanus-diphtheria booster,

(c) effective for the 1998/99 school year, prior to admittance, attendance or transfer to kindergarten, completion of the hepatitis B series,

(d) effective for the 2001/2002 school year, completion of the hepatitis B series prior to admittance, attendance or transfer to preschool, and

(e) effective with the 2001/2002 school year, prior to admittance, attendance, or transfer to a preschool or kindergarten, completion of varicella vaccination, or a Certificate of Exemption. Prior to admittance or attendance in preschool, children shall also be vaccinated for Haemophilus influenzae type b with documentation on the Certification of Immunization. The manner and frequency of administration of the immunization shall conform to recognized standards of medical practice. Effective with the 1998/99 school year, in addition to the immunizations listed above, children shall complete the hepatitis B vaccine series prior to entry, attendance or transfer to kindergarten in Florida schools. Each subsequent year thereafter the next highest grade will be included in the requirement so that students transferring into Florida schools are added to the immunized cohort, ~~cohort,~~ with the exception of Haemophilus influenzae type b required only prior to admittance, attendance or transfer to a Florida

preschool. Effective with the 1997/98 school year, children entering, attending or transferring to seventh grade in Florida schools will be required to complete, vaccination against hepatitis B, a second dose of measles vaccine (preferably MMR), and a tetanus-diphtheria booster prior to admittance or attendance. Each subsequent year thereafter the next highest grade will be included in the requirement so that students transferring into Florida schools are added to the immunized cohort. The manner and frequency of administration of the immunizations shall conform to recognized standards of medical practice. Each child whose documented immunizations fall short of all requirements listed above shall present a completed DH Form 680 Florida Certification of Immunization Temporary Medical Exemption (Part B), or a completed DH Form 680 Florida Certification of Immunization Permanent Medical Exemption (Part C), incorporated by reference in 64D-3.011(5); Part C listing the exemption for specific immunization(s), or a completed DH Form 681, Religious Exemption from Immunization, as incorporated by reference in 64D-3.011(5), to be filed with said Florida public or nonpublic school, grades preschool and kindergarten through 12.

(2) Documentation Requirements

(a) Certification of Immunization – Only fully immunized children shall be issued a Florida Certification Certificate of Immunization, which must be provided on DH DOH Form 680 Florida Certification of Immunization, Certificate of Immunization for K-12 Excluding 7th Grade Requirements (Part A-1), (Part A), and/or Certificate of Immunization Supplement for 7th Grade Requirement (Part A-2), incorporated by reference in 64D-3.011(5). DH Form 680, Florida Certification of Immunization, shall be completed per instructions for the appropriate school year provided in Immunization Guidelines Florida Schools and Child Care Facilities School Year 1998-99, or Immunization Guidelines Florida Schools and Child Care Facilities School Year 1999-2000, or Immunization Guidelines Florida Schools and Child Care Facilities Effective August 2000, as incorporated by reference in 64D-3.011(5). A child may attend school only after an authorized school official has examined the certificate for validity. A valid Florida Certification Certificate of Immunization shall be properly dated and signed or authorized by a physician. Data elements transferred through the Florida Automated System for Transferring Education Records (FASTER) will include all antigen doses by dates of immunization. The original paper DH DOH Form 680 Part A, the Florida Certification Certificate of Immunization, shall remain in the student's cumulative health record.

(b) Certificate of Exemptions – A child may attend school without a valid DH Form 680, Florida Certification Certificate of Immunization, Certificate of Immunization for K-12 Excluding 7th Grade Requirements (Part A-1) and/or Certificate of Immunization Supplement for 7th Grade

Requirement (Part A-2) only if he presents a completed DH Form 680, Florida Certification of Immunization Temporary Medical Exemption (Part B), Permanent Medical Exemption (Part C), or completed Form DH 681, Religious Exemption From Immunization, incorporated by reference in 64D-3.011(5), Certificate of Exemption for medical or religious reasons or if he is a transfer student. Exemption forms noted shall be completed per instructions for the appropriate school year provided in immunization Guidelines Florida Schools and Child Care Facilities School Year 1998-99, or Immunization Guidelines Florida Schools And Child Care Facilities School Year 1999-2000, or Immunization Guidelines Florida Schools and Child Care Facilities Effective August 2000, as incorporated by reference in 64D-3.011(5).

1. Medical Exemptions – A child in attendance with a medical exemption must present or have on file the DH Form 680, Florida Certification of Immunization Temporary Medical Exemption (Part B), incorporated by reference in 64D-3.011(5), Medical Exemption, DOH form 680 (Part B), properly dated and signed or authorized by a physician licensed under provisions of Chapter 458, 459, or 460 or DH DOH Form 680, (Part C) Florida Certification of Immunization Permanent Medical Exemption (Part C), incorporated by reference in 64D-3.011(5), properly dated and signed by a physician licensed under provisions of chapter 458 or 459. The original paper temporary or permanent medical exemption shall be transferred for follow-up in addition to the electronic transfer of these records. DH Form 680, Florida Certification of Immunization Temporary Medical Exemption (Part B) DOH Form 680 (Part B) is a temporary medical exemption Temporary Medical Exemption which must indicate an expiration date. A child attending under such an exemption is not fully immunized. The expiration date indicated is to be fifteen (15) days after each child's next scheduled appointment to receive additional vaccine appropriate to the child's age. DH Form 680, Florida Certification of Immunization Permanent Medical Exemption (Part C) DOH Form 680 (Part C) is a permanent medical exemption Permanent Medical Exemption which indicates the child is not fully immunized and cannot receive any more of a particular vaccine due to medical reasons. Medical reasons must be stated for each vaccine that is contraindicated as described above.

2. Religious Exemptions – Religious Exemption requests must be presented on DH ~~DOH~~ Form 681, Religious Exemption From Immunization, incorporated by reference in 64D-3.011(5), which is to be issued only by county health departments.

3. Special Exemptions – Exemption from the measles immunization requirement based on past history of measles disease can be granted based on either a written statement by a physician on his stationery which states that the child requesting exemption has had an illness comprised of a generalized rash lasting three (3) or more days, a fever of 101 degrees Fahrenheit or greater, a cough, and/or coryza, and/or

conjunctivitis and, in the physician's opinion, has had the ten-day measles (rubeola) or serologic evidence of immunity to measles. Exemption from the varicella immunization requirement based on past history of varicella disease can be granted based on either physician documentation or parental history.

(3) Compliance Reporting

(a) Each public and nonpublic school with a kindergarten and/or seventh grade (effective with the 1997/1998 school year) shall submit an annual compliance report. The report shall be completed on ~~DH DOH~~ Form 684 Immunization Annual Report of Compliance for Kindergarten and Seventh Grades, incorporated by reference in 64D-3.011(5), (Kindergarten Annual Report of Compliance). The report shall include the immunization status of all children who were attending kindergarten and seventh grades at the beginning of the school year. The report shall be forwarded to the county health department director/administrator no later than October 1 of each school year where the data will be compiled on ~~DH DOH~~ Form 685, the Kindergarten and Seventh Grade Annual Report of Compliance County Summary, as incorporated by reference in 64D-3.011(5), or electronically generated by the Department of Education. Effective with the 1997/98 school year, each public and nonpublic school with a seventh grade shall submit an annual compliance report. The report shall be completed on DOH Form 684 to be renamed the Immunization Annual Report of Compliance for Kindergarten and Seventh Grades and shall include the immunization status of all children who were attending kindergarten and seventh grades at the beginning of the school year. The report shall be forwarded to the county health department director/administrator no later than October 1 of each school year.

(b) After consultation with the Department of Education, the Department of Health shall require compliance reports from public and nonpublic schools and preschools for selected grades (K-12 and preschool) in special situations of vaccine preventable disease outbreak control or identified need for monitoring through surveys for immunization compliance levels. Such reports shall include the status of all children who were attending school at the beginning of the school year. Reports shall be forwarded to the county health department director/administrator within a specified period as determined by the department.

(4) Exclusionary Provisions – Any student not in compliance with the stipulations of these sections (64D-3.011(1) or (2)) shall be excluded temporarily from school until such time as the appropriate immunization documentation is presented and entered into his school record.

(5) Forms and Guidelines Availability – Forms used to document compliance with section 232.032, F.S., and guidelines for completion of the forms are hereby incorporated by reference: available as indicated below:

FORM #	EFFECTIVE DATE	TITLE	FORMS AND GUIDELINES AVAILABILITY
DH DOH 680A	(Aug 98) (Jan 93)	Florida Certification Certificate of Immunization	DOH county health departments (DOH CHDs), physicians' offices
<u>DH 680</u>	<u>(Aug 2000)</u>	<u>Florida Certification of Immunization</u>	<u>DOH CHDs, physicians' offices</u>
DOH 680B	(Jan 93)	Temporary Medical Exemption	DOH CHDs, physicians' offices
DOH 680C	(Jan 93)	Permanent Medical Exemption	DOH CHDs, physicians' offices
DH DOH 681	(May 99) (June 94)	Religious Exemption From Immunization	DOH CHDs
DH DOH 684	(Nov 96) (Aug 84)	Kindergarten Immunization Annual Report of Compliance for Kindergarten and Seventh Grade	DOH CHDs
DH DOH 685	(Nov 96) (Aug 84)	Kindergarten and Seventh Grade Annual Report of Compliance County Summary	DOH CHDs
	<u>(Aug 98)</u>	<u>Immunization Guidelines Florida Schools and Child Care Facilities School Year 1998-99</u>	<u>DOH CHDs</u>
	<u>(Aug 99)</u>	<u>Immunization Guidelines Florida Schools and Child Care Facilities School Year 1999-2000</u>	<u>DOH CHDs</u>
	<u>(Aug 2000)</u>	<u>Immunization Guidelines Florida Schools and Child Care Facilities Effective August 2000</u>	<u>DOH CHDs</u>

Adult Education Classes – Students under 21 years of age attending adult education classes will provide acceptable proof of immunization as specified in 64D-3.011(1).

Specific Authority 232.032(1), (10), 381.0011(13), 381.003(2), 381.005(2) FS. Law Implemented 232.032(1), 381.0011(4), 381.003(1), 381.005(1)(i), 458, 459, 460 FS. History–New 12-29-77, Amended 6-7-82, 11-6-85, Formerly 10D-3.88, Amended 2-26-92, 9-20-94, 9-21-95, 4-7-96, Formerly 10D-3.088, Amended _____.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 74 Specifics
 RULE NO.: 53ER99-22

SUMMARY OF THE RULE: This emergency rule describes Instant Game 74, "HOT 7'S," for which the Department of the Lottery will start selling tickets on a date determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-22 Instant Game 74 Specifics.

(1) Name of Game. Instant Game Number 74 "HOT 7'S."

(2) Price. HOT 7'S tickets sell for \$2.00 per ticket.

(3) HOT 7'S Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning HOT 7'S Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any HOT 7'S Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) In GAME 1 of HOT 7'S, the "LUCKY NUMBER" play symbols and captions are as follows:

ADD TABLE

(5) In GAME 1 of HOT 7'S, the "YOUR NUMBER" play symbols and play symbol captions are as follows:

ADD CHART

(6) In GAME 1 of HOT 7'S, the prize symbols and captions are as follows:

ADD CHART

(7) In GAME 2 of HOT 7'S, the play and prize symbol captions are as follows:

ADD CHART

(8) In GAME 3 of HOT 7'S, the play symbols and play symbol captions are as follows:

ADD CHART

(9) In GAME 3 of HOT 7'S, the prize symbols and prize symbol captions are as follows:

ADD CHART

(10) Determination of Prize Winners. There are three (3) games in HOT 7'S.

(a) Game 1.

1. The holder of a ticket having a number exposed in the "LUCKY NUMBER" play area that matches either of the numbers exposed in the "YOUR NUMBER" play area and a "TICKET" shown as the prize shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that total \$2.00

2. The holder of a ticket having a number exposed in the "LUCKY NUMBER" play area that matches either of the numbers exposed in the "YOUR NUMBER" play area shall be entitled to a prize of the amount shown for that number.

3. The holder of a ticket having a "7" symbol exposed in the "YOUR NUMBER" play area shall be entitled to a prize of the amount shown for the symbol.

4. Prize amounts which may appear in the play area are: \$2.00, \$3.00, \$4.00, \$5.00, \$7.00, \$10.00, \$50.00, \$70.00, \$700, \$1,000, \$7,000 and \$21,000.

(b) Game 2.

1. The holder of a ticket with three like amounts exposed in the play area or two like amounts and a "7" symbol exposed in the play area and a "TICKET" shown as the prize, shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that total \$2.00.

2. The holder of a ticket with three like amounts exposed in the play area or two like amounts and a "7" symbol exposed in the play area shall be entitled to a prize of the amount shown.

3. Prize amounts which may appear in the play area are: \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$50.00, \$70.00, \$700, \$1,000, \$7,000 and \$21,000.

(c) Game 3.

1. The holder of a ticket with three "7" symbols exposed in the play area of any one row, column, or diagonal and a "TICKET" shown as the prize, shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that total \$2.00.

2. The holder of a ticket with three "7" symbols exposed in the play area of any one row, column or diagonal shall be entitled to a prize of the amount shown.

3. Prize amounts which may appear in the play area are: \$2.00, \$3.00, \$4.00, \$5.00, \$7.00, \$10.00, \$50.00, \$70.00, \$700, \$1,000, \$7,000 and \$21,000.

(11) Number and Size of Prizes. The following prizes will be available in the Instant Game Number 74, HOT 7'S:

(a) Approximately 1,689,716 prizes falling in the cash categories of 84 pools of 120,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 74 are as follows:

WIN IN GAME 1, GAME 2 AND/OR GAME 3 WITH PRIZES OF:	WIN TICKET	NUMBER IN 84 POOLS OF 120,000 TICKETS	ODDS
FREE TICKET	\$2	1,209,600	1 in 8.33
\$2	\$2	537,600	1 in 18.75
\$2 + \$2	\$4	268,800	1 in 37.50
\$4	\$4	201,600	1 in 50.00
\$2 + \$3	\$5	134,400	1 in 75.00
\$2 x 2 + \$3	\$7	134,400	1 in 75.00
\$3 + \$4	\$7	67,200	1 in 150.00
\$7	\$7	67,200	1 in 150.00
\$2 + \$3 + \$5	\$10	67,200	1 in 150.00
\$5 x 2	\$10	67,200	1 in 150.00
\$2 x 2 + \$5 x 2	\$14	67,200	1 in 150.00
\$7 x 2	\$14	67,200	1 in 150.00
\$5 x 2 + \$10 + \$50	\$70	4,200	1 in 2,400.00
\$10 x 2 + \$50	\$70	3,780	1 in 2,666.67
\$70	\$70	1,680	1 in 6,000.00
\$700	\$700	30	1 in 336,000.00
\$1,000	\$1,000	20	1 in 504,000.00
\$7,000 x 3	\$21,000	3	1 in 3,360,000.00
\$21,000	\$21,000	3	1 in 3,360,000.00

(12) The over-all odds of winning any prize in Instant Game Number 74 are 1 in 3.48.

Specific Authority 24.109(1), 24.105(10)(a),(b), (c) FS. Law Implemented 24.105(10)(a), (b),(c) FS. History--New 4-28-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: April 28, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 73 Specifics
 RULE NO.: 53ER99-23

SUMMARY OF THE RULE: This emergency rule describes Instant Game 73, "ROYAL 7'S," for which the Department of the Lottery will start selling tickets on a date determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-23 Instant Game 73 Specifics.

(1) Name of Game. Instant Game Number 73 "ROYAL 7'S:"

(2) Price. ROYAL 7'S tickets sell for \$1.00 per ticket.

(3) ROYAL 7'S Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning ROYAL 7'S Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any ROYAL 7'S Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The play symbols and play captions in ROYAL 7'S are as follows:

INSERT GRAPHICS

(5) Determination of Prize Winners.

(a) The holder of a ticket having three "7's" exposed in the play area in any one row, column or diagonal and a "FREE TICKET" shown as the corresponding prize shall be entitled to a prize of a free \$1.00 ticket.

(b) The holder of a ticket having three "7's" exposed in the play area in any one row, column or diagonal shall be entitled to the corresponding prize amount shown.

(c) The holder of a ticket having a "CROWN" symbol exposed in the play area shall be entitled to a prize of \$10.

(6) Prize amounts in Instant Game Number 73, ROYAL 7'S are \$2, \$3, \$7, \$27, \$77, and \$777.

(7) Number and Size of Prizes. The following prizes will be available in the Instant Game Number 73, ROYAL 7'S:

(a) Approximately 1,350,678 prizes falling in the cash categories per 42 pools of 240,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 73 are as follows:

GET THREE 7'S IN ANY

ROW, COLUMN OR
DIAGONAL TO WIN
PRIZES OF:

	<u>WIN</u>	<u>NUMBER IN</u>	<u>ODDS</u>
<u>MIDDLE COLUMN</u>	<u>TICKET</u>	<u>42 POOLS</u>	<u>1 in 8.33</u>
<u>LEFT COLUMN</u>	<u>\$2</u>	<u>1,209,600</u>	<u>1 in 14.29</u>
<u>RIGHT COLUMN</u>	<u>\$3</u>	<u>705,600</u>	<u>1 in 23.08</u>
<u>TOP ROW</u>	<u>\$7</u>	<u>436,800</u>	<u>1 in 100.00</u>
<u>CROWN</u>	<u>\$10</u>	<u>100,800</u>	<u>1 in 100.00</u>
<u>CENTER ROW</u>	<u>\$27</u>	<u>100,800</u>	<u>1 in 1,818.18</u>
<u>BOTTOM ROW</u>	<u>\$77</u>	<u>5,544</u>	<u>1 in 9,230.77</u>
<u>DIAGONAL</u>	<u>\$777</u>	<u>1,092</u>	<u>1 in 240,000.00</u>

(8) The over-all odds of winning any prize in Instant Game Number 73 are 1 in 3.94.

Specific Authority 24.105(10)(a),(b)(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b)(c) FS. History—New 5-5-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: May 5, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 68 Specifics
RULE NO.: 53ER99-24

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 68, "DOMINO DOLLARS" for which the Department of the Lottery will start selling tickets on a date determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-24 Instant Game 68 Specifics.

(1) Name of Game. Instant Game Number 68, "DOMINO DOLLARS."

(2) Price. DOMINO DOLLARS tickets sell for \$2.00 per ticket.

(3) DOMINO DOLLARS Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning DOMINO DOLLARS Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any DOMINO DOLLARS Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The "YOUR DOMINOS" play symbols and play symbol captions in DOMINO DOLLARS are as follows:

INSERT GRAPHICS

(5) The "LUCKY DOMINOS" play symbols and play symbol captions in DOMINO DOLLARS are as follows:

INSERT GRAPHICS

(6) The prize symbols and prize symbol captions in DOMINO DOLLARS are as follows:

INSERT GRAPHICS

(7) Determination of Prize Winners.

(a) The holder of a ticket having any domino exposed in the "YOUR DOMINOS" play area that matches either domino in the "LUCKY DOMINOS" play area and a TICKET shown as the prize shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that total \$2.00.

(b) The holder of a ticket having any domino exposed in the "YOUR DOMINOS" play area that matches either domino in the "LUCKY DOMINOS" play area shall be entitled to a prize of the amount shown for that domino.

(c) The holder of a ticket having a "DOLLAR BILL" symbol exposed in the "YOUR DOMINOS" play area shall be entitled to a prize of the amount shown.

(8) Prize amounts which may appear in the play area are: \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$250, \$1,000, \$2,000, \$10,000, and \$25,000.

(9) Number and Size of Prizes. The following prizes will be available in Instant Game Number 68 DOMINO DOLLARS:

(a) Approximately 1,578,039 prizes falling in the cash categories of 84 pools of 120,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 68 are as follows:

MATCH EITHER LUCKY DOMINO
NUMBER TO ANY OF YOUR DOMINOS
OR GET A DOLLAR BILL TO WIN

<u>WITH PRIZES OF:</u>	<u>WIN</u>	<u>NUMBER IN</u>	<u>ODDS</u>
		<u>84 POOLS</u>	
<u>FREE TICKET</u>	<u>TICKET</u>	<u>1,209,600</u>	<u>1 in 8.33</u>
<u>\$2</u>	<u>\$2</u>	<u>403,200</u>	<u>1 in 25.00</u>
<u>\$2 + \$2 (A)</u>	<u>\$4</u>	<u>336,000</u>	<u>1 in 30.00</u>
<u>\$2 + \$3</u>	<u>\$5</u>	<u>268,800</u>	<u>1 in 37.50</u>
<u>\$5</u>	<u>\$5</u>	<u>268,800</u>	<u>1 in 37.50</u>
<u>\$2 + \$2 + \$2 + \$2 +</u> <u>(\$2 (A))</u>	<u>\$10</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>\$5 + \$5</u>	<u>\$10</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>\$10</u>	<u>\$10</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>\$2 x 5 + \$5 + (\$5 (A))</u>	<u>\$20</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>\$5 x 3 + \$5 + (\$5 (A))</u>	<u>\$25</u>	<u>12,600</u>	<u>1 in 800.00</u>
<u>\$25</u>	<u>\$25</u>	<u>12,600</u>	<u>1 in 800.00</u>
<u>\$5 x 10</u>	<u>\$50</u>	<u>3,780</u>	<u>1 in 2,666.67</u>
<u>\$10 x 5</u>	<u>\$50</u>	<u>840</u>	<u>1 in 12,000.00</u>
<u>\$50</u>	<u>\$50</u>	<u>672</u>	<u>1 in 15,000.00</u>
<u>\$25 + \$25</u>	<u>\$50</u>	<u>588</u>	<u>1 in 17,142.86</u>
<u>\$10 x 10</u>	<u>\$100</u>	<u>420</u>	<u>1 in 24,000.00</u>
<u>\$20 x 3 + \$20 +</u> <u>(\$20 (A))</u>	<u>\$100</u>	<u>420</u>	<u>1 in 24,000.00</u>
<u>\$100</u>	<u>\$100</u>	<u>420</u>	<u>1 in 24,000.00</u>
<u>\$250</u>	<u>\$250</u>	<u>84</u>	<u>1 in 120,000.00</u>
<u>\$100 x 10</u>	<u>\$1,000</u>	<u>3</u>	<u>1 in 3,360,000.00</u>
<u>\$1,000</u>	<u>\$1,000</u>	<u>3</u>	<u>1 in 3,360,000.00</u>
<u>\$2,000</u>	<u>\$2,000</u>	<u>3</u>	<u>1 in 3,360,000.00</u>
<u>\$10,000</u>	<u>\$10,000</u>	<u>3</u>	<u>1 in 3,360,000.00</u>
<u>\$25,000</u>	<u>\$25,000</u>	<u>3</u>	<u>1 in 3,360,000.00</u>

(10) The over-all odds of winning any prize in Instant Game Number 68 are 1 in 3.62.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c) FS. History—New 5-5-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 5, 1999

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by the TOWN OF JUPITER and assigned the number DCA99-WAI-034. Notice of this petition appeared in the February 26, 1999 edition of the Florida Administrative Weekly. It is ordered that the Department waive the requirement in Rule 9G-19.008(7), F.A.C., that the application be signed by the chief elected official of the Town of Jupiter.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Christopher Baker on April 21, 1999, a petition for Variance or Waiver of Rule 11B-27.002(2), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that a person who graduates from a Florida Basic certification program and fails to obtain employment within four (4) years must complete the training program in section 11B-35.002, F.A.C., and pass the basic recruit examination.

PURPOSE: Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Rick Courtemanche. A copy of the Petition may be obtained by contacting Assistant General Counsel Rick Courtemanche at the above address, or by calling (850)410-7676.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Take notice in accordance with § 120.542(6), Florida Statutes (1997), that on April 26, 1999, the Department of Highway Safety and Motor Vehicles, Bureau of Mobile Home and Recreational Vehicle Construction, received a Petition For Partial Waiver of Rule 15C-1.0102, Installation Standards for Mobile/Manufactured Homes and Park Trailers, and Rule 15C-1.0104, Installation Standards for Anchors and Tie-downs, as prescribed in the Florida Administrative Code.

Copies of the Petition may be obtained from the Office of General Counsel, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Neil Kirkman Building, Room A432, Tallahassee, Florida 32399-0504.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petitions for waiver of Rule 25-24.515(13), Florida Administrative Code, filed February 10, 1999 in Docket No. 990162-TC, and February 23, 1999 in Docket 990204-TC, were approved by the Commission at its April 20, 1999 Agenda Conference. Order No. PSC-99-0899-FOF-TC, issued April 30, 1999 memorialized the decision. The rule requires pay telephone stations to allow incoming calls to be received. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship.

Notices of the petitions were published in the FAW, on March 5, 1999 for Docket No. 990162-TC, and on March 12, 1999 for Docket No. 990204-TC.

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

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Peoples Telephone Company, Inc.'s petitions for waiver of Rule 25-24.515(13), Florida Administrative Code, filed February 10, 1999, in Docket Nos. 990154-TC and 990155-TC, were approved by the Commission at its April 20, 1999 Agenda Conference. Order No. PSC-99-0878-FOF-TC, issued April 30, 1999 memorialized the decision. The rule requires pay telephone stations to allow incoming calls to be received. The petitions were approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petitions was published in the FAW on February 26, 1999.

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

NOTICE IS HEREBY GIVEN that on April 19, 1999, the Florida Public Service Commission received a Petition from BellSouth Public Communications, Inc. (Docket No. 990507-TC), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations allow incoming calls to be received. The locations of the pay telephone stations are as follows: 9710 S. Grand Duke Circle, Tamarac, FL 33321 and 5975 Golden Beauty Lane, Tamarac, FL 33321. 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: 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: Clintina Watts, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6232.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on April 28, 1999, the Governing Board of the Southwest Florida Water Management District (the District) granted the request for rule waiver filed by Larry D. and Christina Edge. The Edges' request was filed on March 11, 1999, and notice of it was published in the April 9, 1999, issue of the Florida Administrative Weekly. The rule

provisions from which the waiver was sought are contained in Rule 40D-4.301(1)(j), F.A.C., and Section 2.6.1 of the Basis of Review for Environmental Resource Permit Applications, which is incorporated by reference into the District's rules by way of Rule 40D-4.091(1), F.A.C. Section 2.6.1 lists the type of entities which are acceptable to the District to function as the operation and maintenance entity for surface water management systems. The rule does not allow the developer or the individual lot-owners to be the operation and maintenance entity for such systems located within residential subdivisions. The waiver allows the Edges to function as the operation and maintenance entity, initially, and then for the lot-owners, individually and collectively, to serve as the perpetual operation and maintenance entity. The District found this arrangement acceptable due to the small size of the subdivision, the simplicity of the surface water management system and the Edges' commitment to provide acceptable deed restrictions. A copy of the order granting the waiver may be obtained by contacting Anthony J. Mutchler, Assistant General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899, Phone: (352)796-7211, extension 4659.

P. O. #6449

NOTICE IS HEREBY GIVEN that on April 28, 1999, the Governing Board of the Southwest Florida Water Management District (the District) granted the request for rule waiver/variance filed by Jack P. and Meribeth J. Sizemore. The Sizemores' request was filed on February 12, 1999, and notice of it was published in the March 5, 1999, issue of the Florida Administrative Weekly. The rule provisions from which the waiver/variance was sought are contained in Rule 40D-4.301(1)(j), F.A.C., and Section 2.6.1 of the Basis of Review for Environmental Resource Permit Applications, which is incorporated by reference into the District's rules by way of Rule 40D-4.091(1), F.A.C. Section 2.6.1 lists the type of entities which are acceptable to the District to function as the operation and maintenance entity for surface water management systems. The section does not allow the developer or the individual lot-owners to remain, in perpetuity, as the operation and maintenance entity for such systems located within residential subdivisions. The variance allows the Sizemores to function as the operation and maintenance entity until a maximum of 27 of the 32 platted lots have been sold. After the 27th lot has been sold, the homeowners' association comprising all of the owners of lots within the subdivision must accept the transfer of responsibility for perpetually operating and maintaining the system. The District found this arrangement acceptable due to the small size of the subdivision, the simplicity of the surface water management system and the Sizemores' commitment to provide acceptable deed restrictions reflecting the delayed transfer of responsibility to the homeowners' association. A copy of the

order granting the waiver may be obtained by contacting Anthony J. Mutchler, Assistant General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899, Phone: (352)796-7211, extension 4659.

P. O. #6448

NOTICE IS HEREBY GIVEN that on April 28, 1999, the Governing Board of the Southwest Florida Water Management District (the District) granted the request for rule waiver filed by Rene J. Zarate. Zarate's request was filed on March 5, 1999, and notice of it was published in the April 9, 1999, issue of the Florida Administrative Weekly. The rule provisions from which the waiver was sought are contained in Rule 40D-4.301(1)(j), F.A.C., and Section 2.6.1 of the Basis of Review for Environmental Resource Permit Applications, which is incorporated by reference into the District's rules by way of Rule 40D-4.091(1), F.A.C. Section 2.6.1 lists the type of entities which are acceptable to the District to function as the operation and maintenance entity for surface water management systems. The section does not allow the developer or the individual lot-owners to be the operation and maintenance entity for such systems located within residential subdivisions. The waiver allows Zarate to function as the operation and maintenance entity, initially, and then for the lot-owners, individually and collectively, to serve as the perpetual operation and maintenance entity. The District found this arrangement acceptable due to the small size of the subdivision, the simplicity of the surface water management system and Zarate's commitment to provide acceptable deed restrictions. A copy of the order granting the waiver may be obtained by contacting Anthony J. Mutchler, Assistant General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899, Phone: (352)796-7211, Extension 4659.

P. O. #6447

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department announces receipt of a petition filed pursuant to Section 120.542, Florida Statutes, from South Florida Recycling, Inc. to obtain a variance from Rule 62-256.200(5), Florida Administrative Code. This rule defines "clean dry wood" and has been interpreted as excluding plywood for purposes of solid waste management. The Petitioner is requesting a variance in order to process plywood and similar engineered wood products into mulch. The Petition for Variance is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Solid Waste Section,

2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Requests for copies or inspection should be made to Mary Jean Yon, Environmental Administrator, at the above address.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Health, Bureau of Emergency Medical Services, received a Petition for Waiver on March 29, 1999, from Jefferson County Emergency Medical Services.

Applicable Rule: Section 64E-2.030, F.A.C.

Nature of Rule: Establishes criteria for submitting grant applications.

Date and Place of Notice: Notice was published on April 16, 1999 in the Florida Administrative Weekly.

Date of Order: April 27, 1999

Basis for Agency Decision: The agency approved the Petition for Waiver. The Petitioner demonstrated that the grant funds will be used to improve and expand their emergency medical services system with the addition of a new ambulance. Further, petitioner demonstrated substantial hardship if the waiver was not granted because the county would not be able to make timely payments on this ambulance.

A copy of the Order may be obtained by submitting a written request to Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, 2002-D Old St. Augustine Road, Tallahassee, Florida 32301.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Health, Bureau of Emergency Medical Services, received a Petition for Waiver on March 11, 1999, from St. Lucie County Emergency Medical Services.

Applicable Rule: Section 64E-2.030, F.A.C.

Nature of Rule: Establishes criteria for submitting grant applications.

Date and Place of Notice: Notice was published on March 26, 1999 in the Florida Administrative Weekly.

Date of Order: April 27, 1999

Basis for Agency Decision: The agency approved the Petition for Waiver. The Petitioner demonstrated that the grant funds will be used to improve and expand their emergency medical services system. Further, Petitioner established that inability to purchase the equipment and supplies would create substantial hardship.

A copy of the Order may be obtained by submitting a written request to Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, 2002-D Old St. Augustine Road, Tallahassee, Florida 32301.

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: May 25, 1999, 9:00 a.m.

PLACE: Jacksonville City Council Room, Jacksonville City Hall, 117 West Duval Street, Jacksonville, 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 (904)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, 9:00 a.m., Jacksonville City Council Room, Jacksonville City Hall, 117 West Duval Street, Jacksonville, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services**, announces a meeting of the Library Services and Technology Act Advisory Council.

DATES AND TIMES: Wednesday, July 14, 1999, 9:00 a.m. – 5:00 p.m.; Thursday, July 15, 1999, 9:00 a.m. – 1:00 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, First Floor Board Room, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review federal fiscal year 1999 grant applications for federal Library Services and Technology Act funds.

A copy of the agenda may be obtained by contacting: Barratt Wilkins, State Librarian, (850)487-2651 or Suncom 277-2651.

Any person deciding to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and that 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 is to be based.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance by calling (850)487-2651 or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The Employment Committee of the **Florida Commission on the Status of Women** will hold a meeting to which all interested persons are invited.

DATE AND TIME: June 6, 1999, 8:00 a.m. CT/9:00 a.m. EST – 9:00 a.m.CT/10:00 a.m. EST

PLACE: The Pensacola Grand Hotel, 200 E. Gregory Street, Pensacola, FL 32501, (850)433-3336

PURPOSE: To discuss general issues

Please call (850)414-3300 for instructions on participation.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF INSURANCE

The **Department of Insurance**, Division of Legal Services and The Bureau of Insurer Services announce a public hearing to which all persons are invited.

DATE AND TIME: May 25, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: Room 612B, Larson Building, Tallahassee, Florida

PURPOSE: To take public testimony regarding the proposed acquisition of New Alliance Insurance Company by Commercial Acquisitions, Inc. (Steven J. Saviano) to determine whether or not to approve the above acquisition.

If you need an accommodation because of disability in order to participate, please advise the Department at least 5 calendar days prior to the hearing by contracting: Sherese E. Pringle, (850)922-3110, Ext. 4252.

The **Florida State Group Insurance Council** announces a Public meeting to which all persons are invited:

DATE AND TIME: Tuesday, May 25, 1999, 10:00 a.m. – 2:00 p.m.

PLACE: The Knott Building, Room 116, Tallahassee, FL

PURPOSE: The purpose of the meeting is to discuss issues of interest to the council.

For further information about this meeting contact: Carol Walters at the Division of State Group Insurance, Suite 135, 4040 Esplanade Way, Tallahassee, Florida 32399-0949, (850)921-4580.

Any person wishing to appeal any decision made with respect to the above-referenced issues may need to ensure verbatim recording of the proceedings to provide a record for judicial review.

Pursuant to section 286.26, Florida Statutes, any handicapped person requiring special accommodation to attend this meeting should contact the agency at least 48 hours prior to the meeting to request special assistance.

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

DATE AND TIME: May 12, 1999, 8:30 a.m.

PLACE: Clarion Hotel, 4000 S. Ocean Drive, Hollywood, FL, telephone (954)458-1900 for reservations

PURPOSE: Florida Fire Prevention Code TAC meeting.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 17, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Broward County Convention Center, Ft. Lauderdale, FL
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 18, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Hilton Melbourne Beach, 3003 N. Highway A1A, Indialantic, FL 32903
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 19, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Ramada Inn, 5885 Arlington Expressway, Jacksonville, FL 32211
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 20, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Knott Building, Room 212, Tallahassee, FL 32399
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 24, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Doubletree Hotel, 3011 Maingate Lane, Kissimmee, FL 34747
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 25, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Naples Beach Hotel, 851 Gulfshore Blvd., Naples, FL 34102
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 26, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Doubletree Hotel, Tampa Airport, 4500 W. Cypress Street, Tampa, FL 33607
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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

DATE AND TIME: May 27, 1999, 3:00 p.m. – 7:00 p.m.
PLACE: Beachside Resort & Conference Center, 14 Via DeLuna, Pensacola, FL 32561
PURPOSE: This meeting will be held to present the first draft of the Florida Fire Prevention Code in conjunction with Florida Building Code.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of The Pesticide Review Council to which all persons are invited:

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

PLACE: Florida Department of Agriculture And Consumer Services, Doyle Conner Building, Auditorium, 1911 Southwest 34th Street, Gainesville, Florida 32614

PURPOSE: General subject matter to be considered: regular meeting of the Council during which there will be a review of pertinent pesticide issues impacting on human health and environment.

Copy of agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail Stop L-29, Tallahassee, Florida 32399-1650.

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 at 1(800)955-8771.

The Florida **Department of Agriculture and Consumer Services** announces a meeting of the Palatka State Farmers' Market Advisory Committee:

DATE AND TIME: Monday, May 24, 1999, 7:30 p.m.

PLACE: Palatka State Farmers' Market, 225 Highway 17 South, East, Palatka, Florida 32131

PURPOSE: To discuss and review the budget, examine operational procedures, maintenance and construction projects and to conduct other business as necessary.

A copy of the agenda may be obtained from: Terry Driggers, Market Manager.

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

The Florida **Department of Agriculture and Consumer Services** announces a meeting of the Florida City State Farmers' Market Advisory Committee:

DATE AND TIME: Tuesday, June 8, 1999, 12:00 p.m.

PLACE: Florida City State Farmers' Market, 300 North Krome Avenue, Florida City, Florida 33034

PURPOSE: To discuss and review the budget, examine operational procedures, maintenance and construction projects and to conduct other business as necessary.

A copy of the agenda may be obtained from: Paul Cardwell, Market Manager.

If special accommodations are needed to attend this meeting because of a disability, please contact Mr. Paul Cardwell, (305)246-6334, as soon as possible.

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Alligator Marketing and Education Advisory Committee.

DATE AND TIME: June 9, 1999, 1:00 p.m.

PLACE: Florida Fruit and Vegetable Association, Conference Room, 4401 East Colonial Drive, Orlando, Florida

PURPOSE: To discuss marketing and educational activities beneficial to the Florida alligator industry.

A copy of the agenda can be obtained by contacting: Kal Knickerbocker at 2051 E. Dirac Drive, Tallahassee, FL 32310-3760 or calling (850)488-0163.

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

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the silviculture Best Management Practices Technical Advisory Committee, to which all persons are invited.

DATE AND TIME: May 17, 1999, 2:00 p.m. – 3:30 p.m.

PLACE: Division of Forestry – Tallahassee District Headquarters, 865 Geddie Road, Tallahassee, Florida, Phone (850)488-1871

PURPOSE: To consider proposed language for clarifying the application of Special Management Zone criteria to Outstanding Florida Waters.

For more information about the meeting, for a copy of the agenda, proposed language, or if special accommodations are needed to attend this meeting because of a disability, please contact: Jeff Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, or call (850)414-9935.

The **Department of Agriculture and Consumer Services** announces the quarterly meeting of the "Friends 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: May 20, 1999, 8:00 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: T. Dave Gowan, State Volunteer Coordinator, 3125 Conner Blvd. C21, Tallahassee, Florida 32399-1650, by calling (850)414-0869, or writing FFSF@doacs.state.fl.us.

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

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Investigation and Conciliation Council, to which all persons are invited:

DATE AND TIME: June 2, 1999, 1:30 p.m.

PLACE: Gulf Coast Research and Education Center IFAS, 5007 60th Street, East, Bradenton, Florida 34203-9324, Phone (941)751-7636

PURPOSE: Seed Complaint

GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, Phone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Investigation & Conciliation Council, to which all persons are invited:

DATE AND TIME: June 3, 1999, 8:30 a.m.

PLACE: Gulf Coast Research and Education Center IFAS, 5007 60th Street, East, Bradenton Florida 34203-9324, Phone (941)751-7636

PURPOSE: Seed Complaint

GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, Phone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Investigation and Conciliation Council, to which all persons are invited:

DATE AND TIME: June 3, 1999, 1:00 p.m.

PLACE: Gulf Coast Research and Education Center IFAS, 5007 60th Street, East, Bradenton Florida 34203-9324, Phone (941)751-7636

PURPOSE: Seed Complaint (Mr. Bill Washington)

GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, Phone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Investigation & Conciliation Council, to which all persons are invited:

DATE AND TIME: June 3, 1999, 1:00 p.m.

PLACE: Gulf Coast Research and Education Center IFAS, 5007 60th Street, East, Bradenton, Florida 34203-9324, Phone (941)751-7636

PURPOSE: Seed Complaint (Mr. Carl V. Hackle)

GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, Phone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Investigation & Conciliation Council, to which all persons are invited:

DATE AND TIME: June 3, 1999, 1:00 p.m.

PLACE: Gulf Coast Research and Education Center IFAS, 5007 60th Street, East, Bradenton, Florida 34203-9324, Phone (941)751-7636

PURPOSE: Seed Complaint (Mr. DeWayne Leslie)

GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, Phone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

DEPARTMENT OF EDUCATION

The **State Board of Nonpublic Career Education** announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 1999, 9:00 a.m.

PLACE: Adam's Mark Daytona Beach Resort, 100 N. Atlantic Avenue, Daytona Beach, Florida 32118

PURPOSE: Consider licenses for appropriate schools, cases for licensure as specified in the agenda, and other general Board business.

Any person who decides to appeal a decision of the Board with respect to any matter considered at this meeting or hearing may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: State Board of Nonpublic Career Education, Department of Education, 325 W. Gaines Street, Tallahassee, Florida 32399.

The State of Florida, **Education Practices Commission** announces a public hearing to which all persons are invited.

DATES AND TIMES: June 17, 1999, 1:00 p.m. or as soon thereafter as can be heard; June 18, 1999, 8:30 a.m. or as soon thereafter as can be heard

PLACE: The Hilton Tampa Airport Westshore, 2225 Lois Avenue, Tampa, Florida 33607

PURPOSE: A Business Meeting, Administrator, Show Cause, and Teacher Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of teachers and administrators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or 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.

Additional information may be obtained by writing: Education Practices Commission, Florida Education Center, 325 W. Gaines Street, Room #224-E, Tallahassee, Florida 32399-0400. Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)488-0547, at least five calendar days prior to the hearing. Persons who are

hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The public is invited to a meeting of the Florida **Board of Regents**.

DATES AND TIME: May 27-28, 1999, 1:00 p.m.

PLACE: Bailey Hall, Davie Campus, Florida Atlantic University, Davie, Florida

PURPOSE: Approval of: Tenure Nominations, FAMU, FAU, FGCU, FIU, FSU, UCF, UF, UNF, USF, UWF; Tenure as a Condition of Employment, FAMU, FAU, FIU, FSU, UF, USF; Proposed Revised Rules: Rule Chapter 6C-5 Part IX, Personnel Rules of the State University System; Rule 6C-7.001, Tuition, Fee Schedule and Percentage of Cost; Ratification of the 1999-2001 Successor Collective Bargaining Agreements: Between the Board of Regents and the Florida A&M University Graduate Assistants United/United Faculty of Florida, Between the Board of Regents and the University of Florida Graduate Assistants United/United Faculty of Florida, and Between the Board of Regents and the University of South Florida Graduate Assistants United/United Faculty of Florida; Land Acquisitions, FSU; Delegation of Authority for Certifying Sponsored Research Contracts to the Department of Revenue; Authorization to Secure Appraisals and Surveys for Land Transactions; Request to Reorganize the UNF Department of History, Philosophy, and Religious Studies to Create New Departments of History and Philosophy; Request to Establish a Department of Emergency Medicine at the University of Florida; Request to Terminate Cooperative Doctorates in Education between Florida State University and the University of West Florida; Request to Name a Residence Hall at the University of Florida; Consideration of: University Request for Implementation Authorization of New Degree Program, Master of Public Health, UF; University Request for Limited Access Status, Bachelor of Fine Arts Track in Dance, USF; Credit Hour Increase, B.S., Environmental Health Engineering, UF; Proposed Typology of SUS Honors Opportunities; Presentation Regarding the Broward County Education Consortium; Florida/Office of Civil Rights (OCR) Partnership Report and Commitments, 1998; Consideration of: Proposed Amendment to Campus Master Plan, UF; Campus Development Agreements Between the City of Panama City and the Board of Regents for Florida State University, and Between the City of Sarasota and the Board of Regents for the University of South Florida; Standards for Systemwide Accountability Measures; SUS 2000-2001 Legislative Budget Request Policy Guidelines; Resolution Authorizing the Issuance of Revenue Bonds, Series 1999 Not to Exceed \$14,000,000, to Refinance Certain Outstanding Bonds, FSU; Proposed Residence Life Enhancement Project – Phase 1B, USF; 1999-2000 Allocations for the Educational and General Budget; 1999-2000 Fixed Capital Outlay; Distribution of

1999-2000 PECO Funds – Maintenance, Repairs, Renovation and Remodeling, and Life Safety/ADA Corrections and Capital Renewal; Report on the 1999 Legislative Session; and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)487-1896 (Voice), (850)414-0239 (TDD), at least 7 days in advance, so that their needs can be accommodated.

NOTICE OF CANCELLATION – This is to announce that the **Board of Regents** meeting scheduled for May 24, 1999, noticed on April 16, 1999, Vol. 25, No. 15, of the Florida Administrative Weekly has been canceled.

The **Florida Center for Solid and Hazardous Waste Management Advisory Board** announces a Quarterly Meeting. All interested persons are invited to attend.

DATE AND TIME: May 21, 1999, 9:00 a.m. – 12:00 noon

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, Florida

For further information, please call (352)392-6264.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 3, 1999, 9:00 a.m.

PLACE: The Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind including a rule hearing on rule 6D-5.003 Other Personnel.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)823-4000.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance from the aforementioned address.

The **Indian River Community College, Criminal Justice Training Institute** announces a public meeting, to which the public is invited.

DATE AND TIME: May 19, 1999, 10:00 a.m.

PLACE: Indian River Community College, Indian River Academy Site, 5900 Tedder Road, Fort Pierce, Florida

PURPOSE: Update Council members on Criminal Justice Standards and Training Commission information and elect Council Members for the upcoming year.

The **State Board of Community Colleges** announces the following meeting to which all persons are invited:

DATE AND TIME: Thursday, May 27, 1999, 1:00 p.m. – 3:00 p.m.

PLACE: Tampa Airport Hilton, 2225 Lois Avenue, Tampa, Florida

PURPOSE: The Budget Development Task Force will meet to begin their budget process for the year 2000-2001.

If you need additional information, write: Division of Community Colleges, 1314 Ralph Turlington Building, 325 W. Gaines Street, Tallahassee, Florida 32399-0400.

The **State Board of Community Colleges** announces the following public meetings of the Board to which all persons are invited:

DATE AND TIME: June 4, 1999, 8:00 a.m. – Adjournment

PLACE: Broward Community College, Central Campus, 3501 Southwest Davie Road, Davie, Florida 33314

PURPOSE: Regular business meeting of the Board.

COMMITTEES: EA/EO Advisers

DATE AND TIME: June 3, 1999, 10:00 a.m. – 11:30 a.m.

COMMITTEES: The Foundation for Florida's Community Colleges

DATE AND TIME: June 3, 1999, 10:00 a.m. – 11:30 a.m.

COMMITTEES: Program, Economic Development, Equity and Policy

DATE AND TIME: June 3, 1999, 12:30 p.m. – 2:45 p.m.

COMMITTEES: Finance

DATE AND TIME: June 3, 1999, 3:00 p.m. – 5:15 p.m.

If you need special services to attend the meeting, please let us know.

A copy of the agenda may be obtained by writing: Division of Community Colleges, 1314 Turlington Building, Tallahassee, Florida 32399-0400.

DEPARTMENT OF COMMUNITY AFFAIRS

The Florida **Department of Community Affairs** announces the following public meeting of the chairs of all drafting groups of the Florida Governor's Ocean Committee. All interested parties are invited.

DATE AND TIME: Monday, May 17, 1999, 10:00 a.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Blvd., Room 320Q, Tallahassee, Florida 32399-2100

PURPOSE: This public meeting is being held by teleconference to discuss the incorporation of public comments into the final report of the Florida Governor's Ocean Committee (FGOC). The final meeting of the FGOC will be held in Tallahassee on June 14-15, 1999.

Additional information can be obtained by writing: Department of Community Affairs, Florida Coastal Management Program, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 or by calling (850)922-5438.

Persons requiring special accommodations at this meeting due to disability or physical impairment should contact Teresa Divers at the Florida Coastal Management Program. If you are speech or hearing impaired, please contact Ms. Divers using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATE AND TIME: Monday, May 24, 1999, 2:00 p.m. – 3:00 p.m.

PLACE: Hermitage Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

PURPOSE: To discuss filing amended Rule 19-8.010 for notice; and to discuss the general business of the Council. This meeting will primarily be a telephone conference call.

Anyone wishing a copy of the agenda should contact: Anne Bert, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend the meeting is requested to call Patti Elsbernd, (850)413-1346, five days prior to the meeting so that appropriate arrangements can be made.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, May 26, 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, 2601 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 its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: June 1, 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: June 1, 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

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 conference. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (Voice) or 1 (800)955-8771 (TDD).

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

The Florida **Public Service Commission** announces a staff workshop to be held in the following matter, to which all interested persons and parties are invited to attend.

UNDOCKETED: Regional Transmission Organizations

DATE AND TIME: Wednesday, June 2, 1999, 10:00 a.m.

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

PURPOSE: The purpose of this workshop is to continue the study of Florida-specific issues regarding the advisability of establishing a Regional Transmission Organization (RTO) or Independent System Operator (ISO) and other related issues.

If you wish to comment but cannot attend the workshop, please file your comments with: Division of Records and Reporting, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, on or before May 26, 1999, specifically referencing "Undocketed – Regional Transmission Organizations".

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the workshop. Minutes of this workshop will be taken in accordance with Section 286.011(2), Florida Statutes.

A copy of the agenda may be obtained by writing to the Director, Division of Records and Reporting, at the address previously noted, or by calling (850)413-6770.

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 workshop. 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).

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

Docket No. 971065-SU – Application for rate increase in Pinellas County by Mid-County Services, Inc.

DATE AND TIME: June 4, 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; 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).

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Nominating Committee

DATE AND TIME: May 27, 1999, 5:30 p.m.

PURPOSE: To conduct the regular business of the Nominating Committee.

MEETING: Executive Committee

DATE AND TIME: May 27, 1999, 6:00 p.m.

PURPOSE: To conduct the regular business of the Executive Committee.

MEETING: Clearinghouse Committee

DATE AND TIME: May 27, 1999, 6:30 p.m.

PURPOSE: To conduct the regular business of the Clearinghouse Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: May 27, 1999, 8:00 p.m.

PURPOSE: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Holiday Inn Restaurant, Lake City, Florida

Any person deciding to appeal any decision of the Council or its committees with respect to any matter considered at the meeting, may need to ensure that a verbatim record of the proceedings is made.

A copy of any of these agendas may be obtained by writing: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment (s) received in a timely manner.

DATE AND TIME: May 27, 1999, 10:30 a.m. Eastern Time, 9:30 a.m. Central Time

PLACE: The Ramada Inn, 2900 North Monroe Street, Tallahassee, Florida

PURPOSE: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 314 East Central Avenue, Blountstown, FL 32424 or calling (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571 prior to the meeting

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Florida **Division of Blind Services** and The Rehabilitation Council for the Blind, announces the following meeting:

DATES AND TIMES: June 11, 1999, 8:30 a.m. – 5:00 p.m.; June 12, 1999, 8:30 a.m. – 12:00 p.m.

PLACE: Holiday Inn (Screening Room), 5905 S. Kirkman Road, Orlando, FL 32819, 1(800)327-1364

PURPOSE: Quarterly meeting of the council.

A copy of the agenda may be obtained by contacting: Phyllis Dill at The Division of Blind Services, 2551 Executive Center Circle, West, Suite 200, Lafayette Bldg., Koger, Tallahassee, FL 32399 or at (850)488-1330 or through the Florida Telephone Relay system at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board, announce meetings to which the public is invited.

DATES AND TIMES: Thursday, June 3, 1999, 10:00 a.m.; Friday, June 4, 1999, 8:00 a.m.

PLACE: 4787 West Irlo Bronson Memorial Hwy., (US-192), Orlando, Florida

PURPOSE: The purpose of the June 3, 1999, meeting is to engage in internal Board development. The purpose of the June 4, 1999, meeting is a regular business meeting of the Board.

For a copy of the agenda or for further information about this meeting, contact: Julie Douthit, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, telephone number (850)487-2613.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board, announces a telephone conference of its Coordinating Committee to discuss general issues.

DATE AND TIME: Thursday, June 10, 1999, 10:00 a.m.

PLACE: Call (850)487-2613 for instruction on participation

PURPOSE: The purpose of the meeting is to discuss issues to be on the agenda for the full Workers' Compensation Oversight Board meeting.

For further information about this telephone conference, contact Julie Douthit, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, telephone number (850)487-2613, two days prior to the date of the meeting.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following meetings to which all persons are invited:

MEETING: District Lands Committee to discuss District lands issues

DATE AND TIME: May 27, 1999, 10:30 a.m. and 12:00 p.m., CDT

MEETING: Governing Board Meeting – to consider District business

DATE AND TIME: May 27, 1999, 1:00 p.m., CDT

MEETING: Public Hearing on Regulatory Matters – to consider regulatory matters

DATE AND TIME: May 27, 1999, 1:15 p.m., CDT

MEETING: Public Hearing on Land Acquisition Matters – to consider land acquisition matters

DATE AND TIME: May 27, 1999, 1:30 p.m., CDT

PLACE: Pensacola City Hall Council Chambers, 180 Governmental Center, Pensacola, Florida.

A copy of these agendas can be obtained by contacting: Peggy Geltman, NFWFMD, Route 1, Box 3100, Havana, Florida 32333, (850)539-5999.

Appeal from any NFWFMD Board decision requires a record of the proceedings. Although Governing Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings is made, including 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.

NOTICE OF CHANGE – The **Suwannee River Water Management District** announces a change in date and place for the public hearing scheduled for May 13, 1999, 9:00 a.m.

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

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

PURPOSE: Public Hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Warner-Harrell Conservation Easement, 906 Acres in Suwannee County, with funds from the Preservation 2000 Trust Fund.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, 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.

The Suwannee River Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact: Lisa M. Cheshire, Administrative Assistant, (904)362-1001 or 1(800)226-1066 (Florida only), Fax (904)362-1056.

The **Suwannee River Water Management District** announces the following public hearing to which all interested persons are invited.

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

PLACE: District Headquarter, 9225 CR 49, Live Oak, FL 32060

PURPOSE: Public Hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Strickland Property, 138.7 Acres in Hamilton County, with funds from the Preservation 2000 Trust Fund.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, 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.

The Suwannee River Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact: Lisa M. Cheshire, Administrative Assistant, (904)362-1001 or 1(800)226-1066 (Florida only), Fax (904)362-1056.

The **Southwest Florida Water Management District** announces the following Minimum Flows and Levels Independent Scientific Peer Review Panel Site Inspections Meeting to which the public is invited:

DATE AND TIME: Friday, May 21, 1999, 8:30 a.m. – 6:00 p.m.

PLACE: The Panel will travel to each site inspection via a bus departing at 8:30 a.m. from the Tampa Airport Marriott, Tampa International Airport. All persons interested in attending the site inspections must meet at the front desk/check-in desk of the Tampa Airport Marriott.

PURPOSE: The Minimum Flows and Levels Independent Scientific Peer Review Panel will visit sites pertinent to their review of scientific methodologies related to the Northern Tampa Bay Minimum Flows and Levels proposed rules

published on November 25, 1998 in the Florida Administrative Weekly. The bus tour will include well field wetland sites, several lakes, and the Tampa Bypass Canal.

If you are interested in attending the site inspections or you would like an itinerary of the site inspections, please contact Pamela A. Gifford, (352)796-7211, Ext. 4156. All interested persons attending the site inspections are advised to bring a bag lunch and wear protective footwear.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this activity is asked to advise the agency at least 72 hours before the activity by contacting Dianne Lee at (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878.

P.O. #6651

The **Southwest Florida Water Management District** announces the following Minimum Flows and Levels Independent Scientific Peer Review Panel Public Meeting to which the public is invited:

DATE AND TIME: Saturday, May 22, 1999, 9:00 a.m.

PLACE: Tampa Airport Marriott Hotel, Tampa International Airport, Tampa, FL

PURPOSE: A public meeting of the Peer Review Panel pursuant to Section 373.042(4), F.S. (1996 Supp.) at which Panel members may discuss their work with one another and provide an opportunity for public comment on the matters under review by the Panel.

An agenda for the meeting is available by contacting Pamela A. Gifford, (352)796-7211, Ext. 4156.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this activity is asked to advise the agency at least 48 hours before the activity by contacting: Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878.

The **Southwest Florida Water Management District** announces the following public meetings to which all persons are invited.

LAKE PANASOFFKEE RESTORATION COUNCIL MEETING

DATE AND TIME: Monday, May 24, 1999, 5:00 p.m.

PLACE: Sumter County Courthouse Commission Chambers, 209 North Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Discussion of Council business

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, June 2, 1999, 1:00 p.m. (Note: This is a change of time from what was originally scheduled.)

PLACE: Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin business, including approval of tentative FY 2000 Basin budget.

NORTHWEST HILLSBOROUGH BASIN BOARD MEETING

DATE AND TIME: Thursday, June 3, 1999, 9:00 a.m.

PLACE: Port Tampa City Library, 4902 Commerce Street, Tampa (Note: This is a change of location from what was originally scheduled.)

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin business, including approval of tentative FY 2000 Basin budget.

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, June 8, 1999, 8:30 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin business, including approval of tentative FY 2000 Basin budget.

WITHLACOCHEE RIVER BASIN BOARD MEETING

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

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin business, including approval of tentative FY 2000 Basin budget.

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING & BUDGET WORKSHOP

DATE AND TIME: Wednesday, June 9, 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, including approval of tentative FY 2000 Basin budget.

ALAFIA RIVER BASIN BOARD MEETING

DATE AND TIME: Thursday, June 10, 1999, 7:00 p.m.

PLACE: Brandon Center Place, 619 Vondenburg Drive, Brandon, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin business, including approval of tentative FY 2000 Basin budget.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, June 15, 1999, 9:30 a.m.

PLACE: Polk County City Hall, 451 Third Street, N. W., Winter Haven, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin business, including approval of tentative FY 2000 Basin budget.

MANASOTA BASIN BOARD

DATE AND TIME: Wednesday, June 16, 1999, 10:00 a.m.

PLACE: Manatee County Administrative Complex, 1112 Manatee Avenue, W., Bradenton, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin business, including approval of tentative FY 2000 Basin budget.

A copy of the agenda for the above 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).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 20, 1999, 1:00 p.m. – 4:00 p.m.

PLACE: South Florida Water Management District, B-1 Building, Storch Conference Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Agricultural Advisory Committee to continue the discussion 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 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: Bruce Adams or Gardenia Long, (561)682-6001.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 21, 1999, 12:30 p.m. – 4:30 p.m.

PLACE: South Florida Water Management District, Building B-1, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Water Utility Advisory Committee to continue the discussion 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 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: Bruce Adams or Gardenia Long, (561)682-6001.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 24, 1999, 8:00 a.m.

PLACE: South Florida Water Management District, Headquarters, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida.

PURPOSE: Mandatory pre-proposal conference to be eligible to submit a proposal for RFP C-10741, Provide and Install Remote Site SCADA Equipment.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Procurement Division, 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. Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings 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 of the meeting to make appropriate arrangements.

For more information, contact: Mary Deese, (561)682-2180.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 24, 1999, 5:00 p.m.

PLACE: District Headquarters, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Evaluation Committee meeting to discuss and tabulate scores of evaluation of proposals submitted in response to RFP C-10061, Lobbyist to Research and Recommend Federal Funding Opportunities.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Procurement Division, 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. Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings 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 of the meeting to make appropriate arrangements.

If it becomes necessary to conduct this meeting by means of communications media technology with one or more members of the Evaluation Committee, the meeting will be teleconferenced at the time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on May 25, 1999, 2:30 p.m. in the same location, with similar arrangements for teleconferencing.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephone conference to which all interested parties are invited:

DATE AND TIME: May 26, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District, Headquarters, Building B-1, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Budget Review Commission meeting to continue discussion pertaining to FY2000 budget development and to conduct general Budget Review Commission business.

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.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Tony Burns, District Clerk, (561)682-6206.

The Big Cypress Basin, **South Florida Water Management District** announces a public meeting to which all interested persons are invited.

DATE AND TIME: May 28, 1999, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, Naples, Florida

The above address shall be the designated access point for public attendance of the meeting.

PURPOSE: Conduct Basin Business

A copy of the agenda may be obtained by writing: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, or by calling Ann Christian, (941)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings 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 Ann Christian, (941)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact the Big Cypress Basin by calling (561)697-2574.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (941)597-1505.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 2, 1999, 10:00 a.m. – 11:30 a.m.

PLACE: District Headquarters, B-1 Building, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Selection Committee meeting to discuss and tabulate scores of evaluations of proposals submitted in response to RFP C-10695, Caloosahatchee Water Quality Data Collection.

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.

Should it be necessary to cancel the meeting, it will be held on June 4, 1999, 10:00 a.m., at the same location.

For more information, contact: Linda Engelbrecht, Procurement Analyst, (561)682-6378.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 3, 1999, 8:30 a.m.

PLACE: District Headquarters, B-1 Building, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Oral presentations for proposals submitted in response to RFP C-10061, Lobbyist to Research and Recommend Federal Funding Opportunities.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Procurement Division, 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. Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings 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 of the meeting to make appropriate arrangements.

If it becomes necessary to conduct this meeting by means of communications technology with one or more members of the Evaluation Committee, the meeting will be teleconferenced at the time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on June 4, 1999, 8:30 a.m. in the same location.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 10, 1999, 8:30 a.m. – 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Evaluation Committee meetings to discuss and tabulate scores of evaluations of proposals submitted in response to RFP C-10521, Drug/Alcohol Testing Program Services.

DATE AND TIME: June 14, 1999, 10:00 a.m. – 11:30 a.m.

PLACE: South Florida Water Management District, B-1 Building, Conference Room 2B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Evaluation Committee meetings to discuss and tabulate scores of evaluations of proposals submitted in response to RFP C-10521, Drug/Alcohol Testing Program Services.

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: Donna Lavery, (561)682-6420.

DEPARTMENT OF MANAGEMENT SERVICES

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: May 17-18, 1999, 8:30 a.m.

PLACE: Embassy Suites, Tampa-Airport Westshore, 555 N. Westshore Boulevard, Tampa, 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.

The **Florida Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Tuesday, May 25, 1999, 8:30 a.m.

PLACE: The access point where a person may go for purpose of attending the meeting is: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149. The meet-me telephone number is (850)921-6623 or Suncom 291-6623.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases which have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, telephone (850)488-7082, Extension 1036.

If any person decides to appeal any decision made during the meeting, he or she 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.

Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Extension 1036, at least five calendar days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: May 24, 1999, 9:00 a.m. and 11:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 N. Monroe Street, Ste. 60, Tallahassee, FL 32399, (850)488-0062

PURPOSE: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Dorese Gibson, Administrative Assistant, Department of Business and Professional Regulation, 1940 N. Monroe St., Ste. 60, Tallahassee, FL 32399-0792, or by phone at (850)487-2127.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Florida Building Code Administrators and Inspectors Board** announces an official meeting of the Probable Cause Panel. (Probable Cause is not open to the Public.)

DATE AND TIME: May 26, 1999, 1:00 pm

PLACE: Hyatt Orlando, 6375 West Irlo Bronson Memorial Hwy., Kissimmee, FL 34747

PURPOSE: Official meeting of the Probable Cause Panel.

If any person decides to appeal any decision made by the Building Code Administrators and Inspectors Board with respect to any matter considered at this meeting, he/she may

need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Amy Bennett at the Building Code Administrators and Inspectors Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Amy Bennett using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy** announces the following public meeting of the Board to which all person are invited:

DATE AND TIME: Thursday, June 10, 1999, 8:30 a.m.

PLACE: Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida

PURPOSE: Enforcement proceedings including consideration of investigating officers reports and other general business. This is a public meeting.

A copy of the agenda may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, 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.

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 agency at least 48 hours before the workshop/hearing/meeting by contacting: Martha Willis, (352)955-2165. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 21, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Brokaw-McDougall House, 329 North Meridian Street, Tallahassee, Florida

PURPOSE: This is a public meeting of the Street Sweepings Work Group, at which the Department will seek input from the regulated community as well as other regulatory agencies concerning the appropriate management and disposal practices for street sweepings and storm water sediments.

If accommodation for a disability is needed to participate in this activity, please notify Lisa Martin, (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: Lisa Martin, 2600 Blair Stone Road, MS 4565, Tallahassee, Florida 32399-2400, (850)488-0300.

The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATES AND TIME: May 26-27, 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 updates, rule proceedings, and briefings. Updates include rules under development and under appeal. Rule proceedings include: Chapters 62-713, 770, 777, 782 and 785, Florida Administrative Code (F.A.C.), dealing with cleanup criteria for contaminated sites; Chapter 62-302, F.A.C., proposing designations of Outstanding Florida Waters in managed areas which is continued from the April 29, 1999 meeting. Briefings include: Everglades Update on WCA-2 Report; Legislative Update if time permits. 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 Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 27, 1999, 9:00 a.m. – 4:00 p.m.

PLACE: Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida

PURPOSE: This is a public meeting of the Yard Trash Work Group, at which the Department will seek input from the regulated community as well as other regulatory agencies concerning the distinction between disposal and recycling of yard trash, and 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, 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.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Thursday, May 27, 1999, 6:30 p.m. (EDT)

PLACE: Amelia Island Plantation, The Pavilion, 6800 First Coast Highway, Fernandina Beach, Florida 32034

PURPOSE: To receive comments regarding management and land uses for Amelia Island State Recreation Area 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 2, Administration, 4801 Southeast 17th Street, Gainesville, Florida 32641-9299.

The Florida **Department of Environmental Protection, Bureau of Protected Species Management** announces a meeting of the Manatee Technical Advisory Council and invites the public to attend.

DATE AND TIME: May 28, 1999, 9:00 a.m. – 4:00 p.m.

PLACE: Douglas Building, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, Florida

A copy of the agenda may be obtained by calling: Paula Silas, Florida Department of Environmental Protection, Bureau of Protected Species Management, (850)922-4330.

If because of a disability, accommodation is needed in order to attend, please contact Vicki Mehr, (850)488-2996 or 1(800)955-8771 (TDD), before meeting.

DEPARTMENT OF JUVENILE JUSTICE

The **Juvenile Justice Accountability Board** announces a planning meeting which is open to the public.

DATES AND TIMES: June 7, 1999, 10:00 a.m.; June 8, 1999, 9:00 a.m.

PLACE: The Calusa Room, LaPlaya Beach Resort, 9891 Gulf Shore Drive, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Includes election of officers; a report on legislation affecting the JJAB; approval of a revised GR operating budget for FY 1998-99; approval of the FY 1999-00 operating budgets; development of research priorities and work plan for FY 1999-00; development of committee priorities, work plans and schedules; and report on the status of the OJJDP grant.

For more information, contact staff at the Accountability Board office, (904)922-4377.

DEPARTMENT OF HEALTH

The **Department of Health** announces the following public meeting of the Community Environmental Health Advisory Board to which all persons are invited:

DATES AND TIMES: Monday, May 24, 1999, 1:00 p.m. – 4:00 p.m.; Tuesday, May 25, 1999, 8:00 a.m. – 5:00 p.m.

PLACE: Delta Orlando Resort, Florida

PURPOSE: To conduct general board business on Monday. On Tuesday, the board co-sponsors “Environmental Equity and Justice Issues for Public Health”.

A copy of the agenda may be obtained by writing: Emily J. Wilson, R.S., M.P.H., Department of Health, Environmental Epidemiology, 1000 N. E. 16th Avenue, Box 19, Gainesville, FL 32601, or by calling (352)955-5792.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Rose van der Berg, (904)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

The **Department of Health, Board of Speech-Language Pathology and Audiology** announces a General Business Meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: May 27, 1999, 9:00 a.m.

PLACE: PGA National Resort and Spa, 400 Avenue of the Champions, Palm Beach Gardens, FL 33418, (561)627-2000

PURPOSE: Board Business

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Speech-Language Pathology and Audiology, 2020 Capital Circle, S. E., BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she 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 made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster by Thursday, May 20, 1999.

NOTICE OF CANCELLATION – The Physician Assistant Formulary Committee announces a meeting via telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 20, 1999, 12:30 p.m. or soon thereafter

PLACE: Meet Me Number (850)488-5776

PURPOSE: To conduct general business of the Committee.

The **Department of Health** and the Advisory Council on Respiratory Therapy, under the **Board of Medicine** announces a conference call to which all persons are invited:

DATE AND TIME: May 25, 1999, 11:00 a.m. or soon thereafter

PLACE: 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, (850)487-2098.

Pursuant to the provisions of the American 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)487-2098. 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 Probable Cause Panel (North), **Board of Medicine**, announces a meeting.

DATE AND TIME: May 28, 1999, 10:00 a.m. or soon thereafter

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, Florida 32608, (352)377-4000

PURPOSE: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (904)922-2414, 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Probable Cause Panel (South), **Board of Medicine**, announces a meeting.

DATE AND TIME: June 2, 1999, 12:00 noon or soon thereafter

PLACE: Hilton Palm Beach Airport, 150 Australian Avenue, West Palm Beach, Florida 33406, (561)684-9400

PURPOSE: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (904)922-2414, 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Orthotists and Prosthetists** will hold a duly noticed conference call meeting to which all persons are invited to attend.

DATE AND TIME: Thursday, June 1, 1999, 9:00 a.m.

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, Florida 32399, Meet Me Number (850)921-2591.

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 Orthotists & Prosthetists, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board of Orthotists & Prosthetists 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.

A copy of the agenda item may be obtained by writing: Ms. Sherra Causey, Professional Regulatory Specialist II, Board of Orthotists & Prosthetists, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

The **Department of Health, Board of Physical Therapy Practice**, Probable Cause Panel announces a conference call to which all persons are invited:

DATE AND TIME: May 25, 1999, 2:00 p.m. or soon thereafter

PLACE: Number: Nonsuncom (850)921-5551, Suncom 291-5551

PURPOSE: Reconsideration of cases previously heard by the Probable Cause Panel. Following the public portion of the meeting, the doors will be closed to the public.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 2020 Capital Circle, S. E., BIN C05, Tallahassee, Florida 32399-3255, (850)487-2098.

Pursuant to the provisions of the American 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 board office, (850)487-2098. 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 Board 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 **Department of Health** and the **Board of Physical Therapy Practice** announces a conference call meeting to which all persons are invited:

DATE AND TIME: May 27, 1999, 8:30 a.m. or soon thereafter

PLACE: Number: Nonsuncom (850)921-5551, Suncom 291-5551

PURPOSE: Full Board Quorum Call

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 2020 Capital Circle, S. E., BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)487-2098.

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 board office, (850)487-2098. 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 Board 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.

Board of Speech-Language Pathology and Audiology

RULE NO.:
64B20-7.001

RULE TITLE:
Disciplinary Guidelines

NOTICE OF CORRECTION

The above-proposed rule development was published in the April 23, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 16, on page 1793. The location of hearing, which was originally published as Omni West Beach Hotel, West Palm Beach, Florida, has been changed and will now be:

PLACE: PGA National Resort & Spa, 400 Avenue of the Champions, Palm Beach Gardens, Florida 33418.

The foregoing change does not affect the substance of the proposed rule.

The person to be contacted regarding the above change is: Sue Foster, Executive Director, Board of Speech-Language Pathology and Audiology/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 12, Human Rights Advocacy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 26, 1999, 10:30 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Ave., Room 148, Daytona Beach, Florida

PURPOSE: Regular business

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284 (Attn: Rafael Bello).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Rafael Bello, (904)254-3711, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY, 1(800)955-8771.

The **Department of Children and Family Services**, District Ten (Broward County), Health and Human Services Board will conduct the following meetings in June and July:

The HHSB Officers/Executive Committee announces a public meeting to which you are invited:

DATES AND TIME: June 2, 9, 16, 23, 30, 1999; July 7, 14, 21, 28, 1999, 3:00 p.m.

PLACE: Department of Children and Family Services District Office, 201 W. Broward Boulevard, Suite 408, Fort Lauderdale, FL 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the Department of Children and Family Services.

The Public Health Committee announces a public meeting to which you are invited:

DATES AND TIME: June 8, 1999; July 13, 1999, 4:00 p.m.

PLACE: Department of Children and Family Services, 201 W. Broward Blvd., Suite 510, Ft. Lauderdale, FL 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to Public Health.

The Family Preservation/Family Support Executive Committee announces a public meeting to which you are invited:

DATES AND TIME: June 9, 1999; July 14, 1999, 3:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Room 104B, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to Family Preservation/Family Support.

The Economic Self Sufficiency Subcommittee announces a public meeting to which you are invited:

DATES AND TIME: June 10, 1999; July 8, 1999, 3:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Room 510, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to Economic Self-Sufficiency.

The Child Care Sub-Committee announces a public meeting to which you are invited:

DATES AND TIME: June 14, 1999; July 12, 1999, 9:00 a.m.

PLACE: Family Central, 840 S. W. 81 Street, North Lauderdale, Florida 33068

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to Child Care.

The Alcohol, Drug Abuse and Mental Health Standing Committee announces a public meeting to which you are invited:

DATES AND TIME: June 14, 1999; July 12, 1999, 3:00 p.m.

PLACE: United Way, 1300 S. Andrews Avenue, Conference Room, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to Alcohol, Drug Abuse and Mental Health clients/programs.

The Developmental Services Family Care Council announces a public meeting to which you are invited:

DATE AND TIME: June 4, 1999, 10:00 a.m.

PLACE: 10400 Griffin Road, Suite 104, Cooper City, FL 33328

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to clients with Developmental Disabilities.

The Health and Human Services Board announces public meetings to which you are invited:

DATES AND TIME: June 28, 1999; July 26, 1999, 4:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Suite 408 (Conference Room), Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues/Committees relating to the Department of Children and Family Services.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, 201 W. Broward Blvd., Suite 406, Ft. Lauderdale, FL 33301. Anyone requiring a special accommodation to participate in

this meeting is requested to advise District Administration (Scott Silverman) at least 5 working days before the meeting at (954)467-4298 or (954)467-4509 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

NOTICE OF EMERGENCY MEETING – (Via Telephonic Communication)

NOTICE IS HEREBY GIVEN that on Thursday, April 29, 1999, 1:30 p.m., EST, the Board of Directors of the **Florida Housing Finance Corporation** (FHFC) convened an Emergency Ad-Hoc Committee Meeting pursuant to FAR 28-2.007 and 28-8.005.

PURPOSE: The purpose of the Ad-Hoc Committee Meeting was to consider reimbursement of all attorneys' fees and costs to former Board Member, Jay Ramsey, who was indicted by the U.S. Government. Mr. Ramsey had been charged with a "wrongful act" as a Board member. A jury acquitted him of all wrongdoing.

BASIS FOR EMERGENCY ACTION: There was no regularly scheduled Board meeting prior to April 30, 1999, which was the last effective day of the current Board. The current Board did not want to forward this very important matter onto a new Board which would not be familiar with all the details associated with Mr. Ramsey's case. At this time, the new Board has not yet been appointed by Governor Bush.

BOARD ACTION: The Ad-Hoc Committee approved the recommendation to reimburse all attorneys' fees and costs to Mr. Ramsey. The Board decided to hold \$3,000 of the funds in escrow until further determinations are made by the SEC. The Board recommended to make budget amendments to the Fiscal Committee, notify the press via official notice, and include the minutes from this emergency meeting in the next Board meeting on June 11, 1999 for ratification.

Members of the public were provided access to the emergency telephonic meeting at the offices of the Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, City Centre Building, Tallahassee, Florida 32301-1329. Minutes of this emergency telephonic meeting are available by contacting Mary Floyd, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, City Centre Building, Tallahassee, Florida 32301-1329, telephone (850)488-4197.

NOTICE OF EMERGENCY MEETING – (Via Telephonic Communication)

NOTICE IS HEREBY GIVEN that on Friday, April 30, 1999, 1:30 p.m., EST, the Board of Directors of the **Florida Housing Finance Corporation** (FHFC) convened an Emergency Ad-Hoc Committee Meeting pursuant to FAC 28-2.007 and 28-8.005.

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The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all interested persons are invited:

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

PLACE: Hyatt Regency Orlando International Airport, The Orly Room, 9300 Airport Blvd., Orlando, FL 32827

PURPOSE: To conduct a meeting of the Corporation's SAIL, HOME Rental and Housing Credit Combined Cycle Committee to address possible changes to the 2000 SAIL/HOME/HC Application and corresponding changes to Rule 67-48, Florida Administrative Code. The Committee will also consider public comment previously provided at the April 12, 1999 Rule Development Workshop and the April 26, 1999 Combined Cycle Committee meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Hawthorne, Deputy Administrative Officer, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation 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 Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for

such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE IS HEREBY GIVEN that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 1, 1999, 10:00 a.m.
PLACE: 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

PURPOSE: To conduct a TEFRA hearing concerning the future issuance of bonds by Florida Housing to finance the acquisition of land and new construction, acquisition and rehabilitation, or refinancing of the following rental properties in the aggregate face amounts, not to exceed the amounts listed below for each property:

Waterford Pointe Apartments, 240 units located at 1469 Woodbury Road, Orlando, Orange County, Florida 32828. The owner of the residential property is LCA Development, 3200 S. Hiawasse Road, Suite 206, Orlando, Florida 32835, or such successor in interest in which LCA Development is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$11,250,000.

All interested parties are invited to submit written comments and/or present oral comments at the public hearing regarding the bond issuance of the properties being financed. Written comments should be received by Florida Housing on or before Friday, May 28, 1999. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Joyce Martinez, Program Manager, Multifamily Bond Program, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

PINELLAS WAGES COALITION

The **Pinellas WAGES Coalition**, Transportation Sub-Committee announces the following meeting on:

DATE AND TIME: Monday, May 17, 1999 11:00 a.m.
PLACE: Career Options of Pinellas, Inc., 13770 58th Street, N., Suite 312, Large Conference Room, Clearwater, Florida 34620

PURPOSE: Welcome new committee members, establish and refine the committee's agenda and focus.
SUBJECT MATTER: Pinellas WAGES Coalition transportation issues.

Members of the public are invited to attend. Agendas can be obtained seven days in advance of the meeting at Suite 304, Pinellas WAGES Coalition or by calling (727)507-6197. Persons needing special accommodations to participate in the meeting should call at least 3 days in advance at (727)507-6197.

If any person wishes to appeal any decision made by the Pinellas WAGES Coalition with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may 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.

The **Pinellas WAGES Coalition Board** Nominating Committee announces the following meeting on:

DATE AND TIME: Tuesday, May 18, 1999, 1:00 p.m.
PLACE: Career Options of Pinellas, Inc., 13770 58th Street, N., Suite 312, Large Conference Room, Clearwater, Florida 34620

PURPOSE: Review and recommend to the Pinellas WAGES Coalition, applications for membership to the Pinellas WAGES Coalition.
SUBJECT MATTER: Board membership applications.

Members of the public are invited to attend. Agendas can be obtained seven days in advance of the meeting at Suite 304, Pinellas WAGES Coalition or by calling (727)507-6197. Persons needing special accommodations to participate in the meeting should call at least 3 days in advance at (727)507-6197.

If any person wishes to appeal any decision made by the Pinellas WAGES Coalition with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may 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.

The **Pinellas WAGES Coalition** and the Pinellas Workforce Development Board announce the following meeting on:

DATE AND TIME: Friday, May 21, 1999, 8:30 a.m. – 10:30 a.m.
PLACE: Career Options of Pinellas, Inc., 13770 58th Street, N., Suite 312, Large Conference Room, Clearwater, Florida 34620

PURPOSE: Presentation of the draft of the joint request for proposal for the integrated service delivery system to the full range of clients served under the separate funding authorizations available to the Pinellas WAGES Coalition and the Pinellas Workforce Development Board as prepared and presented by the Hudson Institute.

SUBJECT MATTER: The contents of the draft RFP will be discussed and questions posed by members of both boards.

Members of the public are invited to attend.

Agendas can be obtained seven days in advance of the meeting at: Suite 304, Pinellas WAGES Coalition, or Suite 312, Pinellas Workforce Development Board, 13770 58th Street, North, Clearwater, FL, or by calling (727)507-6197 or (727)524-4344.

Persons needing special accommodations to participate in the meeting should call at least 3 days in advance at (727)507-6197 or (727)524-4344.

If any person wishes to appeal any decision made by the Pinellas WAGES Coalition or the Pinellas Workforce Development Board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may 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.

FLORIDA PORTS COUNCIL

The **Florida Ports Council** announces a public meeting to which all interested persons are invited.

DATE AND TIME: May 20, 1999, 2:30 p.m.

PLACE: Fort Lauderdale Airport Hilton, 1870 Griffin Road, Dania, FL 33004

PURPOSE: General Business Meeting

A copy of the Agenda may be obtained by contacting: Nancy Leikauf, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting, will need a record of the proceedings, and for such purpose that person 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 provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise: Nancy Leikauf, (850)222-8028.

The **Florida Ports Financing Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: May 21, 1999, 9:00 a.m. – 11:30 a.m.

PLACE: Fort Lauderdale Airport Hilton, 1870 Griffin Road, Dania, FL 33004

PURPOSE: General Business Meeting

A copy of the Agenda may be obtained by contacting: James C. Massie, Commission Counsel, Florida Ports Financing Commission, (850)222-8021.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting, will need a record of the proceedings, and for such purpose that person 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 provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise: James C. Massie, (850)222-8021.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited:

DATE AND TIME: May 20, 1999, 10:00 a.m.

PLACE: Atlanta Capital Management, Two Midtown Plaza, 1360 Peachtree Street, Atlanta, Georgia, (404)876-9411

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting: Michael Madden, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 253.

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited:

DATE AND TIME: May 20, 1999, 2:00 p.m.

PLACE: Atlanta Capital Management, Two Midtown Plaza, 1360 Peachtree Street, Atlanta, Georgia, (404)876-9411

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting: Michael Madden, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 253.

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: May 20, 1999, 4:00 p.m.

PLACE: Atlanta Capital Management, Two Midtown Plaza, 1360 Peachtree Street, Atlanta, Georgia 30309, (404)876-9411

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Michael Madden, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 253.

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited:

DATES AND TIMES: May 21, 1999, 9:30 a.m.; May 22, 1999, 9:00 a.m.

PLACE: Omni Hotel – Downtown Atlanta, 100 CNN Center, Atlanta, Georgia 30335, (404)659-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Insurance Trust to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting: Michael Madden, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 253.

PEPPER INSTITUTE ON AGING

The **Panel for the Study of End-of-Life Care** announces a meeting to which all persons are invited:

DATE AND TIME: Friday, May 21, 1999, 10:00 a.m. – 4:00 p.m. (EDT)

PLACE: Hurston Building, South Tower, Conference Rooms C & D, 400 West Robinson Street, Orlando, FL 32801

PURPOSE: The Panel will meet to continue to develop and discuss proposed recommendations to the Florida Legislature.

AGENDA: 10:00 a.m. – 11:15 a.m. Summary of the Legislative Sessions; 11:15 a.m. – 12:00 noon Financial/Regulatory Workgroup; 12:00 noon – 12:30 p.m. Lunch; 12:30 p.m. – 1:15 p.m. Advance Directives Workgroup; 1:15 p.m. – 2:00 p.m. Pain Management/Palliative Care Workgroup; 2:00 p.m. – 3:00 p.m. Address any “other” issues; 3:00 p.m. – 4:00 p.m. Discussion on the Final Report of the Panel.

Persons unable to attend these hearings may submit written comments to: Dr. Melissa A. Hardy, Pepper Institute on Aging, Florida State University, Tallahassee, FL 32306-1121

Pursuant to the provisions of the Americans with Disabilities Act, any persons requiring special accommodations to participate in this meeting are asked to advise: Dr. Melissa A. Hardy, Pepper Institute on Aging, (850)644-2831.

A copy of the agenda may be obtained by contacting: Frank Maggio, Pepper Institute on Aging, Florida State University, Tallahassee, FL 32306-1121, (850)644-2831, or Fax (850)644-2304.

CHARLOTTEE HARBOR NATIONAL ESTUARY PROGRAM

The **Charlotte Harbor National Estuary Program** announces a scheduled Policy Committee meeting to which all persons are invited:

DATE AND TIME: Friday, May 21, 1999, 1:30 p.m.

PLACE: Bay Front Center YMCA, 750 West Retta Esplanade, Punta Gorda, Florida

PURPOSE: Regular Meeting of the CHNEP Policy Committee.

Please note that if a person decides to appeal any decision made by the Charlotte Harbor National Estuary Program Policy Committee with respect to any matter considered at the above cited workshop, 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 based.

A copy of the agenda may be obtained by writing: CHNEP, 4980 Bayline Dr., N. Ft. Myers, FL 33917 or by calling Ms. Patti Armbruster, (941)995-1777.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations due to disability or physical impairment should contact Ms. Patti Armbruster, (941)955-1777, 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).

FLORIDA TOURISM INDUSTRY MARKETING CORPORATION

The **Florida Tourism Industry Marketing Corporation**, d/b/a VISIT FLORIDA announces a public meeting of the Eco Tourism Heritage Tourism Subcommittee as follows:

MEETING: Eco Tourism Heritage Tourism Subcommittee Workshop

DATE AND TIME: Monday, May 24, 1999, 10:00 a.m. – 4:00 p.m.

PURPOSE: The subcommittee will workshop and discuss necessary issues.

MEETING: Eco Tourism Heritage Tourism Task Force Meetings

DATE AND TIME: Tuesday, May 25, 1999, 9:00 a.m. – 12:00 Noon

PURPOSE: The Inventory, PR/Marketing, Grants, Protection and Education Task Forces will meet to discuss pertinent issues.

PLACE: Holiday Inn Longboat Key, 4949 Gulf of Mexico Drive, Longboat Key, FL 34228, (941)383-3771

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, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

CITY OF NAPLES

NOTICE IS HEREBY GIVEN that **South Gordon Drive Erosion Control Project** announces a Public Workshop will be held at the time, date and place as follows:

DATE AND TIME: May 24, 1999, 6:00 p.m.

PLACE: Naples City Hall, Council Chambers, 735 8th Street, South, Naples, Florida

PURPOSE: To consider evidence bearing on the merits of an erosion control project known as "The South Gordon Drive Erosion Control Project".

The location of the proposed erosion control project is as follows:

Section: 21, Township: 50 South, Range: 25 East, Collier County, Florida

For further information contact: Dr. Jon Staiger, City of Naples, Natural Resources Department, 735 8th Street, South, Naples, FL 34102, Phone (941)434-4616 or Brett D. Moore, P. E., Humiston & Moore Engineers, 10661 Airport Road, North, Suite 14, Naples, FL 34109, Phone (941)594-2021

NOTICE IS HEREBY GIVEN that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Hearing.

DATE AND TIME: May 24, 1999, 6:30 p.m.

PLACE: Naples City Hall, Council Chambers, 735 8th Street, South, Naples, Florida

PURPOSE: For the purpose of considering evidence bearing on the necessity or propriety of an erosion control project known as The South Gordon Drive Erosion Control Project and on the location of a proposed Erosion Control Line for said project, the location of which is as follows:

The proposed Erosion Control Line lies along Naples Beach fronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in Section 21, Township 50 South, Range 25, East.

Written objections to, or inquires regarding, the proposed the Erosion Control Line should be submitted to the Bureau of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 310, Tallahassee, Florida 32399-3000, prior to the date mentioned

above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA JEB BUSH, GOVERNOR

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, May 25, 1999, 10:00 a.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. Katie James, Tower Project Office, Moffitt Cancer Center, 12902 Magnolia Drive, MOD 6 – TOW, Tampa, Florida 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Katie James by Friday, May 21, 1999.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 25, 1999, 1:30 p.m.

PLACE: Moffitt Research Center Auditorium, 13131 Magnolia Drive, Tampa, FL

PURPOSE: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact Ms. Barbara Sawyer by Friday, May 21, 1999.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 25, 1999, 3:30 p.m.

PLACE: Moffitt Research Center Auditorium, 13131 Magnolia Drive, Tampa, FL

PURPOSE: To conduct the general business of the Board of Directors.

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, May 21, 1999.

Any person desiring to submit a statement regarding the petition may do so by filing such statement at the above address within 20 days of the date of this publication.

LEGISLATIVE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

The **Legislative Committee on Intergovernmental Relations** (LCIR) announces a meeting of the LCIR, to which all persons are invited to attend:

DATE AND TIME: May 27, 1999, 9:30 a.m. – 4:00 p.m.
PLACE: South Florida Water Management District, 3301 Gun Club Road, Building B-1, First Floor Auditorium, West Palm Beach, Florida
PURPOSE: To discuss committee interim projects and other intergovernmental issues.

Further information or an Agenda concerning the meeting can be obtained by writing: Legislative Committee on Intergovernmental Relations, c/o House Office Building, Tallahassee, Florida 32399-1300 or Phone (850)488-9627.

Special accommodations at this meeting for persons with disabling conditions should be requested in writing at least 48 hours in advance. Contact: Sandy Brooks, Legislative Committee on Intergovernmental Relations, Room 4, Holland Building, Tallahassee, Florida.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

NOTICE OF CORRECTION – NOTICE IS HEREBY GIVEN that the Public Employees Relations Commission has received and will consider the following Petition for Declaratory Statement:

Case No.: DS-99-002
In Re: Petition for Declaratory Statement of the Teamsters, Local 385

Teamsters Local 385 is petitioning the Public Employees Relations Commission to issue a Declaratory Statement concerning the following issues:

Issue: Whether Section 116.021(4) or Section 447.309(3) require referendum approval for recent pension changes which petitioner and the city have collectively bargained, or whether such a requirement interferes with Article I, Section 6, of the Florida Constitution guaranteeing to public employees the right to collective bargain.

A copy of the petition may be obtained by writing: Clerk, Public Employees Relations Commission, 2586 Seagate Drive, Suite 100, Tallahassee, Florida 32301-5032.

**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:

Florida Health Care Association, Inc.; Florida Assisted Living Association, Inc. vs. Department of Elder Affairs; Rule No: 58A-5; Case No.: 99-1918RP

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**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 99L-187, W/O 98717, Whitney Laboratory Addition, estimated budget: \$340,000-\$360,000, to be opened June 1, 1999, 11:00 a.m., local time, in the Whitney Laboratory Library, 9505 Ocean Shore Blvd., St. Augustine, FL 32086. Scope of work: 3000+ square foot addition to Whitney Laboratory Molecular Biology Facility. Concrete block, flat wood truss, built-up roof, electrical, plumbing,

HVAC. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Mandatory Pre-Bid Meeting will be held May 19, 1999, 10:00 a.m., local time, at the Whitney Laboratory Library, 9505 Ocean Shore Blvd., St. Augustine, FL 32086. All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing, (352)392-1331, Ext. 306. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303 within three (3) days of the event.

CALL FOR BIDS

Made by the Florida State University, State of Florida.

PROJECT NAME & NUMBER: Williams Building Remodeling, BR-219

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: Tuesday, June 15, 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: Elliott, Marshall Innes, P.A., 251 East 7th Avenue, Tallahassee, Florida 32301, (850)222-7442

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: Thursday, June 3, 1999, 2:00 p.m., local time

PLACE: 101 Mendenhall, Maintenance Building A, Florida State University, Tallahassee, Florida 32306

DEPOSIT: \$200.00 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 \$200.00 per set for the printing and handling cost. Partial sets are not available for purchase.

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.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-234

Project and Location: Bellamy Building Remodeling
Florida State University, Tallahassee, Florida

The project consists of renovation construction of an existing building located on the main campus. The selected firm will provide design, construction documents and administration for the referenced project and will be required to prepare all construction documents on AutoCAD in the latest version compatible with University Facilities Planning. The project is budgeted at for construction; the delivery system will be construction management. Blanket professional liability insurance will be required for this project in the amount of \$500.00, 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 February, 1999. THIS IS A NEW REVISION. Applications on any other form, or on previous versions, 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: Lynetta Mills, Facilities Planning & Construction, 109 Mendenhall, Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, telephone (850)644-2843, facsimile (850)644-8351.

For further information on the project, contact: Jim Reynolds, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 local time, on Thursday, June 17, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE OF CORRECTION to request for Professional Consultants for Florida International University Minor Project Architects published May 7, 1999 in Florida Administrative Weekly.

Strike the following from the first line: “, on behalf of the FIU Foundation.”

Add the following after the first paragraph: “The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.”

Add the following after the third paragraph: “The plans and specifications for A/E 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 placement on the convicted vendor list.”

For information regarding meeting dates, times and locations (Shortlist, Interview, Deliberations, etc.) contact Facilities Management, (305)348-4000, or logon the web at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

CALL FOR BIDS

PROJECT: UNIVERSITY OF NORTH FLORIDA FINE ARTS COMPLEX, (UNF)

NO. BR-929

FOR: UNIVERSITY OF NORTH FLORIDA, JACKSONVILLE, FLORIDA

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: June 15, 1999, Until 2:00 p.m., local time

PLACE: UNF, Building No. 6, Training Room #1225, Jacksonville, FL

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: Rink Reynolds Diamond Fisher Architects, P.A., 1301 Riverplace Blvd., Jacksonville, Florida 32227, Telephone (904)396-6353

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: The bidder is 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: June 1, 1999, 2:00 p.m.

PLACE: UNF, Building No. 6, Training Room #1225, Jacksonville, FL

DEPOSIT: \$300.00 per set of drawings and 3 Volume set of Project Manuals 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 room. Full sets may be purchased through: Coastal Reprographics Inc., 8081 Phillips Highway, Suite 21, Jacksonville, Florida 32256, Phone (904)448-1600, Fax (904)448-6804, for \$300.00 per set of drawings and 3 Volume set of Project Manuals, for the printing and handling cost. Partial sets may be purchased at \$1.62 per sheet of the Drawings (Full binders may be purchased for \$.90 per sheet) and \$.10 per side for copies of the Project Manual and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

METROPOLITAN PLANNING ORGANIZATIONS

REQUEST FOR PROPOSALS

FOR PROFESSIONAL SERVICES FOR IDENTIFICATION OF ACTIVE AND ABANDONED RAILROAD AND UTILITY CORRIDORS IN ORLANDO URBAN AREA

The PROJECT is to establish an inventory of active and inactive/abandoned railroad and utility corridors in the Orlando Urban Area (Orange, Osceola and Seminole Counties). This inventory will include the owner(s) of each corridor and current or planned uses. This inventory will assist in determining potential opportunities for enhancing our region's transportation system through these railroad utility corridors. To accomplish this project, METROPLAN ORLANDO has programmed an estimated \$10,000 in its FY 1999/2000 Unified Planning Work Program.

Ten (10) copies of the Proposals should be submitted to: Mr. Eric T. Hill, Manager of Systems Planning, METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, Florida 32801-1949

Proposals must be received no later than 5:00 p.m., May 21, 1999. Proposals will be evaluated by the Consultant Selection Subcommittee of METROPLAN ORLANDO's Transportation Technical Committee. Proposals will be evaluated on the qualifications of the consultant, demonstrated ability and experience, approach to the scope of work and estimated schedule. Those firms with the highest rated proposals will be

invited for an oral presentation. Questions related to this RFP should be addressed to: Mr. Eric Hill, (407)481-5672, Extension 316.

METROPLAN ORLANDO reserves the right to reject any or all proposals. Disadvantaged business enterprises are encouraged to respond to this Request For Proposals. METROPLAN ORLANDO has a goal of 10% DBE participation in consultant services contracts.

WATER MANAGEMENT DISTRICTS

**REQUEST FOR BID (RFB) #98/99-26
REPAIR/RESTORATION FOR THE BOAT RAMP
LOCATED AT**

IVEY MEMORIAL PARK, BRANFORD, FLORIDA

The Suwannee River Water Management District is requesting bids to repair/restore the boat ramp located at Ivey Memorial Park, Branford, Florida. The plans and specifications are currently being prepared and will be available on or about May 27, 1999.

The boat ramp has degraded due to improper facility design. The proposed design will allow boats to be loaded and unloaded during low river levels. The District desires to complete the project during low river stage; therefore, time is essential.

Following mailing of the plans and specifications, all RFB responses must be mailed or delivered to the District prior to 4:00 p.m. on June 11, 1999. Construction will begin soon thereafter and completion shall require no more than 30 days. Any individual or firm desiring to obtain a copy of this Request for Bid 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 David Still, P.E., 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 ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Office of Greenways and Trails, is currently soliciting applications for the Millennium Legacy Trails as part of the Millennium Trials Initiative. This program is sponsored by the White House Millennium Council and the United States Department of Transportation. All interested parties are invited to submit an application.

SUBMITTAL DEADLINE: Tuesday, June 15, 1999, 5:30 p.m.
PLACE: Office of Greenways and Trails, 2600 Blair Stone Road, Room 156, Tallahassee, FL 32399, (850)488-3701

PURPOSE: A recognition program, for trails of state significance, designed to “recognize, promote and stimulate the creation of trails to honor the past and imagine the future as part of America’s legacy for the year 2000”. A full description of the Millennium Trails Initiative selection criteria and the format for submissions are available on the Millennium Trails websites: www.dot.gov/mtp and www.Millenniumtrails.org. For additional information contact: Samantha Browne, Department of Environmental Protection, Office of Greenways and Trails, 2600 Blair Stone Road, DEP MS 795, Tallahassee, FL 32399-2400, phone (850)488-3701 or 1(800)9558871 (TDD), e-mail address: browne_s@dep.state.fl.us.

accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to openings
BID SUBMITTAL DUE DATE: No later than 3:30 p.m., June 15,1999 to the below address: Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308
 The Department reserves the right to reject any or all bids.
 Larry Cliett, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID
 BID NO. BDRS 25-98/99**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Erosion Control Project
SCOPE OF WORK: Construct six (6) groins along the St. Marys River shore fronting Fort Clinch State Park. Four (4) groins are to be reconstructed over existing groins and two groins are new construction. The groins consist of rock boulders supports on geotextile fabric underlayment and stone-filled marine mattress.
PARK LOCATION: Fort Clinch State Park, 2601 Atlantic Avenue, Fernandina Beach (Nassau County), Florida
PROJECT MANAGER: Don Gerteisen, Bureau of Design and Recreation Services, Telephone Number (850)488-3543
MINORITY BUSINESS REQUIREMENT: Qualified bidders must agree to establish a goal of 10% of the contract amount for the utilization of certified minority business enterprises as subcontractors and subvendors. Minority business enterprises must be certified by the Florida Department of Management Services
INSTRUCTIONS: Bidders desiring plans and bid specifications for this project may obtain a copy by writing, telephoning, or visiting the office described below. These documents will be available on Friday, May 14, 1999, Fort Clinch State Park, 2601 Atlantic Avenue, Fernandina Beach, Florida 32034, Attention: Cliff Maxwell, Park Manager, Telephone Number (904)277-7274
PRE-BID CONFERENCE: A Pre-Bid Conference will be held at 1:30 p.m., May 25, 1999, Fort Clinch State Park. Attendance is mandatory for Bidders. A Bidder not attending is not qualified or eligible to submit a bid for the project.
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

DEPARTMENT OF HEALTH

INVITATION TO BID

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS AND/OR BUILDING CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: 97309550
SAMAS CODE: 64-30-1-00314-64200000-00-084009-98
PROJECT NAME AND LOCATION: Franklin County Health Department, Clinic Addition, Apalachicola, FL
FOR: State of Florida, Department of Health
PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489 and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233 for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004. A copy of rule requirements is included in the Instruction To Bidders under Article B-2 “Bidders Qualification Requirements and Procedures”.
PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not do the following:
 1. May not submit a bid on a contract to provide any goods or services to a public entity.
 2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
 3. May not submit bids on leases of real property to a public entity.
 4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.

5. May not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PROJECT DESCRIPTION: This project consists of a new two (2) story health clinic building, approximately 5,300 gsf per floor, located on the west side of the existing health clinic building, which is located at 137 12th Street, Apalachicola, Florida 32320. The building construction consists of concrete footings, block foundation, and slab on grade for the first floor. The building is framed construction with wood trusses for the second floor framing and the roof has wood trusses with plywood sheathing and asphalt shingles. The exterior is composed of aluminum windows and storefront entrances, composite siding and some brick veneer, aluminum gutters and downspouts. The interior is composed of wood studs with gypsum board, paint, acoustical panel ceiling tiles, VCT, carpet and ceramic flooring, steel stairs and hydraulic elevator. The mechanical system is a DX system with a mechanical room on the first floor and ceiling units on the second floor. The building size is approximately 10,474 gross square feet, which shall comply with the construction drawings and specifications as prepared by the Architect/Engineer firm for the Franklin County Health Department. The project includes the construction of the building and all related site work. The building is a Type V construction, unprotected and unsprinklered. The general contractor and/or building contractor shall be licensed in the State of Florida, and bonded for bid, performance, and labor and material payment bonds.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond are not required. If the construction contract award amount is more than \$100,000.00, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: In accordance with Florida Statutes, Chapter 287.042(4)(f)1., the Department of Health is encouraged to spend, as a "goal," twenty-one (21) percent of the monies actually expended for construction contractors with certified minority business enterprises. In the department's effort to see that this is accomplished, the Department of Health encourages minority businesses to participate in the bidding process including any bidders conferences, pre-solicitation or pre-bid meetings which are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy & Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, Telephone (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Tuesday, June 15, 1999, 2:00 p.m. local time

PLACE: Franklin County Health Department Annex, 106 5th Street, Conference Room, Carrabelle, Florida 32304-3800. All written responses and telephone calls to Franklin CHD, Apalachicola, Florida, Telephone (850)653-2111, Facsimile (850)653-9896

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the following:

ARCHITECT-ENGINEER: Elliott Marshall Innes, P.A., 251 7th Avenue, Tallahassee, Florida 32322, Telephone (850)222-7442, Facsimile (850)222-7446

DEPOSITS: The cost per set of bid documents is \$200.00. The General Contractor can receive two (2) sets refundable. The Mechanical, Plumbing, and Electrical sub-contractors can receive one (1) set refundable. All other sub-contractors, vendors, manufacturers, etc. must purchase all documents requested.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m., local time, on Wednesday, June 16, 1999, at the bid opening location. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Request for Proposal
DCF – RFP #ML 629-GC

The Department of Children and Family Services, Developmental Services Program Office, is requesting proposals to focus upon the development of a comprehensive support network program for individuals with developmental disabilities and their families. This request for proposal seeks a program which focuses on three strategies to enhance the lives of individuals with developmental disabilities and their families by establishing and maintaining networks of support and assisting parents of adults with developmental disabilities with futures planning. Copies of the RFP will be available from and proposals should be received by: Liesl V. Ramos, Developmental Services Program Office, 1317 Winewood Boulevard, Building 3, Room 325, Tallahassee, FL 32399-0700, Phone (850)488-4877, Ext. 123.

A notice of Intent to Submit a Proposal should be received by 5:00 p.m. (EDT), 6/3/99. Five copies and one original of the proposal must be received by Liesl V. Ramos at the above address by 2:00 p.m. (EDT) on 6/18/99. The Department reserves the right to reject any and all proposals. Certified Minority Business Enterprises are encouraged to participate.

GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY

**LEGAL NOTICE
INVITATION TO BID**

**ACCESS FLOORING, CARPETING AND TILE FOR THE
AUTOMATED FLIGHT SERVICE STATION**

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the renovation and installation of access flooring, carpet and tile for the Automated Flight Service Station. The bid documents and technical specifications are available at the Gainesville Regional Airport's Administration Office, 3880 N. E. 39th Avenue, Gainesville, Florida 32609.

The scope of the project includes the removal of some of the existing access flooring, the installation of new access flooring, the removal and installation of carpet and installation of tile. All bids submitted shall be effective for 90 days. Bids must be signed by an authorized official, enclosed in a sealed envelope or package and mailed or delivered to Airport Engineer, Gainesville Regional Airport, 3880 N. E. 39th Avenue, Suite A, Gainesville, Florida 32609. Bids received after 3:00 p.m. June 1, 1999 will not be considered. A prebid conference will be held on May 20, 1999, 10:00 a.m., at the Gainesville Regional Airport.

GACRAA reserves the right to reject any or all bids received in response to this Invitation to bid as determined to be in the best interest of the Airport.

For additional information, contact: Steve Harrigan, (352)373-0249.

COLUMBIA COUNTY SCHOOLS

INVITATION TO BID

Sealed bids will be received by the Columbia County School Board, Purchasing Department, 528 W. Duval Street, Lake City, Florida 32055 until 2:00 p.m. on June 1, 1999 for the following:

Bid Number: #2879

Title: Bid for Mainline Food, SFS

Detailed specifications may be obtained from the Purchasing Department at the above address or by calling (904)755-8038 or Fax (904)755-8077. The School Board reserves the right to reject any and all bids. This bid shall be for frozen, refrigerated

and dry food products delivered to ten (10) schools and one (1) central warehouse on a bi-weekly basis throughout the 99-00 school year.

Estimated bi-annual purchases are \$200,000.00.

POLK COUNTY WORKFORCE DEVELOPMENT BOARD

REQUEST FOR PROPOSALS

The Polk County Workforce Development Board will issue a Request for Proposals on or about May 17, 1999 for One Stop Operator Services at its various One Stop Centers in Polk County. At this point, the Board has not determined the total amount of funds available for this service. The Board has geographically divided the county into three One Stop Areas and will consider proposals for One Stop Operator services for any combination of the three areas.

Copies of the Request for Proposal will be available from: Tom Hornack, Polk County Workforce Development Board, Inc., 205 East Main Street, Suite 107, Bartow, Florida 33830-4632 (941)519-0100, Extension 16, E-mail: tom_hornack@jb.fdles.state.fl.us

A Proposer's Conference has been scheduled for May 27, 1999. The deadline for submittal of proposals is 5:00 p.m., ET, on June 24, 1999.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

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., June 4, 1999):

**APPLICATION FOR CONVERSION OF A
FEDERAL CREDIT UNION TO A STATE CREDIT UNION**
Applicant and Location: Fairwinds Federal Credit Union, 3075 N. Alafaya Trail, Orlando, Orange County, Florida
With Title: Fairwinds Credit Union

Correspondent: Ed Baranowski, President, Fairwinds Federal Credit Union, 3075 N. Alafaya Trail, Orlando, Florida 32826-3251

Received: April 22, 1999

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: C&L Bank of Bristol, Bristol, Florida

Proposed Purchaser: The Banc Corporation, Birmingham, Alabama

Received: April 29, 1999

APPLICATION TO MERGE

Constituent Institutions: Seaboard Credit Union, Jacksonville, Florida and JAX Columbian Federal Credit Union, Jacksonville, Florida

Resulting Institution: Seaboard Credit Union

Received: April 30, 1999

Constituent Institutions: Seaboard Credit Union, Jacksonville, Florida and Florida Physicians Association Credit Union, Jacksonville, Florida

Resulting Institution: Seaboard Credit Union

Received: April 30, 1999

Constituent Institutions: Citrus Bank, Orlando, Florida and Citizens First National Bank, Crescent City, Florida

Resulting Institution: Citrus Bank

Received: May 3, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

AGENCY STRATEGIC PLAN

The purpose of this advertisement is to announce that the State of Florida, Department of Agriculture and Consumer Services, is developing the FY 2000-2001/2004-05 Agency Strategic Plan (ASP) in accordance with Florida Law. We encourage the public to review the Department's preliminary plan and submit their comments or recommendations to: Phyllis Vaughn, 407 South Calhoun Street, Room 110, Mail Stop #45, Tallahassee, Florida 32399-0800, (850)488-3201. The Department's Preliminary ASP will be available after June 1, 1999. A public hearing will be held on June 15, 1999, 2:00 p.m., in the Conner Building, 3125 Conner Boulevard, Room 110, First Floor, Tallahassee, Florida, to entertain questions and/or comments regarding the Department's Preliminary Agency Strategic Plan.

DEPARTMENT OF COMMUNITY AFFAIRS

DRUG-FREE COMMUNITIES PROGRAM FOR

VIOLENCE AND SUBSTANCE ABUSE PREVENTION NOTICE OF FUNDING AVAILABILITY

The Florida Department of Community Affairs (DCA) announces the release of a Notice of Funding Availability (NOFA) via the Drug-Free Communities Program for violence

and substance abuse prevention. The application and instructions will be available no later than May 14, 1999, to not for profit organizations, state, county, and municipal governments plus law enforcement agencies within the State of Florida. The NOFA solicits subgrant applications to fund violence and substance abuse prevention for youth up to 19 years of age. The Federal funds available under this NOFA total \$3,973,922. The DCA anticipates making up to 70 awards. The maximum amount of any one award will be \$50,000. Subgrant applications and instructions can be obtained by contacting Mr. Jim Kearney, Planning Manager, at (850)488-8016. Subgrant applications must be received by July 12, 1999, not later than 5:00 p.m., Eastern Daylight Savings Time and sent to the following address: Mr. Jim Kearney, Department of Community Affairs, Attention: Drug-Free Communities Application Enclosed, Room 230.02, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

All applications must be prepared in conformance with the instructions. The DCA reserves the right to reject any or all subgrant applications received or to cancel this NOFA when to do so would be in the best interest of the State of Florida. The DCA may waive minor irregularities in the subgrant applications received where such are merely a matter of form and not substance and the correction of such are not prejudicial to other applicants.

Questions or other inquiry regarding this NOFA should be directed to the attention of Mr. Jim Kearney, Planning Manager, (850)488-8016.

NOTICE OF CONCEPTUAL APPROVAL

The Florida Communities Trust ("Trust") has conceptually approved for funding applications submitted under the Florida Communities Trust Preservation 2000 Program, Series P8A funding cycle. On August 27-28, 1998, applications were scored, ranked and selected for funding according to the criteria and procedures set forth in Rule Chapter 9K-4, F.A.C. At its meeting on April 30, 1999, the governing body of the Trust approved the grant contracts that impose all conditions on the project awards. In accordance with Rule 9K-4.010, F.A.C., the projects are considered to have received conceptual approval for funding. The funds awarded derive from the sale of Preservation 2000 bonds. Certain applications were selected for funding contingent upon funds becoming available either through other projects terminating, projects closing under budget, or interest accruals.

Those applications conceptually approved for funding on April 30, 1999, and the amount of funding conceptually approved are listed below. The conceptual approval is subject to appeal and may change following the appeals process. For this reason, final conceptual approval of awards cannot be made until any appeals have been resolved.

The following projects were approved for funding with funds currently available:

Project Num	Project Name	Applicant	Amount
98-025-P8A	Sunrise Park	Charlotte County	\$1,113,300.00
98-047-P8A	New Tampa Flatwoods Park	City of Tampa	\$892,000.00
98-053-P8A	Cypress Lakes Preserve Addition	Hernando County	\$59,675.00
98-071-P8A	Bluefield Ranch	St. Lucie County	\$1,686,100.00
98-072-P8A	Oak Shores Reclamation	Sarasota County	\$1,433,840.00
98-076-P8A	Melbourne Beach Loggerhead Park	Town of Melbourne Beach	\$352,500.00

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ransomes America Corporation, intends to allow the establishment of Kilpatrick Turf Equipment Co., as a dealership for the sale of Cushman On-Road Haulsters, at 7700 High Ridge Road, Boynton Beach, (Palm Beach County), Florida 33462, on or after May 3, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Kilpatrick Turf Equipment Co. are: dealer operator: Harold Kilpatrick, Sr., 1750 Lake Drive, Delray Beach, Florida 33444; principal investor(s): Harold Kilpatrick, Sr., 1750 Lake Drive, Delray Beach, Florida 33444. Mary Kilpatrick, 1750 Lake Drive, Delray Beach, Florida 33444. Timothy Kilpatrick, 1725 Lake Drive, Delray Beach, Florida 33444. Jon Kilpatrick, 425 N. W. 18th Street, Delray Beach, Florida 33444. Harold Kilpatrick, Jr., 302 N. W. 16th Street, Delray Beach, Florida 33444.

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: Shirley Speer, Account Manager, Industrial and Commercial Division, Ransomes America Corporation, 900 North 21st Street, P. O. Box 82409, Lincoln, NE 68501-2409.

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
LETTERS OF INTENT

County: Bay District: 2
Date Filed: April 26, 1999 LOI#: N990501
Facility/Project: Bay Crest Nursing Center
Applicant: Baycrest Healthcare, Inc.
Project Description: The addition of up to 44 skilled nursing home beds

County: Calhoun District: 2
Date Filed: April 21, 1999 LOI#: N990502
Facility/Project: Blountstown Health & Rehab. Center
Applicant: Blountstown Health Investors, L.C.
Project Description: Add eight nursing facility beds

County: Leon District: 2
Date Filed: April 21, 1999 LOI#: N990503
Facility/Project: NHC Healthcare, Tallahassee
Applicant: National Healthcare Corp.
Project Description: Construct a new community nursing home of up to 93 beds

County: Leon District: 2
Date Filed: May 03, 1999 LOI#: N990504
Facility/Project: Westminster Oaks Health Center
Applicant: Presbyterian Retirement Communities, Inc.
Project Description: Convert up to 33 sheltered nursing home beds to up to 33 community nursing home beds

County: Leon District: 2
Date Filed: May 03, 1999 LOI#: N990505
Facility/Project: Vantage Healthcare Corporation
Applicant: Vantage Healthcare Corporation
Project Description: Construct up to a 120 bed community nursing home partially through the delicensure of up to 36 beds at Capital Health Center

County: Leon District: 2
Date Filed: May 03, 1999 LOI#: N990506
Facility/Project: Woodlands Extended Care, Inc.
Applicant: Woodlands Extended Care, Inc.
Project Description: Construct up to a 93 bed community nursing home

County: St. Johns District: 4
Date Filed: May 03, 1999 LOI#: N990507
Facility/Project: Beverly Healthcare-St. Augustine
Applicant: Vantage Healthcare Corporation
Project Description: Addition of up to four community nursing home beds to CON #'s 8950 and 9045

County: Pinellas District: 5
Date Filed: April 29, 1999 LOI#: N990508
Facility/Project: Suncoast Manor
Applicant: Saint Petersburg Episcopal Community, Inc.

Project Description: Replacement and relocation of the facility's 161 licensed community nursing home beds
County: Pinellas District: 5
Date Filed: April 29, 1999 LOI#: N990509
Facility/Project: Suncoast Nursing Home
Applicant: Suncoast Nursing Home, Ltd.
Project Description: Replacement and relocation of 97 community nursing home beds

County: Brevard District: 7
Date Filed: April 21, 1999 LOI#: N990510
Facility/Project: NHC HealthCare, Melbourne
Applicant: National Healthcare Corporation
Project Description: Add up to five community nursing home beds

County: Orange District: 7
Date Filed: April 29, 1999 LOI#: N990511
Facility/Project: Adventist Health System/Sunbelt, Inc.
Applicant: Adventist Health System/Sunbelt, Inc.
Project Description: Addition of 33 community nursing home beds to CON #8136

County: Orange District: 7
Date Filed: April 26, 1999 LOI#: N990512
Facility/Project: Life Care Center of Orlando
Applicant: Life Care Centers of America, Inc.
Project Description: Addition of up to 60 community nursing home beds

County: Orange District: 7
Date Filed: May 03, 1999 LOI#: N990513
Facility/Project: Vantage Healthcare Corporation
Applicant: Vantage Healthcare Corporation
Project Description: Construct up to a 110 bed community nursing home

County: Orange District: 7
Date Filed: May 03, 1999 LOI#: N990514
Facility/Project: West Orange Healthcare District
Applicant: West Orange Healthcare District
Project Description: Construct up to a 120 bed community nursing home partially through the transfer of up to 70 beds from Health Central Park

County: Orange District: 7
Date Filed: May 03, 1999 LOI#: N990515
Facility/Project: Woodlands Extended Care, Inc.
Applicant: Woodlands Extended Care, Inc.
Project Description: Construct up to a 110 bed freestanding community nursing home

County: Collier District: 8
Date Filed: May 03, 1999 LOI#: N990516
Facility/Project: Heritage Healthcare & Rehab. Center
Applicant: Beverly Ent-FL, Inc. d/b/a Beverly Gulf Coast-FL, Inc.

Project Description: Add up to 14 community nursing home beds
 County: Collier District: 8
 Date Filed: April 30, 1999 LOI#: N990517
 Facility/Project: Bentley Care Center
 Applicant: CC-Naples, Inc.
 Project Description: Addition of up to 14 community nursing home beds
 County: Collier District: 8
 Date Filed: May 03, 1999 LOI#: N990518
 Facility/Project: Premier Place at the Glenview
 Applicant: Pelican Bay Retirement Services, Inc.
 Project Description: Convert up to 14 sheltered nursing home beds to up to 14 community nursing home beds
 County: Palm Beach District: 9
 Date Filed: April 29, 1999 LOI#: N990519
 Facility/Project: Manor Care of Boynton Beach, Inc.
 Applicant: Manor Care of Boynton Beach, Inc.
 Project Description: Addition of 30 community nursing home beds to CON #8856 through the delicensure of 30 community nursing home beds at Manor Care of Boynton Beach
 County: Broward District: 10
 Date Filed: May 03, 1999 LOI#: N990520
 Facility/Project: Holy Cross Hospital
 Applicant: Holy Cross Hospital, Inc.
 Project Description: Addition of up to 12 hospital-based skilled nursing beds
 County: Dade District: 11
 Date Filed: May 03, 1999 LOI#: N990521
 Facility/Project: Homestead Manor
 Applicant: Salem Nurs. & Rehab. Ctr. of Homestead
 Project Description: Addition of 34 community nursing home beds
 County: Dade District: 11
 Date Filed: May 03, 1999 LOI#: N990522
 Facility/Project: Victoria Nursing & Rehabilitation Center
 Applicant: Victoria Nursing & Rehabilitation Center, Inc.
 Project Description: Addition of up to 62 community nursing home beds through the delicensure of up to 62 community nursing home beds at HealthSouth Regional Rehabilitation Center
 If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after July 07, 1999 the date the application is scheduled to be deemed complete. Tentative dates for hearings will be published on June 18, 1999.
 AHCA Purchase Order Number S5900E0099

CERTIFICATE OF NEED
 RECEIPT OF EXPEDITED APPLICATIONS
 County: Hillsborough Service District: 6
 CON #: 9193 Application Receipt Date: April 29, 1999

Facility/Project: Plaza West
 Applicant: Freedom Village of Sun City Center, Ltd.
 Project Description: Transfer 31 community beds approved under CON # 8304 to Plaza West
 County: Lee Service District: 8
 CPN #: 9194 Application Receipt Date: April 29, 1999
 Facility/Project: Colonial Oaks Rehabilitation Center – Ft. Myers
 Applicant: Vencor Nursing Centers East, L.L.C.
 Project Description: Cost overrun on CON Numbers 4756 and 7828
 AHCA Purchase Order Number S5900E0099

CERTIFICATE OF NEED
 EXEMPTIONS

County: Brevard District: 7
 ID #: 9900097 Issue Date: 3/31/99
 Facility/Project: Wuesthoff Memorial Hospital
 Applicant: Wuesthoff Memorial Hospital, Inc.
 Project Description: Renovations
 Proposed Project Cost: \$1,500,000 Equipment Cost: Brevard
 County: Brevard District: 7
 ID #: 9900098 Issue Date: 3/31/99
 Facility/Project: Wuesthoff Memorial Hospital
 Applicant: Wuesthoff Memorial Hospital, Inc.
 Project Description: Renovations to support services
 Proposed Project Cost: \$125,000 Equipment Cost: Brevard
 County: Hillsborough District: 6
 ID #: 9900099 Issue Date: 3/31/99
 Facility/Project: IHS at Crystal Springs Nursing & Rehabilitation Center
 Applicant: HCP III Hillsborough, Inc.
 Project Description: Renovate two offices into a Physical Therapy room
 Proposed Project Cost: \$85,000 Equipment Cost: Hillsborough
 County: Lee District: 8
 ID #: 9900101 Issue Date: 3/31/99
 Facility/Project: HealthPark Medcial Center
 Applicant: Hosptial Board of Directors Lee County
 Project Description: Establish an 8-bed outpatient observation unit
 Proposed Project Cost: \$303,000 Equipment Cost: Lee
 County: Orange District: 7
 ID #: 9900102 Issue Date: 3/31/99
 Facility/Project: Terra Vista Rehabilitaion Center
 Applicant: First Healthcare Corporation
 Project Description: Renovations
 Proposed Project Cost: \$1,350,000 Equipment Cost: Orange
 County: Lake District: 3
 ID #: 9900110 Issue Date: 4/12/99
 Facility/Project: Westminster Care of Clermont

Applicant: Lake Highlands Associates, Inc.
 Project Description: Refurbishment project
 Proposed Project Cost: \$300,000 Equipment Cost: Lake
 County: Pinellas District: 5
 ID #: 9900111 Issue Date: 4/14/99
 Facility/Project: Morton Plant Hospital
 Applicant: Morton Plant Hospital Association, Inc.
 Project Description: Renovation of the emergency room
 Proposed Project Cost: \$550,000 Equipment Cost: Pinellas
 County: Hillsborough District: 6
 ID #: 9900112 Issue Date: 4/14/99
 Facility/Project: Tampa General Hospital
 Applicant: Florida Health Sciences Center, Inc.
 Project Description: Reoccupying portions of the East
 Pavilion for use by administrative functions housed off-site
 Proposed Project Cost: \$2,388,754 Equipment Cost:
 Hillsborough
 County: Orange District: 7
 ID #: 9900114 Issue Date: 4/14/99
 Facility/Project: Florida Hospital Orlando Campus
 Applicant: Adventist Health System/Sunbelt, Inc.
 Project Description: To renovate the emergency department
 nurse's station
 Proposed Project Cost: \$235,000 Equipment Cost: Orange
 County: Dade District: 11
 ID #: 9900115 Issue Date: 4/14/99
 Facility/Project: Miami Heart Institute
 Applicant: Miami Beach Healthcare Group, Ltd.
 Project Description: Renovations due to the purchase and
 replacement of special procedures/angiography equipment
 Proposed Project Cost: \$1,300,000 Equipment Cost: Dade
 County: Lake District: 3
 ID #: 9900116 Issue Date: 4/14/99
 Facility/Project: Leesburg Regional Medical Center
 Applicant: Leesburg Regional Medical Center, Inc.
 Project Description: The construction of an outpatient urgent
 care center
 Proposed Project Cost: \$975,000 Equipment Cost: Lake
 County: Santa Rosa District: 1
 ID #: 9900117 Issue Date: 4/14/99
 Facility/Project: Jay Hospital
 Applicant: Baptist Health Affiliates, Inc.
 Project Description: The renovation of patient rooms
 Proposed Project Cost: \$520,000 Equipment Cost: Santa
 Rosa
 County: Hillsborough District: 6
 ID #: 9900118 Issue Date: 4/14/99
 Facility/Project: St. Joseph's Hospital
 Applicant: St. Joseph's Hospital, Inc.

Project Description: The replacement of cabinetry and the
 upgrade of the electrical and medical gas system
 Proposed Project Cost: \$450,000 Equipment Cost:
 Hillsborough
 County: Dade District: 11
 ID #: 9900119 Issue Date: 4/14/99
 Facility/Project: Miami Heart Institute
 Applicant: Miami Beach Healthcare Group, Ltd.
 Project Description: The addition of a spiral CT scanner and
 the renovation necessary to house the equipment
 Proposed Project Cost: \$1,000,000 Equipment Cost: Dade
 County: Walton District: 1
 ID #: 9900120 Issue Date: 4/14/99
 Facility/Project: Walton Regional Hospital
 Applicant: Healthmark of Walton, Inc.
 Project Description: Implement the operation of 10 swing beds
 Proposed Project Cost: Equipment Cost: Walton
 County: Desoto District: 8
 ID #: 9900126 Issue Date: 4/15/99
 Facility/Project: G. Pierce Wood Memorial Hospital
 Applicant: G. Pierce Wood Memorial Hospital
 Project Description: Renovations to provide new seclusion
 rooms for four buildings
 Proposed Project Cost: \$18,000 Equipment Cost: Desoto
 County: Orange District: 7
 ID #: 9900128 Issue Date: 4/16/99
 Facility/Project: Westminster Care of Orlando
 Applicant: CareLink Partners, Inc.
 Project Description: Refurbishment project
 Proposed Project Cost: \$426,000 Equipment Cost: Orange
 County: Dade District: 11
 ID #: 9900129 Issue Date: 5/16/99
 Facility/Project: Perdue Medical Center
 Applicant: Public Health Trust of Dade County, Florida
 Project Description: Patient room renovations
 Proposed Project Cost: \$450,000 Equipment Cost: Dade
 County: Seminole District: 7
 ID #: 9900132 Issue Date: 4/20/99
 Facility/Project: Orlando Regional Healthcare System
 Applicant: Orlando Regional Healthcare System, Inc.
 Project Description: Construct an off-site emergency
 department
 Proposed Project Cost: \$600,000 Equipment Cost: Seminole
 County: Seminole District: 7
 ID #: 9900133 Issue Date: 4/20/99
 Facility/Project: Orlando Regional Healthcare System
 Applicant: Orlando Regional Healthcare System, Inc.
 Project Description: Capital expenditure renovations
 Proposed Project Cost: \$600,000 Equipment Cost: Seminole
 County: Hernando District: 3

ID #: 9900134 Issue Date: 4/24/99
 Facility/Project: Brooksville Regional Hospital
 Applicant: Hernando HMA, Inc.
 Project Description: Modernization of the existing operating rooms
 Proposed Project Cost: \$300,000 Equipment Cost: Hernando
 County: Broward District: 10
 ID #: 9900137 Issue Date: 4/21/99
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Expansion of a conference room
 Proposed Project Cost: \$328,900 Equipment Cost: Broward
 County: Broward District: 10
 ID #: 9900138 Issue Date: 4/21/99
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Expand one radiographic and fluoroscopy room, file room and fixed MRI
 Proposed Project Cost: \$974,610 Equipment Cost: Broward
 County: Broward District: 10
 ID #: 9900139 Issue Date: 4/21/99
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Expand pain management center outpatient services
 Proposed Project Cost: \$396,900 Equipment Cost: Broward
 County: Broward District: 10
 ID #: 9900140 Issue Date: 4/22/99
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Renovate and expand surgical services
 Proposed Project Cost: \$785,970 Equipment Cost: Broward
 County: Broward District: 10
 ID #: 9900141 Issue Date: 4/22/99
 Facility/Project: Northwest Medical Center
 Applicant: Northwest Medical Center, Inc.
 Project Description: Renovate and expand the emergency department
 Proposed Project Cost: \$1,147,725 Equipment Cost: Broward
 County: Collier District: 8
 ID #: 9900144 Issue Date: 4/22/99
 Facility/Project: Naples Community Hospital
 Applicant: Naples Community Hospital, Inc.
 Project Description: Renovate existing administrative space
 Proposed Project Cost: \$175,000 Equipment Cost: Collier
 County: Orange District: 7
 ID #: 9900145 Issue Date: 4/23/99
 Facility/Project: Florida Hospital Orlando Campus
 Applicant: Adventist Health System/Sunbelt, Inc.

Project Description: Add a new angiography room
 Proposed Project Cost: \$637,171 Equipment Cost: Orange
 County: Palm Beach District: 9
 ID #: 9900149 Issue Date: 4/27/99
 Facility/Project: Health Center at Abbey Delray South
 Applicant: Life Care Retirement Communities, Inc.
 Project Description: Renovate the existing 90 bed skilled care facility
 Proposed Project Cost: \$25,000 Equipment Cost: Palm Beach
 County: Hillsborough District: 6
 ID #: 9900150 Issue Date: 4/27/99
 Facility/Project: Tampa General Hospital
 Applicant: Florida Health Sciences Center, Inc.
 Project Description: Provide outpatient pediatric cardiac catheterization services
 Proposed Project Cost: Equipment Cost: Hillsborough
 County: Bay District: 2
 ID #: 9900151 Issue Date: 4/27/99
 Facility/Project: Bay Medical Center
 Applicant: Bay Medical Center
 Project Description: Renovate the existing facility involving a second angio room and X-ray room
 Proposed Project Cost: \$240,000 Equipment Cost: Bay
 County: Polk District: 6
 ID #: 9900154 Issue Date: 4/27/99
 Facility/Project: Lakeland Regional Medical Center
 Applicant: Lakeland Regional Medical Center, Inc.
 Project Description: Cosmetic upgrade of the Five West Surgical Unit
 Proposed Project Cost: \$1,034,070 Equipment Cost: Polk
 County: Hernando District: 3
 ID #: 9900155 Issue Date: 4/27/99
 Facility/Project: Brooksville Regional Hospital
 Applicant: Hernando HMA
 Project Description: Modernization of the existing facility
 Proposed Project Cost: \$60,000 Equipment Cost: Hernando

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF QUOTA LIQUOR LICENSE DRAWINGS
 The Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation announces Quota Liquor License Drawings to which all persons are invited for the following counties: Alachua, Bay, Brevard, Broward, Charlotte, Collier, Columbia, Dade,

Escambia, Flagler, Gadsden, Hillsborough, Indian River, Lee, Leon, Manatee, Marion, Monroe, Okaloosa, Orange, Palm Beach, Pasco, Pinellas, Polk, Sarasota, Seminole and Volusia.

DATE AND TIME: May 14, 1999, 10:00 a.m. EST

PLACE: Department of Business and Professional Regulation, The Northwood Centre, Conference Room, 1940 North Monroe Street, Tallahassee, FL

PURPOSE: To conduct double random drawings from the pool of qualified applicants for new quota liquor licenses in each county and establish each qualified applicant's standing to receive one of the new licenses.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

CITY OF ROCKLEDGE

RECLAIMED WATER REUSE FACILITIES

The Florida Department of Environmental Protection has determined that the City of Rockledge's proposed Reclaimed Water Reuse Facilities project will not have a significant adverse affect on the environment. The financial assistance for the project is estimated at \$3,058,270. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

NOTICE OF AVAILABILITY

**FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
WASTEWATER COLLECTION SYSTEM – SOUTH GULF
COVE**

The Florida Department of Environmental Protection has determined that the proposed Charlotte County collection system expansion project will not adversely affect the environment. The financial assistance for the project is estimated at \$9,800,000. The project is expected to qualify for a State Revolving Fund loan composed of 83.33% in federal funds and 16.67% in state matching funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN April 27, 1999
and May 3, 1999**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
State Board of Education

6A-14.072	4/28/99	5/18/99	25/10	
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University of Central Florida

6C7-2.005	4/29/99	5/19/99	Newspaper	
6C7-2.007	4/29/99	5/19/99	Newspaper	
6C7-2.012	4/29/99	5/19/99	Newspaper	
6C7-2.014	4/29/99	5/19/99	Newspaper	
6C7-2.015	4/29/99	5/19/99	Newspaper	
6C7-2.019	4/29/99	5/19/99	Newspaper	
6C7-2.0191	4/29/99	5/19/99	Newspaper	
6C7-2.01911	4/29/99	5/19/99	Newspaper	
6C7-2.0192	4/29/99	5/19/99	Newspaper	
6C7-2.020	4/29/99	5/19/99	Newspaper	
6C7-2.021	4/29/99	5/19/99	Newspaper	
6C7-2.022	4/29/99	5/19/99	Newspaper	
6C7-2.0231	4/29/99	5/19/99	Newspaper	
6C7-2.024	4/29/99	5/19/99	Newspaper	
6C7-2.025	4/29/99	5/19/99	Newspaper	
6C7-2.026	4/29/99	5/19/99	Newspaper	
6C7-2.030	4/29/99	5/19/99	Newspaper	
6C7-2.0301	4/29/99	5/19/99	Newspaper	
6C7-2.032	4/29/99	5/19/99	Newspaper	
6C7-2.033	4/29/99	5/19/99	Newspaper	
6C7-2.034	4/29/99	5/19/99	Newspaper	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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STATE BOARD OF ADMINISTRATION

19-8.010	4/27/99	5/17/99	25/11	
19-8.027	4/27/99	5/17/99	25/11	
19-8.029	4/27/99	5/17/99	25/11	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Barbers' Board

61G3-16.006	5/3/99	5/23/99	24/42	24/53
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Construction Industry Licensing Board

61G4-18.002	4/27/99	5/17/99	24/53	25/13
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Board of Professional Land Surveyors

61G17-4.002	4/27/99	5/17/99	25/11	
61G17-5.0042	4/27/99	5/17/99	25/11	
61G17-9.007	4/27/99	5/17/99	25/11	

DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-12.010	4/30/99	5/20/99	25/10	
64B2-15.001	4/30/99	5/20/99	25/10	

Board of Medicine

64B8-13.005	4/28/99	5/18/99	24/53	25/11
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Board of Nursing Home Administrators

64B10-10.014	4/27/99	5/17/99	25/11	
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Board of Orthotists and Prosthetists

64B14-4.0015	5/3/99	5/23/99	24/48	25/14
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.5061	5/3/99	5/23/99	24/48	25/12
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