

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Investor Protection

RULE TITLE: RULE NO.:

Prohibited Business Practices for 3E-600.013
Dealers and Their Associated Persons

PURPOSE AND EFFECT: The title for Rule 3E-600.013 is being amended to designate that the rule describes prohibited business practices for dealers and their associated persons. Rule 3E-600.013 is also being amended to provide reference dates of March 1, 1999 for federal and regulatory rules. A new Rule 3E-600.013(1)(m) will make failing to execute a customer's order a prohibited business practice for a dealer. A number of NASD rules have been renamed and Rule 3E-600.013(1)(p)1. is being amended to reflect the name changes. Rule 3E-600.013(1)(p)3. is being amended to add violations of SEC rules 419 and 481 as prohibited business practices. Also, violating Section 15(b)(4)(E) of the Securities Exchange Act of 1934 will be a prohibited business practice for a dealer. Rule 3E-600.013(1)(s) is being amended to read that it is a demonstration of unworthiness as a dealer to recommend to a customer that they engage the services of an investment adviser that is not registered or exempt from registration. Rule 3E-600.013(2) is being amended to designate that the practices specified are demonstrations of unworthiness by an associated person of a dealer. Rule 3E-600.013(2)(h) is being amended to include 3E-600.013(1)(m) as a prohibited business practice of an associated person of a dealer.

SUBJECT AREA TO BE ADDRESSED: Prohibited business practices for dealers and their associated persons.

SPECIFIC AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.161(1), 517.081 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., July 14, 1999

PLACE: Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bill Reilly, Financial Administrator, Division of Securities and Investor Protection, Fletcher Building, Room 664, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3E-600.013 Prohibited Business Practices for Dealers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by a dealer under Section 517.161(1)(h), F.S., Florida Statutes, without limiting that term to the practices specified herein:

- (a) through (e) No change.
- (f) Extending, arranging for, or participating in arranging for credit to a customer in violation of the provisions of Regulation T (~~i.e., 12 CFR §§. 220.1 – 220.131, inclusive~~) promulgated by the Federal Reserve Board, as such provisions existed on March 1, 1999 ~~February 28, 1992~~;

- (g) through (h) No change.
- (i) Hypothecating a customer's securities in violation of SEC Rule 8c-1 (17 CFR 240.8c-1) of the Securities and Exchange Commission, as such rule existed on March 1, 1999 ~~February 28, 1992~~;

- (j) through (k) No change.
- ~~(l) Entering into a transaction for its own account with a customer in which a commission is charged;~~

- ~~(l)(m) Entering into a transaction with or for a customer at a price not reasonably related to the current market price;~~

- (m) Failing to execute a customer's order;
- (n) through (o) No change.

- (p) With respect to any customer, transaction or business in this state, violating:

1. Any by-law, schedule thereto, rule or appendix thereto, of the National Association of Securities Dealers ("NASD"), interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC, including: the Conduct Rules; the Marketplace Rules ~~the Government Securities Rules; The Small Order Execution System ("SOES") Rules; the Intermarket Trading System/Computer Assisted Execution System Automated Interface ("ITS/CAES") Rules; The Automated Confirmation Transaction Service for Self Clearing Firms ("ACT") Rules;~~ and the Uniform Practice Code, as published in the NASD Manual as of July 1998 and any amendments as existed on March 1, 1999 ~~dated May, 1996~~;

2. For members of the New York Stock Exchange, Rules 405, 412 or 435 of the New York Stock Exchange, as such rules existed on March 1, 1999 ~~February 28, 1992~~, interpreted in accordance with the guidelines, policies, and interpretations of the NYSE or SEC;

3. Sections 2, 4, 5, or 6 of the Securities Act of 1933 or SEC Rules 134 (17 CFR ~~§. 230.134~~); 134a (17 CFR ~~§. 230.134a~~); 135a (17 CFR ~~§. 230.135a~~); 144 (17 CFR ~~§. 230.144~~); 144A (17 CFR 230.144A); 156 (17 CFR ~~§. 230.156~~);

419 (17 CFR 230.419); 481 (17 CFR 230.481); or 482 (17 CFR ~~230.482~~) of the SEC promulgated pursuant thereto, as such provisions existed on March 1, 1999 ~~February 28, 1992~~, interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC; ~~or~~

4. Section 15(b)(4)(E) of the Securities Exchange Act of 1934 as it existed on March 1, 1999; or

~~5.4.~~ Any rule of the Municipal Securities Rulemaking Board ("MSRB") including the Definitional Rules (~~i.e.~~, Rules D-1 through D-11, inclusive), and the General Rules with the exception of Rule G-35 (~~i.e.~~, Rules G-1 through G-34, inclusive), promulgated pursuant to Section 15B of the Securities Exchange Act of 1934, as such rules existed on March 1, 1999 ~~February 28, 1992~~, interpreted in accordance with the guidelines, policies, and interpretations of the MSRB, NASD, or SEC.

~~6.5.~~ To the extent that any of the rules described in subparagraphs 1. through - ~~5.4.~~ of this section or their interpretation by the NASD, NYSE, MSRB, or SEC, as appropriate, conflict or are inconsistent with other provisions of the Florida Securities and Investor Protection Act or rules promulgated pursuant thereto, this paragraph of this rule shall not be deemed controlling.

(q) No change.

(r) Introducing customer transactions on a "fully disclosed" basis to another dealer that is not registered under Chapter 517, F.S. Florida Statutes, unless the customer is a person described in Section 517.061(7), F.S. Florida Statutes.

(s) Recommending to a customer that the customer engage the services of an investment advisor that is not registered or exempt from registration ~~licensed~~ under Chapter 517, F.S. Florida Statutes, unless the customer is a person described in Section 517.061(7), F.S. Florida Statutes;

(t) No change.

(u) Selling or offering for sale any security in a transaction exempt from registration pursuant to Section 517.061(17)(a) ~~1.~~ ~~(4)~~, F.S., where the issuer of such securities has not filed with the SEC within the specified period of time all reports required by Sections 13 or 15(d) of the Securities Exchange Act of 1934, as such sections existed on March 1, 1999 ~~February 28, 1992~~.

(v) No change.

(2) The following are deemed demonstrations of unworthiness by an associated person of a dealer under Section 517.161(1)(h), F.S. Florida Statutes, without limiting that term to the practices specified herein:

(a) through (b) No change.

(c) Effecting transactions in securities, or investments; as defined by Section 517.301(2), F.S. Florida Statutes, not recorded on the regular books or records of the dealer which the associated person represents, unless the transactions are disclosed to, and authorized in writing by, the dealer prior to execution of the transactions;

(d) through (g) No change.

(h) Engaging in any of the practices specified in ~~paragraphs subsection~~ (1)(b), (c), (d), (e), (f), (g), ~~(m)~~, (n), (o), (p), (q), (s), (t), (u), or (v).

Specific Authority 517.03(1) FS. Law Implemented 517.161(1), 517.081 FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.13, Amended 8-1-91, 6-16-92, 1-11-93, 11-7-93, 5-5-94, 9-9-96, 10-20-97, _____.

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Investor Protection

RULE TITLE: RULE NO.:

Prohibited Business Practices for Investment Advisers and Their Associated Persons 3E-600.0131

PURPOSE AND EFFECT: During the past several years, there has been a significant increase in the number of firms and associated persons offering investment advisory services. Currently, there are no rules that specify unethical business practices of investment advisers and their associated persons. In order to protect the investing public, the Division of Securities and Investor Protection is proposing this new rule to specify such activities.

Rules concerning investment adviser conduct have been promulgated on the federal level. The rules proposed by the Division are based on the model rules proposed by the North American Securities Administrators Association.

SUBJECT AREA TO BE ADDRESSED: Practices that are deemed demonstrations of unworthiness by investment advisers and their associated persons.

SPECIFIC AUTHORITY: 517.03(1) FS.

LAW IMPLEMENTED: 517.161(1), 517.081 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., July 14, 1999

PLACE: Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bill Reilly, Financial Administrator, Division of Securities and Investor Protection, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3E-600.0131 Prohibited Business Practices for Investment Advisers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by an investment adviser or an associated person of an investment adviser under 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) With respect to any customer, transaction or business in, to or from this state, violating:

1. Sections 204, 204A, 205, 206, 207, 208 of the Investment Advisers Act of 1940 or SEC Rules 204-3 (17 CFR 275.204-3); 205-1 (17 CFR 275.205-1); 205-2 (17 CFR 275.205-2); 205-3 (17 CFR 275.205-3); 206(3)-1 (17 CFR 275.206(3)-1); 206(3)-2 (17 CFR 275.206(3)-2); 206(4)-1 (17 CFR 275.206(4)-1); 206(4)-2 (17 CFR 275.206(4)-2); 206(4)-3 (17 CFR 275.206(4)-3); and 206(4)-4 (17 CFR 275.206(4)-4) promulgated pursuant thereto, as such provisions existed on March 1, 1999, interpreted with the guidelines, policies, no-action letters, and interpretations of the SEC;

(b) Borrowing money or securities from a customer unless the customer is a dealer, an affiliate of the investment adviser, or a financial institution engaged in the business of loaning funds;

(c) Loaning money to a customer unless the investment adviser is a financial institution engaged in the business of loaning funds or the customer is an affiliate of the investment adviser;

(d) Recommending to a customer the purchase, sale or exchange of any security without reasonable grounds to believe that the recommendation is suitable for the customer on the basis of information furnished by the customer after reasonable inquiry concerning the customer's investment objectives, financial situation and needs, and any other information known by the investment adviser;

(e) Exercising any discretionary power in placing an order for the purchase or sale of securities for a customer's account without first obtaining written discretionary authority from the customer, unless the discretionary power relates solely to the time or price for the execution of orders;

(f) Inducing trading in a customer's account which is excessive in size or frequency in view of the financial resources, investment objectives, and character of the account;

(g) Placing an order to purchase or sell a security on behalf of a customer without authority to do so;

(h) Placing an order to purchase or sell a security for a customer's account upon instruction of a third party without first having obtained a written third-party trading authorization from the customer;

(i) Misrepresenting the qualifications of the investment adviser or any employee of the investment adviser to a client or prospective client when the representation does not fairly describe the nature of the services offered, the qualifications of the person offering the services, and the method of compensation for the services or omitting to state a material fact;

(j) Charging a customer an unreasonable advisory fee;

(k) Failing to disclose to customers in writing before any advice is rendered any material conflict of interest relating to the adviser or any of its employees which could reasonably be expected to impair the rendering of unbiased and objective advice including:

1. Compensation arrangements connected with advisory services to customers which are in addition to compensation from such customers for such services; and

2. Charging a customer an advisory fee for rendering advice when a commission for executing securities transactions pursuant to such advice will be received by the adviser or its employees;

(l) Guaranteeing a customer that a specific result will be achieved with the advice to be rendered;

(m) Recommending to a customer that the customer engage the services of a dealer that is not registered or exempt from registration under Chapter 517, F.S., unless the customer is a person described in Section 517.061(7), F.S.;

(n) Recommending to a customer that the customer engage the services of a dealer in connection with which the investment adviser receives a fee or remuneration from the dealer, except as permitted in Rule 3E-600.003, F.A.C.;

(o) Disclosing the identity, affairs, or investments of any customer unless required to do so by law or consented to by the customer;

(p) Giving false or otherwise misleading customer information to any financial institution or regulatory agency;

(q) Entering into, extending or renewing any investment advisory contract unless such contract is in writing and discloses, in substance, the services to be provided, the term of the contract, the advisory fee, the formula for computing the fee, the amount of prepaid fee to be returned in the event of contract termination or non-performance, whether the contract grants discretionary power to the adviser and that no assignment of such contract shall be made by the investment adviser without the consent of the other party to the contract; and

(r) Including, in an advisory contract, any condition, stipulation, or provisions binding any person to waive compliance with any provision of Chapter 517, F.S., or of the Investment Advisers Act of 1940, or any other practice contrary to the provisions of Section 215 of the Investment Advisers Act of 1940.

(2) The federal statutory and regulatory provisions referenced herein shall apply to investment advisers and federal covered advisers, to the extent permitted by the National Securities Markets Improvement Act of 1996.

Specific Authority 517.03(1) FS. Law Implemented 517.161(1), 517.081 FS. History--New

DEPARTMENT OF BANKING AND FINANCE**Division of Securities and Investor Protection**

RULE TITLE: Books and Records Requirements
 RULE NO.: 3E-600.014

PURPOSE AND EFFECT: The rule is being amended to provide a reference date for federal and regulatory agency rules.

The National Securities Market Improvement Act of 1996 ("NSMIA") provided states with the exclusive authority for registration of investment advisers with less than \$25 million in assets under management. The amended rule describes those books and records that must be maintained by investment advisers with a principal place of business in Florida. All books and records must be maintained in a true, accurate and current manner. The books and records described in the amended rule are required of those investment advisers registered with the Securities and Exchange Commission ("SEC").

NSMIA also prohibited states from imposing on dealers any requirement relating to books and records or financial or operational reporting that differ from or are in addition to those under federal law. Therefore, the rule is being amended to delete all references to branch office books and records and financial or operational reporting that differ from or are in addition to those under federal law.

The amended rule also describes the books and records to be maintained by investment adviser representatives registered or required to register in this state and who have a business location in this state.

Preservation of the required books and records is also described in the amended rule.

Those investment advisers having a principal place of business in another state will be exempt from the requirements of this rule provided the investment adviser is registered in that state and is in compliance with that state's record keeping requirements.

The proposed rules are based on the model rules suggested by the North American Securities Administrators Association and are intended to ensure uniformity among the states as to books and records requirements and retention.

SUBJECT AREA TO BE ADDRESSED: The amended rule describes the maintenance and preservation of books and records required of investment advisers and investment adviser representatives subject to registration with the Florida Department of Banking and Finance.

SPECIFIC AUTHORITY: 517.03(1), 517.121 FS.

LAW IMPLEMENTED: 517.121 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., July 14, 1999

PLACE: Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bill Reilly, Financial Administrator, Division of Securities and Investor Protection, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3E-600.014 Books and Records Requirements.

Except as otherwise provided herein, every dealer, investment adviser, branch office, and associated person conducting business in this state shall prepare and maintain on a current basis, and preserve for the periods of time specified, such records, prescribed hereinafter, as are appropriate for said dealer's, investment adviser's, branch office's, or associated person's course of business, and are sufficient to provide an audit trail of all business transactions by said dealer, investment adviser, associated person, or branch office. Associated persons who conduct business from a registered branch office in this state shall be exempt from the provisions of this rule.

(1) All dealers are required to prepare and maintain appropriate books and records relating to their business as described in either ~~SEC S.E.C.~~ Rules 17a-3 (17 CFR 240.17a-3) and 17a-4 (17 CFR 240.17a-4) or ~~MSRB M.S.R.B.~~ Rules G-7 and G-8 of the ~~Securities and Exchange Commission or the Municipal Securities Rule Making Board~~, as such rules existed on ~~March 1, 1999~~ ~~February 28, 1992~~; and records evidencing compliance with NASD Conduct Rule 3000, as published in the NASD Manual ~~as of July 1998~~ ~~dated May, 1996~~.

(2)(a) through (e) No change.

(3) All investment advisers, notwithstanding the fact that the investment adviser is not registered or required to be registered under the Investment Advisers Act of 1940, shall prepare and maintain true, accurate and current ~~appropriate~~ records relating to their business as described in SEC Rule 275.204-2 of the Investment Advisers Act of 1940 as amended (17 CFR 275.204-2) as it existed on March 1, 1999, and general rules and regulations promulgated by the Securities and Exchange Commission; and have available for the Department at least the following records:

(a) All trial balances, financial statements prepared in accordance with generally accepted accounting principles, and internal audit working papers relating to the investment adviser's business as an investment adviser. For purposes of this subsection, "financial statements" means balance sheets, income statements, cash flow statements and net worth computations as required by Rule 3E-300.002, F.A.C. Proof of money balances and all ledger accounts in the form of a trial balance;

~~(b) A list or other record of all accounts with respect to the funds, securities, or transactions of any client. Record of all customer accounts reflecting at least the name and address of such customers and any contractual agreements or correspondence pertaining to each such customer.~~

~~(c) A copy in writing of each agreement entered into by the investment adviser with any client.~~

~~(d) A file containing a copy of each record required by SEC Rule 204-2(11) (17 CFR 275.204-2(11)) as it existed on March 1, 1999 including any communication by electronic media that the investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.~~

~~(e) A copy of each written statement and each amendment or revision given or sent to any client or prospective client of the investment adviser in accordance with the provisions of SEC Rule 204-3 (17 CFR 275.204-3 as it existed on March 1, 1999 and a record of the dates that each written statement, and each amendment or revision was given or offered to be given to any client or prospective client who subsequently becomes a client.~~

~~(f) For each client that was obtained by the adviser by means of a solicitor to whom a cash fee was paid by the adviser, records required by SEC Rule 206(4)-3 (17 CFR 275.206(4)-3) as it existed on March 1, 1999.~~

~~(g) All records required by SEC Rule 204-2(16) (17 CFR 275.204-2(16)) as it existed on March 1, 1999, including but not limited to electronic media that the investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.~~

~~(h) A file containing a copy of all communications received or sent regarding any litigation involving the investment adviser or any investment adviser representative or employee, and regarding any customer or client complaint.~~

~~(i) Written information about each investment advisory client that is the basis for making any recommendation or providing any investment advice to such client.~~

~~(j) Written procedures to supervise the activities of employees and investment adviser representatives that are reasonably designed to achieve compliance with applicable securities laws and regulations.~~

~~(k) A file containing a copy of each document, other than any notices of general dissemination, that was filed with or received from any state or federal agency or self regulatory organization and that pertains to the registrant or its investment adviser representatives which file should contain, but is not limited to, all applications, amendments, renewal filings, and correspondence.~~

~~(4) A dealer or investment adviser and its appropriate principals shall ensure that each branch office and any other location which is listed on a Form U-4 as an Office of Employment Address shall prepare and maintain such records,~~

~~as described in subsections (1) and (3) of this Rule, as applicable, including, but not necessarily limited to customer new account information records, customer account activity records, a record of all transactions in securities executed by or through such office, a record of receipt and disbursement of all monies through such office relating to the purchase or sale of securities or the rendering of investment advice, and a record of all securities received or delivered by or through such office, and shall maintain copies of all documentation as required under subsections (5) and (8) of this Rule.~~

~~(5) Notwithstanding the applicability of the books and records requirements set forth in subsections (1), (2), and (3) of this Rule, all dealers, investment advisers, branch offices and any other location which is listed on a Form U-4 as an Office of Employment Address, shall maintain either in the original or copies thereof, at least the following documents with respect to those persons employed by, and registered as associated persons of, said dealers, investment advisers, and branch offices, which records will be referred to as "associated persons files":~~

~~(a) Form U-4, Uniform Application for Securities Industry Registration (Revised 11-91), which application shall be approved in writing by a principal of such dealer or investment adviser.~~

~~(b) Full documentation and details pertaining to affirmative responses:~~

~~(c) Documentation pertaining to any outstanding or resolved customer complaints, actions, internal reviews or investigations into such person's activities while associated with said dealer or investment adviser.~~

~~(d) License evidencing registration as an associated person, and any evidence of registration with a national securities exchange or association, if applicable.~~

~~(e) A copy of any written disclosure required by subsection (8) of this rule, if applicable.~~

~~(6) Every associated person of a dealer or investment adviser conducting business from a location in this state other than that of a registered branch office shall be responsible for maintaining each of the books and records described in paragraph (4) of this section. The dealer or investment adviser with which said associated person is registered, and its appropriate principals, shall be responsible for ensuring compliance with the provisions of this section.~~

~~(7) Every dealer and investment adviser conducting business in the state of Florida shall maintain a current list of all locations in this state, other than registered branch offices, from which any associated person renders investment advice or offers for sale or sells securities on behalf of or through such investment adviser or dealer. Such list shall include the street address and mailing address of such location; the name under which business is conducted at such location; the name of associated persons conducting business at said location; the names of the persons responsible for operating such location or~~

having any fiscal responsibility associated with such location; the phone number of such location; and the name, title, CRD number, and employment location of the registered principal or principals responsible for supervising the activities of each said location. A current, accurate, and complete copy of such list shall be provided to the Department within five (5) business days of any request by the Department for such list.

(8) For each location which conducts business under a name other than that of the dealer or investment adviser exclusively, the dealer or investment adviser shall also maintain a copy of the written disclosure required by Rule 3E-600.004(3)(d)4., and shall evidence on such copy that a principal of the dealer or investment adviser has approved such disclosure as being in compliance with the provisions of said rule and the date of such approval.

(9) The provisions of subsections (6)–(8), inclusive, shall not be enforced by the Department prior to August 1, 1992.

(10) All dealers shall establish and keep current a set of written supervisory procedures, and a system for implementing such procedures, which may be reasonably expected to prevent and detect any violations of Chapter 517, Florida Statutes, and rules thereunder. The procedures shall include the designation by name or title of those persons delegated supervisory responsibility in at least the areas of sales, financial operations, and compliance. A complete set of such procedures and systems shall be kept in all branch offices registered with this Department.

(4)(11) No provisions of this Rule, unless specifically designated otherwise as a required form, shall be deemed to require the preparation, maintenance, or preservation of a dealer's or investment adviser's books and records in a particular form or system, provided that whatever form or system utilized by such dealer's or investment adviser's course of business is sufficient to provide an audit trail of all business transactions.

(5)(12) All such books and records as heretofore described in this Rule shall be preserved in accordance with the following:

(a) Those records required under subsection (1) of this Rule shall be preserved for such periods of time as specified in either SEC S.E.C. Rule 17a-4 (17 CFR 240.17a-4), or MSRB M.S.R.B. Rule G-9, as such rules existed on March 1, 1999 are amended.

(b) Those records required under subsections (2) and (3) of this rule shall be preserved for a period of not less than five (5) years while effectively registered with the Department, nor for less than five (5) years after withdrawal or expiration of registration in this State.

(c) Those records required under subsection (4) of this Rule shall be preserved for a period of not less than three (3) years at the branch office maintaining such records, and

thereafter, for the periods of time specified in paragraphs (a) and (b) of this subsection. Such records shall be accessible through the main office of the dealer or investment adviser.

(d) Notwithstanding the provisions of paragraph (c) above, all associated persons files shall be maintained and preserved in the locations specified by this Rule during the period such associated persons are affiliated with each dealer or investment adviser, and for a period of not less than three (3) years subsequent to the termination of such associated person.

(c) Books and records required to be prepared under the provisions of subsection (3) shall be maintained and preserved in an easily accessible place for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record, the first two years in the principal office of the investment adviser.

(d) Books and records required to be made under the provisions of subsection (3), shall be maintained and preserved for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record or for the time period during which the investment adviser was registered or required to be registered in the state, if less.

(e) Each investment adviser representative who is registered or required to be registered in this state and who has a business location in this state shall maintain at such business location:

1. The records or copies required under the provisions of paragraphs (a)(3), (a)(7)-(10), (a)(14)-(15), (b), and (c) of SEC Rule 204-2 (17 CFR 275.204-2); and

2. The records or copies required under the provisions of subsections (3)(a)-(j) above related to customers or clients for whom the investment adviser representative provides or has provided investment advisory services; and

3. The records or copies required under the provision of paragraphs (a)(11) and (a)(16) of SEC Rule 204-2 (17 CFR 275.204-2) which records or related records identify the name of the investment adviser representative or which identify the business locations' physical address, mailing address, electronic mailing address, or telephone number. The records will be maintained for the period described in subsections (d) and (e) of SEC Rule 204-2 (17 CFR 275.204-2). The investment adviser shall be responsible for ensuring compliance with the provision of this subsection.

(6) To the extent that the U.S. Securities and Exchange Commission promulgates changes to the above-referenced rules of the Investment Advisers Act of 1940, investment advisers in compliance with such rules as amended shall not be subject to enforcement action by the Department for violation of this rule to the extent that the violation results solely from the investment adviser's compliance with the amended rule.

(7) Every investment adviser that has its principal place of business in a state other than this state shall be exempt from the requirements of this section, provided the investment adviser is licensed in such state and is in compliance with that state's record keeping requirements.

Specific Authority 517.03(1), 517.121(1) FS. Law Implemented 517.121(1) FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.14, Amended 10-14-90, 8-1-91, 6-16-92, 1-11-93, 9-9-96.

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Certificate of Authority; Financial Requirements RULE NO.: 3F-5.0016

PURPOSE AND EFFECT: The purpose of the proposed amendments is to amend portions of the rule concerning with requirements of the Certificate of Authority holder.

SUBJECT AREA TO BE ADDRESSED: Certificate of Authority; Financial Requirements.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.405, 497.407 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

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

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Processing Fee RULE NO.: 3F-8.007

PURPOSE AND EFFECT: The purpose and effects of the proposed rule development is to establish procedures and define "Processing Fee" within the text.

SUBJECT AREA TO BE ADDRESSED: Processing Fee.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.103 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: Diana M.

Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

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

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Disbursement from the Preneed Funeral RULE NO.: 3F-10.002

PURPOSE AND EFFECT: The purpose of the Preneed Contract Consumer Protection Trust Fund is to provide restitution to preneed contract purchasers and their estates due to a Certificateholder or otherwise covered provider's failure to provide the benefits of a preneed contract or failure to refund the appropriate principal amount by reason of cancellation thereof.

SUBJECT AREA TO BE ADDRESSED: Disbursement from the Preneed Funeral Contract Consumer Protection Trust Fund. SPECIFIC AUTHORITY: 497.103, 497.413(7) FS.

LAW IMPLEMENTED: 497.413(7) 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

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

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE CHAPTER TITLE: Florida Mausoleum Construction RULE CHAPTER NO.: 3F-13

PURPOSE AND EFFECT: The Board propose to discuss the rules within this chapter and determine if the rules will require amendments.

SUBJECT AREA TO BE ADDRESSED: Florida Mausoleum Construction.

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.103 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE CHAPTER TITLE: Florida Bright Futures Scholarship Program
RULE CHAPTER NO.: 6A-20

PURPOSE AND EFFECT: The purpose of this rule development is to promulgate a rule to address the Florida Bright Futures Scholarship Program.

SUBJECT AREA TO BE ADDRESSED: Provisions to be mandated in rule for the Florida Bright Futures Scholarship Program.

SPECIFIC AUTHORITY: 229.053(1), 240.40201, 240.40202, 240.40203, 240.40204, 240.40205, 240.40206, 240.40207, 240.40208, 240.40209 FS.

LAW IMPLEMENTED: 232.0201, 232.246, 232.2466, 240.1201, 240.40202, 240.40203, 240.40204, 240.40205, 240.40206, 240.40207, 240.40208, 240.40209, 240.404 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.

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: C. Wayne Hood, Director, Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)488-4095

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES: Florida Public Student Assistance Grant
Florida Private Student Assistance Grant
Florida Postsecondary Student Assistance Grant
RULE NOS.: 6A-20.031
6A-20.032
6A-20.033

PURPOSE AND EFFECT: The purpose of this action is to amend existing Florida Student Assistance Grant rules to reflect changes in law by the Legislature.

SUBJECT AREA TO BE ADDRESSED: The administration of the Florida Student Assistance Grant Programs and changes mandated by the Legislature will be the subject area to be addressed.

SPECIFIC AUTHORITY: 229.0539(1), 240.409, 240.4095, 240.4097 FS.

LAW IMPLEMENTED: 229.053, 240.1201, 240.404, 240.4042, 240.409, 240.4095, 240.4097 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.

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: C. Wayne Hood, Director, Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)488-4095

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Logo Sign Program
RULE CHAPTER NO.: 14-85

RULE TITLE: Logo Sign Program
RULE NO.: 14-85.004

PURPOSE AND EFFECT: Rule 14-85.004 is being amended to correct the inadvertent deletion of 14-85.004(11)(e)4. in the May 25, 1999, amendment. In response to questions resulting from the Joint Administrative Procedures Committee review, we had added a new 14-85.004(11)(e)4. and the intent was to renumber the existing "4." to "5." However, in the change notice and in the final filed version of the rule amendment, the new "4." was added and the existing "4." was deleted.

SUBJECT AREA TO BE ADDRESSED: This is an editorial amendment to reinstate the language of the previous 14-85.004(11)(e)4. as a new 14-85.004(11)(e)5.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.044(27), 479.261 FS.

IF REQUESTED IN WRITING, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND HELD.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support Level IV, Florida

Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-85.004 Logo Sign Program.

(1) through (10) No change.

(11) Permitting.

(a) through (d) No change.

(e) Annual Permit Renewal.

1. through 4. No change.

5. Failure to submit the Annual Permit Renewal by December 1, will result in expiration of the permit and removal of the business logo sign from the display panel. Should the business subsequently reapply for a permit, such reapplication will be processed as an initial permit application in accordance with this section.

(12) through (13) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(27), 479.261 FS. History—New 6-26-85, Formerly 14-85.04, Amended 3-20-91, Amended 10-10-96, 12-31-96, 10-8-97, 5-25-99.

STATE BOARD OF ADMINISTRATION

RULE TITLE: Loss Reimbursement Procedures

RULE NO.: 19-8.011

PURPOSE AND EFFECT: To discuss proposed loss reimbursement procedures for the Florida Hurricane Catastrophe Fund.

SUBJECT AREA TO BE ADDRESSED: Loss reimbursement procedures for the Florida Hurricane Catastrophe Fund.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. – 12:00 noon, Wednesday, July 14, 1999

PLACE: Room 116, Hermitage Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dr. Jack E. Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1340

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 25, 1999.

Copies of the proposed amended rule and the agenda for the workshop may be obtained from: Anne Bert, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, Telephone (850)413-1349.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Bert at least 5 calendar days before the workshop.

STATE BOARD OF ADMINISTRATION

RULE TITLE: Auditing Procedures

RULE NO.: 19-8.014

PURPOSE AND EFFECT: To discuss proposed auditing procedures for exposure and claims audits for the Florida Hurricane Catastrophe Fund.

SUBJECT AREA TO BE ADDRESSED: Auditing procedures for exposure and claims audits for the Florida Hurricane Catastrophe Fund.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. – 12:00 noon, Wednesday, July 14, 1999

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dr. Jack E. Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1340

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 25, 1999.

Copies of the proposed amended rule and the agenda for the workshop may be obtained from: Anne Bert, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1349.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Bert at least 5 calendar days before the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G4-15.027 Pollutant Storage System Specialty Contractors.

(1) Scope of Rule: The purpose of this rule is to provide for the certification of pollutant storage system specialty contractors.

(2) Certification Procedures for Pollutant Storage Specialty Contractors:

(a) Qualifications:

1. Any person who desires to become a certified pollutant storage specialty contractor shall apply to the Board in writing on a form provided by the Department of Business and Professional Regulation.

2. A person shall be certified as a pollutant storage system specialty contractor if said person:

a. Is at least eighteen (18) years of age; and

b. Is of good moral character; and

c. Takes and successfully completes the state examination for certification as a pollutant storage system specialty contractor; or

d. Takes and successfully completes either a local licensure examination, a licensure examination of another state, or a licensure examination of a national organization which has been judged by the Board to be equal to or more stringent than the state pollutant storage system specialty contractor certification examination pursuant to Section 489.133(4)(c), F.S.

(b) Other certification procedures and fees: other certification procedures and fees for certified pollutant storage system specialty contractors shall be the same as those provided for the certification of other contractors as defined in Chapter 489, Part I, FS, including all other requirements for licensure as set forth in Rule Chapter 61G4-15, F.A.C. The amount of liability insurance for pollutant storage system specialty contractors shall be as follows: \$250,000.00 public liability insurance and \$25,000.00 property damage insurance. Applicants for licensure shall submit competent substantial evidence to the Board demonstrating that the applicant has a net worth of \$10,000.00.

(3) Method of Operation: nothing in this rule chapter is intended to supersede or modify standards of operation established for pollutant storage system specialty contractors by the Department of Environmental Protection, as expressly stated in Rule Chapter 62-761, F.A.C., or any other licensing or supervisory agency of the State or any political subdivision thereof having jurisdiction over the operation of same.

Specific Authority 489.108, 489.113(3),(7), 489.129(3), 489.133 FS. Law Implemented 489.113(3),(7),(8), 489.115(4), 489.133 FS. History—New

61G4-15.028 Precision Tank Testers.

(1) Scope of Rule: The purpose of this rule is to provide for the registration of precision tank testers.

(2) Registration Procedures for Precision Tank Testers:

(a) Qualifications:

1. Any person who desires to become a registered precision tank tester shall apply to the Board in writing on a form provided by the Department of Business and Professional Regulation.

2. A person shall be registered as a precision tank tester if said person:

a. Is at least eighteen (18) years of age; and

b. Is of good moral character; and

c. Who meets the standards established by the Florida Department of Environmental Protection pursuant to Rule 62-761.200(83), F.A.C. The Florida Department of Environmental Protection shall certify to the Board that an applicant for registration as a precision tank tester meets these standards before the applicant is registered.

(b) Other registration procedures and fees: other registration procedures and fees for registered precision tank testers shall be the same as those provided for the certification of other contractors as defined in Chapter 489, Part I, F.S., including all other requirements for licensure as set forth in Rule Chapter 61G4-15, F.A.C. The amount of liability insurance for precision tank testers shall be as follows: \$250,000.00 public liability insurance and \$25,000.00 property damage insurance. Applicants for registration shall submit competent substantial evidence to the Board demonstrating that the registrant has a net worth of \$10,000.00.

(3) Method of Operation: nothing in this rule chapter is intended to supersede or modify standards of operation established for precision tank testers by the Department of Environmental Protection, as expressly stated in Rule Chapter 62-761, F.A.C., or any other licensing or supervisory agency of the State or any political subdivision thereof having jurisdiction over the operation of same.

Specific Authority 489.108, 489.113(3),(7), 489.129(3), 489.133 FS. Law Implemented 489.113(3),(7),(8), 489.115(4), 489.133 FS. History—New

61G4-15.029 Tank Lining Applicators.

(1) Scope of Rule: The purpose of this rule is to provide for the registration of tank lining applicators.

(2) Registration Procedures for Tank Lining Applicators:

(a) Qualifications:

1. Any person who desires to become a registered tank lining applicator shall apply to the Board in writing on a form provided by the Department of Business and Professional Regulation.

2. A person shall be registered as a tank lining applicator if said person:

- a. Is at least eighteen (18) years of age; and
- b. Is of good moral character; and
- c. Who meets the standards established by the Florida

Department of Environmental Protection pursuant to Rule 62-761.700(2)(c), F.A.C. The Florida Department of Environmental Protection shall certify to the Board that an applicant for registration as a tank lining applicator meets these standards before the applicant is registered.

(b) Other Registration procedures and fees: other registration procedures and fees for registered tank lining applicators shall be the same as those provided for the certification of other contractors as defined in Chapter 489, Part I, F.S., including all other requirements for licensure as set forth in Rule Chapter 61G4-15, F.A.C. The amount of liability insurance for tank lining applicators shall be as follows: \$250,000.00 public liability insurance and \$25,000.00 property damage insurance. Applicants for registration shall submit competent substantial evidence to the Board demonstrating that the registrant has a net worth of \$10,000.00.

(3) Method of Operation: nothing in this rule chapter is intended to supersede or modify standards of operation established for tank lining applicators by the Department of Environmental Protection, as expressly stated in Rule Chapter 62-761, F.A.C., or any other licensing or supervisory agency of the State or any political subdivision thereof having jurisdiction over the operation of same.

Specific Authority 489.108, 489.113(3),(7), 489.129(3), 489.133 FS. Law Implemented 489.113(3),(7),(8), 489.115(4), 489.133 FS. History—New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Certification
RULE CHAPTER NO.: 61G6-2

PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-2.

SUBJECT AREA TO BE ADDRESSED: Return of previously issued licenses.

SPECIFIC AUTHORITY: 489.507(3), 489.513, 489.515, 489.521 FS.

LAW IMPLEMENTED: 489.521 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Registration
RULE CHAPTER NO.: 61G6-3

PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-3.

SUBJECT AREA TO BE ADDRESSED: Registration of limited or restricted competency licenses.

SPECIFIC AUTHORITY: 489.507(3) FS.

LAW IMPLEMENTED: 489.513 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Organization, Purpose, Meetings,
Probable Cause Panel, Procedures
RULE CHAPTER NO.: 61G6-4

PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-4.

SUBJECT AREA TO BE ADDRESSED: Probable cause panel; board member compensation; and general definitions.

SPECIFIC AUTHORITY: 120.53(1)(c), 455.207(4), 455.225, 489.507(3) FS.

LAW IMPLEMENTED: 455.207(4), 455.225, 489.521(7)(b), 489.533 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Application For Certification RULE CHAPTER NO.: 61G6-5

PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-5.

SUBJECT AREA TO BE ADDRESSED: Definitions; application for certification by examination; application for examination for certification; requirements for certified qualifying agent applicant; financial responsibility, definitions, grounds for denial; certification of additional new business entity or transfers; public liability insurance; endorsement; statement of authority; qualification of joint ventures; notification of changes.

SPECIFIC AUTHORITY: 489.505(2), 489.507(3), 489.511, 489.515, 489.521, 489.533 FS.

LAW IMPLEMENTED: 455.275, 489.501, 489.505(10), (12), (21), (22), 489.507(2), 489.511, 489.515, 489.517, 489.521, 489.522, 489.533, 489.537 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Examinations RULE CHAPTER NO.: 61G6-6

PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-6.

SUBJECT AREA TO BE ADDRESSED: Certification examination requirements; specialty electrical contractor certification examination; reexamination; alarm system contractor examination.

SPECIFIC AUTHORITY: 455.217 FS.

LAW IMPLEMENTED: 455.217, 489.505(2), 489.511 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Specialty Electrical Contractors RULE CHAPTER NO.: 61G6-7

PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-7.

SUBJECT AREA TO BE ADDRESSED: Specialty electrical contractors; scope of certification of certified electrical contractors.

SPECIFIC AUTHORITY: 455.511(8), 489.511(5) FS.

LAW IMPLEMENTED: 489.505(5), (19), 489.507(2)(a), 489.511(5) 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Fees
RULE CHAPTER NO.: 61G6-8
PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-8.

SUBJECT AREA TO BE ADDRESSED: Fees.
SPECIFIC AUTHORITY: 455.217(2), 455.219(1), 489.507(3), 489.509 FS.
LAW IMPLEMENTED: 119.07(1)(a),(b), 455.217(2), 455.219(1), 455.271(8), 489.509, 489.511(2) 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Continuing Education
RULE CHAPTER NO.: 61G6-9
PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-9.

SUBJECT AREA TO BE ADDRESSED: Continuing education for reactivation; criteria for continuing education for reactivation of license; definitions; continuing education requirements for renewal for certificateholders and registrants; registration of course sponsors; approval of continuing education courses; qualifications of course instructors; course syllabus; required records maintained by course sponsors; audit

of certifications of completion; advertising of continuing education courses; continuing education courses required by disciplinary action; fees.

SPECIFIC AUTHORITY: 455.219(3), 455.225, 455.227, 489.507(3), 489.509, 489.517(3), 489.519 FS.

LAW IMPLEMENTED: Chapter 94-119, Laws of Florida; 455.219(3), 489.507(3), 489.517, 489.519, 489.531, 489.533 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE CHAPTER TITLE: Disciplinary Guidelines
RULE CHAPTER NO.: 61G6-10
PURPOSE AND EFFECT: The Board proposes to review and to consider possible amendments to the rules in Chapter 61G6-10.

SUBJECT AREA TO BE ADDRESSED: Purpose; violations and penalties; aggravating or mitigating circumstances; payment of fine; minor violations and non-compliance; reinstatement and relincensure; mediation.

SPECIFIC AUTHORITY: Section 2, Chapter 86-90, Laws of Florida., 455.225(3), 455.227(3), 455.0235(1), 455.2273, 489.531, 489.533, 589.515(4) FS.

LAW IMPLEMENTED: Section 2, Chapter 86-90, Laws of Florida., 455.225(3), 455.227(3), 455.2235, 455.2273, 489.515(4) 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: 11:00 a.m. or shortly thereafter on July 21, 1999

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

Albritton, Program Administrator, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-11.001 Determination of Openings for Licensed State Pilots or Certificated Deputy Pilots.

(1) The Board shall ~~exercise its continuing duty to, from time to time,~~ determine if there is a need for one or more new ~~a licensed state pilot or pilots in the various ports of the state.~~ The Board shall also, ~~from time to time,~~ determine if there is a need for a certificated deputy pilot or ~~deputy pilots in any of the several various ports of the state.~~ The Board may make such determination based upon request(s) received ~~receive advice as to openings~~ from licensed state pilots at the port involved, or it may make such determination from information otherwise available to it. Licensed state pilots, at a port, who perceive a need for one or more new deputy pilots at that port, shall may submit a written request that the Board declare, and publish to notice of, one an opening or more openings for either a licensed state pilot or pilots or certificated deputy pilot or deputy pilots to serve that port. ~~Such request shall be acted upon in writing, for consideration and determination by the Board at a regularly or special scheduled meeting of the Board. Such~~ When making a request to notice an openings for a licensed state pilot or certificated deputy pilot, must contain facts which demonstrate to the Board that the creation of such opening(s) is necessary in order to promote and protect the public health, safety or welfare they shall advise the Board in writing, accompanying the request, of the number of handlings by the most junior deputy with at least 24 months service immediately preceding the request and a general description of the types, tonnage, and drafts of vessels handled by the deputy pilot during the preceding 12 months. In all cases the Board shall make its determinations based on the supply and demand for piloting services and the public's interest in maintaining efficient and safe piloting services.

(2) Deputy pilot examinations are regularly scheduled for March of each year. In order for a port opening to be included in the next regularly scheduled examination, that port's initial request to create one or more openings for certificated deputy pilots must be received at the Board office in Tallahassee, Florida, no later than the first business day after (name month) 1, prior to the next regularly scheduled examination date. If a port's request for the declaration of openings for a specific number "or more" deputy pilots has been approved, that port may make a supplemental request for the declaration of a final specific number of openings which number may be more than the specific number appearing before the words "or more" in the initial request. Such supplemental request must be received at the Board office in Tallahassee, Florida not later than (specify number) days prior to the then scheduled examination

for that port. Such supplemental request shall be considered and acted upon by the Board at a regular or special meeting of the Board held at any time prior to the administration of the examination. The specific number of openings declared upon consideration of the supplemental request shall constitute the maximum number of deputy pilots, for that port, to be appointed from among those who take the scheduled examination and thereupon become "certified" as provided by Section 310.081(2), Florida Statutes. If no such supplemental request is timely filed, the specific number appearing before the words "or more" in the initial request shall constitute the maximum number of deputy pilots, for that port, to be appointed from among those who take the scheduled examination and thereupon become "certified" as provided by Section 310.081(2), Florida Statutes. No new deputy pilot opening, to be filled from the participants in any examination, shall be approved by the Board after 23:59 hours, eastern time, of the day prior to that examination.

(3) If, as to any port, the Board finds the existence of an emergency of such a magnitude that a delay until the next regularly scheduled examination in providing for one or more new deputy pilots for that port would endanger the public health, safety or welfare, the board shall declare one or more emergency openings for deputy pilots for that port and shall make provision for giving notice of and scheduling a special examination for the sole purpose of filling such opening.

(4)(2) Other than in instances of cross licensing as permitted by § 310.061, Florida Statutes, the licensing of a pilot to serve in more than one port, prevents the board from adequately performing its duty under § 310.061, Florida Statutes, to assess the need for additional pilots in any of the ports to which such pilot is licensed. Therefore, other than in instances of cross licensing as permitted by § 310.061, Florida Statutes, no person shall become a certificated deputy pilot or licensed state pilot in any Florida port so long as that person remains a licensed pilot in any other Florida port. This prohibition shall not apply where all ports for which certification or licensure is sought have been combined with each other for the purpose of licensing.

(5)(3) For the purposes of this rule, the Board will not be deemed to be on notice of the license resignation of a licensed pilot until the Board is in receipt of a copy of the licensee's irrevocable resignation letter and a copy of the Department of Business and Professional Regulation's letter acknowledging and accepting the resignation.

(4) ~~The Board may declare deputy pilot vacancies and set a special examination date if twenty five percent of the pilots in a port have been incapacitated and the pilots in that port have petitioned for one or more emergency openings.~~

Specific Authority 310.185 FS. Law Implemented 310.061, 310.081(1),(2) FS. History—New 3-21-76, Formerly 21SS-5.06, Amended 1-19-77, 12-7-78, 1-10-80, Formerly 21SS-5.09, Amended 5-11-87, 11-28-90, Formerly 21SS-5.009, 21SS-11.001, Amended 5-11-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLE: Renewal of Licenses and Certificates
RULE NO.: 61G14-12.001

PURPOSE AND EFFECT: Reference to Rule 61G14-20.002 is being deleted to eliminate reference to a rule which is being repealed.

SUBJECT AREA TO BE ADDRESSED: Renewal of Licenses and Certificates.

SPECIFIC AUTHORITY: 310.185 FS.

LAW IMPLEMENTED: 310.081(3), 310.121 FS.

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

TIME AND DATE: 1:00 p.m., July 15, 1999

PLACE: Doubletree Hotel, 2649 South Bayshore Drive, Miami, Florida 33133

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Glenda Albritton, Program Administrator, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-12.001 Renewal of Licenses and Certificates.

(1) Licenses and certificates must be renewed by January 31 of each odd-numbered year to remain valid and authorize continuing service. Unless then under suspension or revocation, each license and certificate will be renewed provided the holder:

(a) through (b) No change.

(c) submits documentary evidence that the holder continues to meet the requirements for good physical and mental health required by F.S. 310.081 and Rule Section 61G14-20.001, F.A.C., ~~if a deputy pilot, or Rule Section 61G14-20.002, F.A.C., if a state pilot.~~

(d) No change.

(2) No change.

Specific Authority 310.185 FS. Law Implemented 310.081(3), 310.121 FS. History—New 2-25-91, Formerly 21SS-6.006, 21SS-12.001, Amended 1-9-95, 6-11-95, 10-30-95, 3-17-96, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLES: Deputy Pilots' and State Pilots'
RULE NOS.: 61G14-20.001

Physical and Mental Capabilities 61G14-20.002
State Pilots Physical and Mental Capabilities 61G14-20.002

PURPOSE AND EFFECT: The amendments to Rule 61G14-20.001 further clarify the established minimum physical and mental capabilities of deputy pilots and to include state pilots in said rule. Rule 61G14-20.002 is being repealed in its entirety because it has been absorbed by 61G14-20.001 and is therefore no longer necessary.

SUBJECT AREA TO BE ADDRESSED: Physical and Mental Capabilities.

SPECIFIC AUTHORITY: 310.185(1) FS.

LAW IMPLEMENTED: 310.071, 310.073 FS.

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

TIME AND DATE: 1:00 p.m., July 15, 1999

PLACE: Doubletree Hotel, 2649 South Bayshore Drive, Miami, Florida 33133

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Glenda Albritton, Program Administrator, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-20.001 Deputy Pilots' and State Pilots' Physical and Mental Capabilities.

(1) The purpose of this rule is to establish minimum standards for the physical and mental capabilities necessary to carry out the professional duties of a certificated deputy pilot or licensed state pilot, as required by Sections 310.071 and 310.073, Florida Statutes, established by the Board of Pilot Commissioners, are as follows:

(2) As used in this rule, the following definitions shall apply:

"Applicant" shall mean a person applying for initial certification as a deputy pilot;

"Pilot" shall mean a Florida licensed state pilot or a Florida certified deputy pilot;

“Certification of physical fitness” shall consist of all the following documents signed by a physician who holds an active, valid license issued pursuant to Chapter 458 or 459, Florida Statutes:

(a) Certification that the applicant, or pilot is An applicant for a certificate as a deputy pilot must be in good physical and mental health, as evidenced by documentary proof of having been certified by a licensed physician to be fully fit and qualified to perform the duties of a deputy pilot shall bear a date no later than twelve months after the date appearing on such certification most recently submitted; within the preceding six (6) months from the date the application is received by the Board.

(b) An 1. The applicant shall submit an original or true copy of the latest revision of form Dept.of.Trans., USCG, CG-719K BPR/BOPC/APP/EFF 2/95 entitled “Merchant Marine Personnel Physical Examination Report,” which “Medical Examination Information” filled out by a physician who holds an active, valid license issued pursuant to Chapter 458 or 459, Florida Statutes. This form is incorporated herein by reference and can be obtained by contacting the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0773. The form shall bear a date no later than 12 months after the date appearing on the copy of such form most recently submitted, and;

(c)2. The applicant shall submit Documentation that the applicant or pilot he/she, within six months prior to the date the document is submitted the application is received by the Board, has been found to be drug free by a test approved by the United States Coast Guard. “Submitted” shall mean received at the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0773.

(3) Certification of physical fitness shall be submitted at the following times:

(a) Applicants – within six months prior to the date the application is submitted;

(b) Pilots – not later than 12 months following the date the most recent certification of that pilot’s physical fitness was A certificated deputy pilot shall annually provide documentary proof of having satisfactorily passed a complete physical examination in accordance with the minimum standards of this rule section in order to maintain eligibility as a certificated deputy pilot. The completed physical examination form shall be submitted to the Board by November 1 each year.

(c) Failure to comply with this subsection shall result in discipline pursuant to rule chapter 61G14-17, F.A.C.

(4) Either (e) Any evidence from a physical examination which indicates that the subject has a clinical dependence upon alcohol use or use of a controlled substance (with zero

tolerance) unless the subject applicant or certificated deputy pilot is under the care of a physician and the that controlled substance was prescribed by that physician; or the subject’s failure to pass the physical examination required by pursuant to paragraph (1)(a) of this rule section shall constitute prima facie evidence of failure to meet the minimum standards for the physical and mental capabilities necessary to carry out the professional duties of a certificated deputy pilot and shall subject the applicant or pilot to the provisions of Section 310.101, Florida Statutes. Proceedings thereunder shall be in accordance with the requirements of Section 120.569 and 120.57, Florida Statutes.

1. The Board shall issue an intent to deny the application for certification order to the applicant, or in the case of the certificated deputy pilot seeking to maintain eligibility by submitting annual documentary proof of having satisfactorily completed the required physical examination, an intent to revoke the certification order to the certificated deputy pilot; stipulating the failure of the physical examination due to evidence of clinical dependence upon alcohol use or due to evidence of the use of a controlled substance regulated in Chapter 893, F.S., or stipulating the failure of the physical examination pursuant to paragraph (1)(a) of this rule section as the basis for the denial or revocation.

(5) Any 2. The applicant or the certificated deputy pilot affected by the Board's action may request a hearing in accordance with Chapter 120, F.S., and must do so within twenty-one (21) days of upon receipt of notice of Board action the order of intent to deny or revoke, otherwise the Board action order will become a final order of the Board on the day following the last day to request a hearing.

3. The Board shall file a final order, after the hearing if one is requested, denying or approving the application for certification; or denying or approving the eligibility to maintain certification as a deputy pilot in accordance with Chapter 120, F.S., and the rules of the Board.

(6)(2) Nothing in this rule section shall be construed to limit the Department's statutory authority to issue an emergency order suspending or revoking a deputy pilot's license or certificate where there is an immediate danger to the public health, safety, or welfare in accordance with the laws of Florida and the rules of the Board.

Specific Authority 120.59, 120.60, 310.185(1) FS. Law Implemented 310.071, 310.073 120.59, 120.60 FS., Chapter 94-119, Laws of Florida. History–New 2-22-95, Amended _____.

61G14-20.002 State Pilots Physical and Mental Capabilities.

Specific Authority 120.59, 120.60, 310.185(1) FS. Law Implemented 120.59, 120.60 FS., Chapter 94-119, Laws of Florida. History–New 2-22-95, Repealed _____.

PLACE: Bay County Health Department, 597 West 11th Street, Panama City, FL 32401

TIME AND DATE: 8:00 a.m., June 29, 1999

PLACE: Cooperative Extension Service, 2350 E. Michigan Street, Orlando, FL 32806

TIME AND DATE: 8:00 a.m., June 30, 1999

PLACE: Broward County Health Department, 2421A Southwest 6th Avenue, Ft. Lauderdale, FL 33315

THE PERSON TO BE CONTACTED REGARDING A DRAFT OF THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leslie L. Harris, Environmental Manager, 2020 Capital Circle, S. E., Bin A08, Tallahassee, FL 32399-1710, (850)487-0004

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: RULE NO.:

Style and Form for Filing Rules; Certification Accompanying Materials 1S-1.002

PURPOSE, EFFECT AND SUMMARY: 1S-1.002 is being amended to add the requirement that, in addition to the original and two copies required to be submitted for rule adoption, the rule text must also be submitted on a diskette.

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: 120.55(1)(c) FS.

LAW IMPLEMENTED: 120.54(2),(3)(e)4., 120.55(1)(c),(d),(3) FS.

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

TIME AND DATE: 10:00 a.m., July 13, 1999

PLACE: R. A. Gray Building, Auditorium, Bronough Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Liz Cloud, Chief, Bureau of Administrative Code, 401 South Monroe Street, The Elliot Building, Tallahassee, FL 32399-0250, Telephone (850)488-8427

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-1.002 Style and Form for Filing Rules; Certification Accompanying Materials.

(1) In addition to the following requirements, the text of all rules filed for adoption shall be submitted on 3.5" diskette, and shall comply with the specifications listed in Rule 1S-1.003(2)(a), F.A.C.

(1) through (10) renumbered (2) through (11) No change.

Specific Authority 120.55(1)(c) FS. Law Implemented 120.54(3)(e)4., (6), 120.55(1)(c),(d), 403.8055 FS. History--New 5-29-80, Formerly 1-1.02, Amended 12-30-81, 2-9-84, 10-1-84, 11-14-85, 10-19-86, 4-10-90, 6-17-92, 10-1-96, 9-13-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Cloud, Chief, Bureau of Administrative Code

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ethel Baxter, Director, Division of Elections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 1999

DEPARTMENT OF BANKING AND FINANCE

Division of Accounting and Auditing

RULE TITLES: RULE NOS.:

Duplicate Warrants 3A-10.081 Forgeries 3A-10.082

PURPOSE AND EFFECT: To adopt changes that have been made to the Affidavit for Duplicate Warrant and the Affidavit Attesting to Forgery.

SUMMARY: The Affidavit for Duplicate Warrant and the Affidavit Attesting to Forgery have been updated.

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: 17.14, 17.29 FS.

LAW IMPLEMENTED: 17.13, 17.14, 95.11(3)(p), 117.03(3)(a) 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., July 12, 1999

PLACE: Room 414, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Sharpton, Chief, Bureau of Accounting, Room 414, Fletcher Building, Tallahassee, Florida 32399-0350, (850)410-9951

THE FULL TEXT OF THE PROPOSED RULES IS:

3A-10.081 Duplicate Warrants.

When a warrant has been lost, stolen, or otherwise cannot be located, and the payee is entitled to the proceeds, it is necessary for the agency to request that the Comptroller place a stop order on the warrant in order to obtain a duplicate. This is followed up by the agency with an Affidavit for Duplicate Warrant (Form DBF-AA-408) signed by the payee and notarized, or signed by an authorized agency employee if the warrant was never delivered to the payee. When it has been determined that the original warrant has not been paid, a new warrant bearing the exact information as the original is forwarded to the agency for delivery to the payee. Form DBF-AA-408 (revised 4/99 effective 4-28-96) is hereby incorporated by reference and is available from the Department of Banking and Finance, Reconciliation Subsection, Room 308B16, Fletcher Building, Tallahassee, Florida 32399-0350. The original warrant should not be cancelled when a duplicate has been issued. In the event that the original warrant is found, the agency is requested to return the original to the Comptroller to be voided.

Specific Authority 17.14, 17.29 FS. Law Implemented 17.13, 17.14 FS. History--New 10-21-75, Formerly 3A-10.81, Amended 4-28-96, _____.

3A-10.082 Forgeries.

(1) An Affidavit Attesting to Forgery, Form DBF-AA-409 (revised 4/99 3-3-98), must be filed with the Department of Banking and Finance within 48 months of the date of the issuance of the original warrant. Form DBF-AA-409, which is hereby incorporated by reference, is available from the Department of Banking and Finance, Reconciliation Subsection, Room 308E, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) Requests to the Comptroller for reissuance of forged warrants should include three original Affidavits Attesting to Forgery. The affidavits should be signed by the payee and notarized. The original warrant will be charged back for collection. When notice of collection and credit to the appropriate fund is made, the agency may issue a new warrant in lieu of the original. If the agency has sufficient cash and budget, the warrant may be reissued upon notification that the warrant has been charged back. Section 117.05(3)(a), Florida Statutes, lists the requirements of the State of Florida for notarizing documents. On forgery affidavits that are notarized in another state whose notary laws do not mandate a notary commission number, the State Treasurer requires that a letter with a copy of that state's notary laws be attached to the affidavit for forgery before they will process that request.

Specific Authority 17.14, 17.29 FS. Law Implemented 17.13, 17.14, 95.11(3)(p), 117.03(3)(a) FS. History--New 10-21-75, Formerly 3A-10.82, Amended 4-28-96, 5-3-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Sharpton, Chief, Bureau of Accounting
NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 1999

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Investor Protection

RULE TITLE: Definitions
RULE NO.: 3E-200.001

PURPOSE AND EFFECT: Definitions will be amended to correct cite references and to comply with federal rules. Communications via the Internet will also be included within the definition of advertising. A definition of the term "custody" will be added.

SUMMARY: The rule is being amended to include communications via the Internet as advertising. Federal rules have been changed to allow certain individuals to receive cash payments for solicitation activities from investment advisers registered with the SEC. Rule 3E-200.001(7)(c) is being added to exclude these individuals from the definition of associated person of an investment adviser. Rule 3E-200.001(9)(b)4. is being amended to correct a cite reference. A new Rule 3E-200.001(11) is being added to define the term "custody."

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: 517.03(1) FS.

LAW IMPLEMENTED: 517.07, 517.12, 517.021, 517.051, 517.061, 517.081, 517.161 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., July 19, 1999

PLACE: Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0305, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-200.001 Definitions.

As used in the Rules and Regulations of the Division of Securities and Investor Protection, pursuant to Chapter 517, F.S. Florida Statutes, unless the context otherwise specifically requires:

(1) No change.

(2) "Advertising" means any circular, prospectus, advertisement or other material or any communication by radio, television, Internet, pictures or similar means used in connection with a sale or purchase or an offer to sell or purchase any security.

(3) through (6) No change.

(7)(a) "Associated person" as defined in Section 517.021(2), F.S., shall include any person who for compensation refers, solicits, offers, or negotiates for the purchase or sale of securities and/or of investment advisory services. A person whose activities fall within this definition is required to register with the Department as an associated person pursuant to Sections 517.12(1) or (4), F.S.

(b) Notwithstanding the provisions of subparagraph (a), an associated person registered with the Department and operating in compliance with Rule 3E-600.003(2), F.A.C., shall not be deemed an associated person of any investment adviser other than the investment adviser or dually registered dealer/investment adviser with which such associated person is registered.

(c) Any person acting in compliance with SEC Rule 206(4)-3 (17 CFR 275.206(4)-3), as it existed on March 1, 1999, shall not be deemed an associated person of an investment adviser.

(8) No change.

(9)(a) Except as otherwise provided herein, the term "Branch Office" shall mean any location in Florida other than a home office:

1. which is owned or controlled by a dealer or investment adviser for purposes of offering for sale or selling securities or for rendering investment advice and in which two or more associated persons are engaged in such activities. "Control" as used herein and in Section 517.021(4), F.S., shall be presumed from the fact that such location is used by associated persons of a dealer or investment adviser to conduct business on behalf of such dealer or investment adviser;

2. which is listed in any publication, including a professional digest or telephone directory, or advertised in any media as an office of a dealer or investment adviser; or

3. which is designated with the Securities and Exchange Commission or with a securities exchange or of self-regulatory organization as a branch office of a dealer or investment adviser.

(b) The following locations shall not be deemed branch offices for purposes of Section 517.12(5), F.S.:

1. Locations used temporarily for the purposes of conducting seminars or distributing printed information;

2. The home of a client;

3. A public location, such as a restaurant, which is occasionally used by a registered associated person to conduct business on behalf of the dealer or the investment adviser provided the location is not held out to the investing public as an office of the dealer or investment adviser; or

4. Any location defined as a branch office in paragraph (9) 40(a) of this Rule from which an associated person registered with a dealer and one or more investment advisers registered with the Department conducts business on behalf of said multiple entities provided that such location is lawfully registered with the Department as a branch office of at least one of said entities.

(10) No change.

(11) "Custody" means a person directly or indirectly holds customer funds or securities, has any authority to obtain possession of them, or has the ability to appropriate them.

(11) through (28) renumbered (12) through (29) No change.

(30)(29) "Securities Act of 1933," "Securities Exchange Act of 1934," "Investment Company Act of 1940," "Investment Advisers Act of 1940," and "Internal Revenue Code" mean the federal statutes of those names as amended.

(30) through (32) renumbered (31) through (33) No change.

Specific Authority 517.03(1) FS. Law Implemented 517.07, 517.12, 517.021, 517.051, 517.061, 517.081, 517.161 FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-200.01, Amended 12-8-87, 10-14-90, 7-31-91, 6-16-92, 1-10-93, 5-5-94, 10-20-97, 8-9-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Bill Reilly, Financial Administrator, Division of Securities

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE:

Don Saxon, Director, Division of Securities

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

February 24, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

March 26, 1999

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Investor Protection

RULE TITLES: RULE NOS.:

Registration of Issuer Dealers, _____

Principals and Branch Offices 3E-600.004

Rules of Conduct 3E-600.012

Continuing Education Requirement 3E-600.020

PURPOSE AND EFFECT: The National Securities Markets Improvement Act of 1996 ("NSMIA") amended the Securities Exchange Act of 1934 to prohibit any state from imposing on dealers any requirements relating to records and other areas that differ from or are in addition to those under federal law.

Rule 3E-600.004(3)(d)4. requires a disclosure document be provided to customers in this state by branch offices or associated persons conducting securities or investment advisory business under a name other than that of the dealer or investment adviser with whom they are registered. This disclosure document is not required under federal law and this rule provision is being deleted. Rule 3E-600.004(3)(d)5. is also being deleted as it describes instances where the disclosure requirements do not apply.

Rule 3E-600.012(1)(d) is being amended to provide a reference date of March 1, 1999 for rules of the Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB).

Schedule C to the National Association of Securities Dealers ("NASD") By Laws, Part XII was renamed Membership and Registration Rule 1120 in July 1996. Rule 3E-600.020(1) is being amended to reflect the correct name of the NASD rule. The reference date for the self-regulatory rules cited in 3E-600.020(1) through (8) is being amended to March 1, 1999. SUMMARY: The amendment to Rule 3E-600.004 repeals the disclosure document to be provided to customers in this state by branch offices or associated persons conducting a securities or investment advisory business under a name other than that of the dealer or investment adviser with whom they are registered. Rule 3E-600.012 is updated to provide a reference date of March 1, 1999 for various SEC and MSRB Rules. Rule 3E-600.020 is amended to update the reference date of various exchanges' continuing education rules.

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: 517.03(1) FS.

LAW IMPLEMENTED: 517.12(5),(10), 517.121, 517.301 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., July 19, 1999

PLACE: 101 East Gaines Street, Room 664, Fletcher Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Reilly, Financial Administrator, Division of Securities and Investor Protection, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-600.004 Registration of Issuer/Dealers, Principals and Branch Offices.

(1) through (3)(c) No change.

(3)(d) It is prohibited for any branch office or associated person to conduct a securities or investment advisory business in this state under any name other than that of the dealer or investment adviser with which the branch office or associated person is registered unless each of the following conditions is met:

1. The business conducted does not violate or evade any provision of Chapter 517, F.S.;

2. The business conducted does not fall within the definition of "dealer" or "investment adviser" as used in Chapter 517, F.S.; and

3. The dealer or investment adviser with which the branch office or associated person is registered has received written notice of the name under which business will be conducted; and

~~4. Each customer in this state is provided written disclosure prior to the first transaction conducted on behalf of such customer. Such disclosure shall include but not be limited to: an explicit description of the relationship between the registered dealer or investment adviser and any other entity conducting business at this location; the reason business is conducted under a name other than that of the dealer or investment adviser; the respective services provided by the dealer or investment adviser and any other entity which conducts business at this location; the fact that such entity is not registered with any state or federal agency as a dealer or investment adviser and therefore may not be subject to protections afforded by such registration; the name, title, address, and phone number of the person employed by the dealer or investment adviser which is responsible for supervising the conduct of the associated person(s) conducting business from this location; and a statement that prior to the initial transaction this disclosure is required by the State of Florida to be provided to every customer in this state transacting business with an entity conducting securities or investment advisory business under any name other than that of a registered dealer or investment adviser exclusively. For those persons required to comply with the provisions of this subsection, it shall be considered a violation of Section 517.121(1), F.S., for any associated person to effect a transaction on behalf of a dealer or investment adviser unless the associated person, dealer, or investment adviser possesses a copy of the disclosure required herein which copy has been originally signed and dated by the customer to evidence the customer's receipt of such disclosure.~~

5. The disclosure requirements of paragraph 4. of this rule shall not apply where:

(i) ~~the business of a branch office or associated person is conducted under a name which is not misleading and which is similar to or includes any part or abbreviation of the name of a corporation or other entity which has an ownership interest in the dealer or investment adviser with which the branch office or associated person is registered;~~

(ii) ~~unless previously provided pursuant to this rule, written disclosure of the relationship between the controlling entity and the registered dealer or investment adviser is provided to each customer prior to effecting a securities transaction on behalf of the customer or rendering investment advice to the customer; and~~

(iii) ~~the complete name of the registered dealer or investment adviser with which the branch office or associated person is registered is disclosed in each account agreement, statement of account, or transaction confirmation provided to the customer by or on behalf of the registered dealer or investment adviser.~~

Specific Authority 517.03(1) FS. Law Implemented 517.12(5),(10) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.04, Amended 10-14-90, 6-16-92, 1-11-93, 11-7-93, 11-14-93, 12-29-96, 10-20-97, 6-10-99.

3E-600.012 Rules of Conduct.

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

(d) Compliance with SEC Rule 10b-10 (17 CFR 240.10b-10) ~~of the Securities Exchange Act of 1934~~, and the confirmation, preparation and disclosure requirements of SEC ~~S.E.C.~~ Rule 17a-3 (17 CFR 240.17a-3) or MSRB ~~M.S.R.B.~~ Rules G-8 and G-15, as those rules existed on March 1, 1999, shall be deemed compliance with this Rule.

(2) through (4) No change.

(5) It shall be unlawful and a violation of Section 517.301(1), F.S., for any dealer or associated person to engage in any “device, scheme, or artifice to defraud” which shall include selling or effecting the purchase of any security into, in, or from offices in this state in violation of Sections 9, 10, 11A, or 15(c) of the Securities Exchange Act of 1934 or of SEC ~~S.E.C.~~ Rules 9b-1, 10b-1 et seq., 11Aa3-1, 15c1-1 et seq., or 15c2-1 et seq. (17 CFR 240.9b-1; 17 CFR 240.10b-1 et seq.; 17 CFR 240.11Aa3-1 ~~(as amended on January 10, 1997)~~; 17 CFR 240.15c1-1 et seq.; or 17 CFR 240.15c2-1 et seq., respectively), as such provisions existed ~~were in existence on March 1, 1999~~ ~~February 28, 1992~~; or Section 15(g) of the Securities Exchange Act of 1934 or of SEC ~~S.E.C.~~ Rules 15g-1, et seq. (17 CFR 240.15g-1 et seq.) as such provisions existed on August 11, 1993; or Regulation M (17 CFR 242.100-.105) as such provisions existed on March 4, 1997.

Specific Authority 517.03(1) FS. Law Implemented 517.121, 517.301(1) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.12, Amended 12-25-89, 10-14-90, 8-1-91, 6-16-92, 1-11-93, 4-11-94, 1-3-99.

3E-600.020 Continuing Education Requirements.

Failure to comply with any of the applicable continuing education requirements set forth in any one of the following shall be deemed a demonstration of unworthiness by a dealer or associated person under Section 517.161(1)(h), F.S. Florida Statutes:

(1) Membership and Registration Rule 1120 Schedule C to the National Association of Securities Dealers By Laws, Part XII of the National Association of Securities Dealers, as such provisions existed on March 1, 1999 ~~July 1, 1995~~;

(2) Rule 345A of the New York Stock Exchange, as such provisions existed on March 1, 1999 ~~July 1, 1995~~;

(3) Rule G-3(h) of the Municipal Securities Rulemaking Board, as such provisions existed on March 1, 1999 ~~July 1, 1995~~;

(4) Rule 341 A of the American Stock Exchange, as such provisions existed on March 1, 1999 ~~July 1, 1995~~;

(5) Rule 9.3A of the Chicago Board of Options Exchange, as such provisions existed on March 1, 1999 ~~July 1, 1995~~;

(6) Article VI, Rule 9 of the Chicago Stock Exchange, as such provisions existed on March 1, 1999 ~~July 1, 1995~~;

(7) Rule 9.27(c) of the Pacific Stock Exchange, as such provisions existed on March 1, 1999 ~~July 1, 1995~~; or

(8) Rule 640 of the Philadelphia Stock Exchange, as such provisions existed on March 1, 1999 ~~July 1, 1995~~.

Specific Authority 517.03(1) FS. Law Implemented 517.12(18), 517.161(1) FS. History—New 12-21-95, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Reilly, Financial Administrator, Division of Securities
 NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Don Saxon, Director, Division of Securities

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 1999

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Packaging and Labeling Regulation

RULE NO.: 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.

SUMMARY: Updates Chapter 5F-3.001 to adopt the current national requirements for the packaging and labeling of commodities as adopted by the National Conference on Weights and Measures and published as the “Uniform Packaging and Labeling Regulation” in the 1999 edition of National Institute of Standards and Technology Handbook 130 and changes the title of the subsection to better reflect the content of the subsection.

SUMMARY OF STATEMENT OF REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 531.41 (3) FS.

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

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

TIME AND DATE: 10:00 a.m., Tuesday, July 6, 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 IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone: (850)488-9140

THE FULL TEXT OF THE PROPOSED RULE 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,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Max Gray, Chief, Bureau of Weights and Measures

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices

RULE NO.: 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.

SUMMARY: 5F-5.001 adopts the current national standards for specifications, tolerances and other technical requirements for commercial weighing and measuring devices as published in the 1999 edition of National Institute of Standards and Technology Handbook 44.

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: 531.40, 531.41(3) FS.

LAWS IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, July 6, 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 IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone: (850)488-9140

THE FULL TEXT OF THE PROPOSED RULE 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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Max Gray, Chief, Bureau of Weights and Measures

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

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.

SUMMARY: Adopts the current national model methods of sale of commodities being sold by weight, measure or count, as published in National Institute of Standards and Technology

Handbook 130 to provide for interstate commerce, facilitate value comparison and provide adequate quantity information for consumers and purchasers.

SUMMARY OF STATEMENT 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: 531.41(3) FS.

LAWS IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, July 6, 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 IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone: (850)488-9140

THE FULL TEXT OF THE PROPOSED RULE 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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Max Gray, Chief, Bureau of Weights and Measures

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: RULE NO.:

Definition and Process for 6C-8.009
Establishing Educational Sites

PURPOSE AND EFFECT: To modify the rule governing the offering of lower-division course work on branch campuses, centers and sites. With the revision, lower-division courses may be offered at the branch campuses, center or sites with specific approval of the Board of Regents.

SUMMARY: Lower-division course work is permitted at two branch campuses. The rule is revised to allow the offering of lower-division course work with the specific approval of the Board of Regents at branches, centers or sites.

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

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

SPECIFIC AUTHORITY: 240.209(1),(3)(o) FS.

LAW IMPLEMENTED: 240.209(1),(3)(o), 240.2011 FS.

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

TIME AND DATE: 1:00 p.m., July 15, 1999

PLACE: Ballroom, University Center, Florida State University, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-1950

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-8.009 Definition and Process for Establishing Educational Sites.

(1) The following definitions and processes for establishment shall apply to educational locations of public universities within the state:

(a) Main campus is defined as the focal point of university educational and administrative activities, authorized by Section 240.2011, F.S. Lower-division courses are offered only on the main campus of each university unless the university receives specific Board of Regents' approval to offer lower-division courses at a branch campus, center or site.

(b) Branch campus is defined as an instructional and administrative unit of a university that offers students upper-division and graduate programs as well as a wide range of support services. ~~The North Miami campus of Florida International University and the New College campus of the University of South Florida shall be exceptions to this~~

~~definition as these campuses offer lower-division coursework.~~ Distance learning techniques may be used to complement on-site instruction at all types of campuses. Branch campuses may be of various types to meet the particular needs of a region:

Specific Authority 240.209(1),(3)(o)(~~g~~) FS. Law Implemented 240.209(1),(3)(o), 240.2011 FS. History--New 4-9-87, Amended 6-8-92, 2-15-94,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James A. Mau

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Adam W. Herbert, Chancellor, State University System

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 1999

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: RULE NO.:

Certification of Residency for 6C-10.013
Appropriated Programs

PURPOSE AND EFFECT: Appropriations Act proviso language accompanying annual appropriations to the University of Miami School of Medicine and Nova Southeastern University's Colleges of Osteopathic Medicine, Optometry and Pharmacy requires that supported students in these programs must meet the definition of Florida residency for tuition purposes pursuant to s. 240.1201, F.S. Because the annual appropriations to these programs had appeared in the Board of Regents General Office Budget, Rule 6C-10.013 was promulgated to provide a procedure for the review and certification of the Florida residency of students in supported programs. The FY 1999-2000 General Appropriations Act transfers administration of these appropriated programs out of the State University System budget. Therefore, this rule is no longer needed.

SUMMARY: Rule 6C-10.013 providing a procedure for the certification of residency for appropriated programs is repealed, as the BOR no longer has responsibility for these programs.

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

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

SPECIFIC AUTHORITY: 240.209(1),(3)(r) FS.

LAW IMPLEMENTED: 240.209(1), 242.62, 240.1201 FS.

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

TIME AND DATE: 1:00 p.m., July 15, 1999
PLACE: Ballroom, University Center, Florida State University, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-1950

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-10.013 Certification of Residency for Appropriated Programs

Specific Authority 240.209(1),(3)(r) FS. Law Implemented 240.209(1), 244.01, 244.02, 242.62, 240.1201 FS. History--New 6-2-87, Amended 6-16-88, 10-15-90, 12-9-91, 11-27-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Ph.D.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Adam W. Herbert, Chancellor, State University System

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 1999

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Self-Accrual Authorization RULE NO.: 12A-1.0911

PURPOSE AND EFFECT: The proposed amendments to Rule 12A-1.0911, FAC, are necessary to implement the changes to Chapter 212, F.S., made by the 1998 Legislature in Section 7 of Chapter 98-140, Laws of Florida.

SUMMARY: The proposed amendments to Rule 12A-1.0911, FAC, provide that the Department may authorize a dealer that uses independent sellers to sell its merchandise to remit tax on the retail sales price charged to the ultimate consumer, in lieu of having the independent seller register as a dealer and remit the tax.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since the proposed amendments to this rule do not implement any new administrative program or procedure, but instead reduce the administrative burden on specific taxpayers, no new regulatory costs are being created. Therefore, 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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2),(3), 212.183, 213.06(1) FS.

LAW IMPLEMENTED: 212.05(1)(e)3.,4., 212.0598, 212.06(11), 212.08(8),(9), 212.12(13), 212.18(3), 212.183 FS.

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

TIME AND DATE: 10:00 a.m., July 13, 1999
PLACE: Room 435, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida 32399-0100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert D. Heyde, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, telephone number (850)922-4714

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding before the Technical Assistance and Dispute Resolution Office should call (850)488-8026 (Voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-1.0911 Self-Accrual Authorization.

(1) through (4) No change.

(5)(a) The Department may authorize a dealer that uses independent sellers to sell its merchandise to remit tax on the retail sales price charged to the ultimate consumer in lieu of having the independent seller register as a dealer and remit the tax. The dealer applicant must agree to report and pay directly to the Department all sales tax liabilities that are transferred from the independent sellers to the dealer applicant as a result of the request.

(b)1. A dealer applicant seeking authorization to remit sales tax on behalf of its independent sellers must send a written request for such authorization to:

Florida Department of Revenue
Central Registration
P. O. Box 2096
Tallahassee, Florida 32316-2096

2. The request shall include:

a. the date;

b. the signature of the dealer applicant's President or Chief Executive Officer;

c. a statement by the dealer applicant agreeing to report and pay directly to the Department all sales and use tax liabilities that are transferred from the independent sellers to the dealer applicant as a result of the request;

d. the dealer applicant's sales tax certificate of registration number;

e. the dealer applicant's address and telephone number;

f. a description of the property being sold by the independent sellers;

g. documentation of dealer applicant's financial resources, including financial statements and federal tax returns; and

h. a detailed description of the dealer applicant's information processing system to be used for the tax liabilities assumed and to allocate the local taxes involved.

(c)1. Upon receipt of a request for authorization, the Department will inform the dealer applicant in writing that the request is complete and has been accepted; or, that the request is deficient and specify what additional information is required to make the request complete. Upon acceptance of a complete request for authorization, the Department will approve or deny the request and notify the dealer applicant in writing of its decision.

2. If the request has been approved, the Department will issue a numbered authorization permit and will indicate the effective date of a dealer's authorization to remit tax on the permit.

(d)1. If a request for authorization to remit tax is granted, the dealer must report and remit the amount of sales tax and local discretionary sales surtax applicable to each county in which the first delivery of the taxable property to the independent seller occurs.

2. The dealer shall notify the Department within 30 days of any change of circumstances that might affect the dealer's qualification for the authorization. The authorization can be revoked at any time if it is determined by the Department that the holder no longer meets the requirements set forth in this subsection.

Specific Authority 212.17(6), 212.18(2),(3), 212.183, 213.06(1) FS. Law Implemented 212.05(1)(e)3,4, 212.0598, 212.06(11), 212.08(8),(9), 212.12(13), 212.18(3), 212.183 FS. History--New 4-7-92, Amended 5-19-93, 9-14-93, 11-16-93,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert D. Heyde, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, telephone number (850)922-4714

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Strausser, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone number (850)922-4746

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: These proposed rule amendments were noticed for a Rule Development Workshop in the Florida Administrative Weekly on April 23, 1999 (Vol. 25, No. 16, pp. 1782-1783). The workshop was held on May 10, 1999. No one appeared at the workshop to testify, and no one submitted written comments.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLES:	RULE NOS.:
Part I Tax on Production of Oil and Gas	
Imposition of Tax	12B-7.001
Administration	12B-7.002
Liability for Tax	12B-7.007
Payment of Tax; Interest and Penalties	12B-7.009
Part II Tax on Production of Solid Minerals	
Penalties and Interest	12B-7.023

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rules 12B-7.001, 12B-7.002, 12B-7.007, 12B-7.009, 12B-7.023, FAC, is to remove language from the administrative code that restates the statutory provisions.

SUMMARY: The proposed repeal of Rule 12B-7.001 (Imposition of Tax), Rule 12B-7.002 (Administration), Rule 12B-7.007 (Liability for Tax), Rule 12B-7.009 (Payment of Tax; Interest and Penalties) and 12B-7.023 (Penalties and Interest), is necessary to conform to the legislative mandate in s. 120.74(1), F.S., that each agency review and revise its rules to remove language which is redundant of statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since the proposed repeal of these rules does not implement any new administrative program or procedure, no new regulatory costs are being created. Therefore, 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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 211.125(1), 211.33, 213.06(1) FS.

LAW IMPLEMENTED: 211.02, 211.025, 211.026, 211.07, 211.075, 211.076, 211.09, 211.125, 211.33 FS.

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

TIME AND DATE: 10:00 a.m., July 13, 1999

PLACE: Room 435, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida 32399-0100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Parramore, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone at (850)922-4709

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding before the Technical Assistance and Dispute Resolution Office should call (850)488-8026 (Voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE FULL TEXT OF THE PROPOSED RULES IS:

12B-7.001 Imposition of Tax.

Specific Authority 211.125(1), 213.06(1) FS. Law Implemented 211.02, 211.025, 211.026 FS. History--New 12-28-78, Formerly 12B-7.01, Amended 12-18-94, Repealed.

12B-7.002 Administration

Specific Authority 211.125(1), 213.06(1) FS. Law Implemented 211.07, 211.125 FS. History--New 12-28-78, Formerly 12B-7.02, Amended 12-18-94, Repealed.

12B-7.007 Liability for Tax.

Specific Authority 213.06 FS. Law Implemented 211.09 FS. History--New 12-28-78, Formerly 12B-7.07, Repealed.

12B-7.009 Payment of Tax; Interest and Penalties.

Specific Authority 211.125(1), 213.06(1) FS. Law Implemented 211.075, 211.076 FS. History--New 12-28-78, Formerly 12B-7.09, Amended 12-18-94, Repealed.

12B-7.023 Penalties and Interest.

Specific Authority 211.33(6), 213.06(1) FS. Law Implemented 211.33 FS. History--New 12-18-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Parramore, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone at (850)922-4709

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Strausser, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)922-4746

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: These proposed rule repeals were notice for a Rule Development Workshop in the Florida Administrative Weekly on April 16, 1999 (Vol. 25, No. 15, pp. 1633-1634). The workshop was held on May 6, 1999. No one appeared at the workshop to testify, and no one submitted written comments

STATE BOARD OF ADMINISTRATION

RULE TITLES:	RULE NOS.:
Definitions Applicable to the 1994-1995 Contract Year	19-8.002
1994 Provisional Premiums	19-8.003
Aggregate Retention Levels	19-8.004
Special Provisions	19-8.005
Insurer Reporting	19-8.006
1994 Reimbursement Premium Formula	19-8.009

PURPOSE AND EFFECT: These rules proposed to be repealed implement Section 215.555, regarding the Florida Hurricane Catastrophe Fund, for the 1994 contract year.

SUMMARY: Proposed repealed rule 19-8.002 establishes definitions for the 1994 contract year; proposed repealed rule 19-8.003 establishes the procedure for determining provisional premiums for the 1994 contract year; proposed repealed rule 19-8.004 establishes provisions to determine aggregate retention levels for the 1994 contract year; proposed repealed rule 19-8.005 establishes special provisions for the 1994 contract year; proposed repealed rule 19-8.006 establishes the insurer reporting requirements for the 1994 contract year; and proposed repealed rule 19-8.009 establishes the premium formula for the 1994 contract year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be minimal.

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: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2),(3),(4),(5),(6),(7) FS.

REGARDLESS OF WHETHER OR NOT ONE IS REQUESTED, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. – 12:00 noon, Wednesday, July 14, 1999

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jack Nicholson, Chief Operating Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Drawer 13300, Tallahassee, FL 32317-3300; tel.: (850)413-1340

THE FULL TEXT OF THE PROPOSED RULES IS:

19-8.002 Definitions Applicable to the 1994-1995 Contract Year.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 6-12-95, Amended 7-19-95, Repealed.

19-8.003 1994 Provisional Premiums.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 6-12-95, Repealed.

19-8.004 Aggregate Retention Levels.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 6-12-95, Repealed.

19-8.005 Special Provisions.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 6-12-95, Repealed.

19-8.006 Insurer Reporting.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 6-12-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jack Nicholson, Chief Operating Officer, Florida Hurricane
 Catastrophe Fund, State Board of Administration
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Trustees of the State Board of
 Administration
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: June 8, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: May 7, 1999

STATE BOARD OF ADMINISTRATION

RULE TITLE: 1999 Reimbursement Premium Formula
 RULE NO.: 19-8.028
 PURPOSE AND EFFECT: This rule is promulgated to
 implement Section 215.555, regarding the Florida Hurricane
 Catastrophe Fund, for the 1999-2000 contract year.
 SUMMARY: Proposed new rule 19-8.028 establishes the
 premium formula and adopts reports and insurer reporting
 forms for the 1999-2000 contract year.
 SUMMARY OF STATEMENT OF ESTIMATED
 REGULATORY COST: The Board has prepared a statement
 and found the cost to be minimal.
 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: 215.555(3) FS.
 LAW IMPLEMENTED: 215.555(2),(3),(4),(5),(6),(7) FS.
 REGARDLESS OF WHETHER OR NOT ONE IS
 REQUESTED, A HEARING WILL BE HELD AT THE
 TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 9:00 a.m. – 12:00 noon, Wednesday, July
 14, 1999
 PLACE: Room 116 (Hermitage Conference Room), 1801
 Hermitage Blvd., Tallahassee, Florida 32308
 THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE IS: Jack Nicholson, Chief Operating
 Officer of the Florida Hurricane Catastrophe Fund, State Board
 of Administration, P. O. Drawer 13300, Tallahassee, FL
 32317-3300; tel.: (850)413-1340

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.028 1999 Reimbursement Premium Formula.

(1) The purpose of this rule is to adopt the Premium
 Formula for the 1999-2000 contract year to determine the
 actuarially indicated reimbursement premium to be paid to the
 FHCF, as required by Section 215.555(5)(b), Florida Statutes.

(2) Because of the diversity of the insurers and the risks
 they insure which are affected by Section 215.555, Florida
 Statutes, the 1999 Premium Formula adopted in subsection (3),
 below, adopts the basic Formula and also addresses special
 circumstances.

(3) The 1999 Premium Formula.

(a) The 1999 Formula for determining the actuarially
 indicated premium to be paid to the Fund, as required by
 Section 215.555(5)(b), is the rate times the exposure per
 \$1,000 of insured value and this equals the premium to be paid
 in dollars. The rates adopted in paragraph (b), below, were
 determined by taking into account four factors: geographic
 location by zip code; construction type; policy deductible; and
 type of insurance. The Formula is developed by an independent
 actuarial consultant selected by the Board, as required by
 Section 215.555(5)(b). The Formula developed by the Board's
 independent actuarial consultant, "Florida Hurricane
 Catastrophe Fund: 1999 Ratemaking Formula Report to the
 Florida State Board of Administration, March 5, 1999," which
 is supplemented by the "Florida Hurricane Catastrophe Fund
 Addendum to the March 5, 1999 Ratemaking Report, May 26,
 1999, both of which are hereby adopted and incorporated by
 reference.

(b) The basic premium rates developed in accordance with
 the premium formula methodology approved by the Board on
 5/11/99, are hereby adopted and incorporated by reference in
 Form FHCF-Rates1999, "Florida Hurricane Catastrophe Fund/
 1999-00 Rates," rev. 8/99.

(c) Special Circumstances.

1. The premium formula for Section II exposure will be
 based on the use of computer modeling for each individual
 company for which it is applicable. Because of the difference
 in potential loss exposure between Section I and Section II, it is
 not equitable to apply FHCF rates developed for Section I
 exposures to Section II exposures. Because of the wide
 variations in attachments, retentions, limits, and participation
 levels for excess insurance, it is not practical to develop
 separate rates for all the potential combinations of per policy
 excess/high deductible exposures. Therefore, the Actuarial
 Consultant will recommend guidelines for individual company
 Section II portfolio modeling to estimate individual company
 FHCF expected losses. Individual company FHCF expected
 losses for Section II exposures will be loaded for investments
 and expenses on the same basis as the FHCF premium rates
 used for Section I exposures, but will also include a loading for
 the additional cost of individual company modeling. The
 minimum exposure threshold for FHCF Section II rating will
 be sufficient to generate FHCF premium greater than the cost
 of modeling and other considerations. Upon the Board's
 approval of the 1999/2000 FHCF rates, the Actuarial
 Consultant will calculate the minimum threshold of Section II
 exposure required for the separate coverage levels of 45%,
 75%, and 90%. This methodology will be based on sound

actuarial principles to establish greater actuarial equity in the premium structure. The calculated thresholds will be included in the 1999-2000 Data Call, as adopted and incorporated by reference in Rule 19-8.029. Companies with exposure meeting the definition of Section II, but with an aggregate of such exposure under the applicable threshold, shall report the said exposure under Section I using Section I reporting specifications.

2. a. Insurers which have forfeited their certificates of authority or which have withdrawn from the state or discontinued writing all kinds of insurance in this state after the beginning of the contract year shall have their premiums determined in accordance with paragraphs (a) and (b), above. Special recognition is not given to insurers which do not have exposure for covered policies for an entire contract year, except for new companies as described in subparagraph 4 of this rule.

b. Any insurer which has forfeited its certificate of authority or which has discontinued writing in accordance with an order issued by the Department of Insurance effective prior to June 1 of each calendar year shall not be required to execute a Reimbursement Contract with the Board provided that the insurer has no exposure to hurricane loss after June 1.

3. Any policy exclusively covering specialized fine arts risks and not covering any residential structure and/or contents thereof other than such specialized fine arts items covered in the fine arts policy, shall be exempt from the Fund as a risk meeting specialized loss control requirements if the insurer employs underwriting criteria and requires its policyholders to adhere to sub-subparagraphs a. through g., immediately below. For purposes of the exemption in this subparagraph, a "specialized fine arts risk policy" is one which insures paintings, works on paper, etchings, art glass windows, pictures, statuary, sculptures, tapestries, antique furniture, antique silver, antique rugs, rare books, and other bona fide works of art, of rarity, of historic value, or artistic merit; which charges a minimum premium of \$500.00; which insures scheduled items valued, in the aggregate, at no less than \$100,000.00; and which requires an investment by the insured in loss control measures to protect the fine arts risks being insured.

a. The policyholder must demonstrate a willingness and determination to reduce the probability of loss.

b. The insurer must perform a periodic and thorough specialized inspection and must provide a specialized loss prevention service designed to prevent or minimize loss.

c. Insurable values must be sufficient to produce a premium amount to warrant the furnishing of special inspection and loss prevention service by the insurer. For purposes of this rule, the insurable value of the scheduled items must be, in the aggregate, no less than \$100,000.00, and the minimum premium amount must be no less than \$500.00.

d. The structural design of the residence and the degree of protection, together with efficient specialized inspection and loss protection service, must have the effect of reducing the relative importance of such otherwise applicable rating factors as exposure and quality of public fire protection.

e. The structure in which the fine arts being insured are housed must be fire-resistive or incombustible, made of heavy timber or other approved construction, and in good state of preservation and repair.

f. The structure and its fine arts contents must be provided with satisfactory watchman or alarm service or its equivalent where necessary.

g. The insurer must maintain a force of trained and competent loss prevention specialists, who perform the following tasks:

i. make complete loss prevention surveys of each specialized fine arts risk;

ii. make available specialized loss prevention service for the purpose of providing consultation regarding hazards to the fine arts being insured;

iii. confirm through periodic and unannounced inspections that loss prevention devices are properly maintained;

iv. investigate reported losses; and

v. confer with the policyholder and confirm through periodic and unannounced inspections that recommended safety and loss control improvements are actually made.

4.a. For purposes of this rule, the term "new companies" refers to:

i. all companies which write covered policies, as that term is defined in Section 215.555(2)(c), Florida Statutes, and

ii. which are granted a certificate of authority by the Department of Insurance on or after the beginning of the Fund's contract year on June 1; or which already have a certificate of authority but begin writing covered policies on or after the beginning of the Fund's contract year on June 1 and did not or was not required to enter into a contract on June 1 of the contract year.

b. For purposes of this rule, a company is writing new business if it writes covered policies on or after the beginning of the Fund's contract year on June 1 and did not do so prior to the beginning of the contract year, or if it removes exposure from the RPCJUA pursuant to an assumption agreement on or after June 1 and had written no other covered policies before June 1.

c. All new companies shall enter into a reimbursement contract with the Fund.

d. All new companies shall pay a reimbursement premium to the Fund in accordance with the applicable subparagraphs below and in accordance with the applicable provisions of the reimbursement contract adopted in rule 19-8.010.

e. This sub-subparagraph applies to companies writing new business after June 1 but prior to December 1 of the contract year.

i. All new companies writing new business during the period specified above shall pay a provisional premium of \$1,000 to provide consideration for the contract.

ii. On or before March 1 of the contract year, the company shall report its actual exposure as of December 31 of the contract year to the Administrator on Form FHCF-D1B, "Florida Hurricane Catastrophe Fund 1999 Data Call for Newly Licensed Companies," rev. 5/99; Form FHCF-MOD, "CLASIC DATA FORMAT (tm) for Excess Insurance, Version 1.1," rev. 12/22/94; and the FHCF computer validation software provided on diskette and called "FHCF Preliminary Validation Software Version 5.0," with its Instructions. The two forms and the software with its instructions identified in the immediately preceding sentence are hereby adopted and incorporated by reference. The forms and the software are available from the Administrator as defined in Rule 19-8.027. All new companies engaging in JUA take-outs on an assumption basis as described in subparagraph 5 of this paragraph shall comply with the reporting requirements of that subparagraph, except for the reporting due dates. The reporting requirements for assuming insurers are set out in Form FHCF-D1B adopted immediately above. The Administrator shall calculate the company's actual reimbursement premium for the period specified in sub-subparagraph b. based on its actual exposure. To recognize that new companies have limited exposure during this period, the actual premium as determined by processing the company's exposure data shall then be divided in half, the provisional premium shall be credited, and the resulting amount shall be the total premium due for the company for the remainder of the contract year. However, if that amount is less than \$1,000.00, then the insurer shall pay \$1,000.00. The premium payment is due no later than May 1 of the contract year. The company's retention and coverage will be determined based on the total premium due which is the premium calculated based on the company's 12/31 exposure and divided in half as described in this sub-subparagraph.

f. This sub-subparagraph applies to companies writing new business on or after December 1 but up to and including May 31. All new companies writing new business during this period shall pay a premium of \$1,000 to provide consideration for the contract. The company shall pay no other premium for the remainder of the contract year. The company shall not report its exposure data for this period to the Board. The premium shall be paid upon signing the reimbursement contract.

g. For purposes of this subparagraph, the requirement that a report is due on a certain date means that the report shall be in the physical possession of the Fund's Administrator in Minneapolis no later than 5 p.m., Central Time, on the due date applicable to the particular report. If the applicable due date is

a Saturday, Sunday or legal holiday, and if the due date's being a Saturday, Sunday or legal holiday means that neither the United States Postal Service nor private delivery services are operating that day, then the applicable due date will be the day immediately following the applicable due date which is not a Saturday, Sunday or legal holiday. For purposes of the timeliness of the submission, neither the United States Postal Service postmark nor a postage meter date is in any way determinative. Reports sent to the Board in Tallahassee, Florida, will be returned to the sender. Reports not in the physical possession of the Fund's Administrator by 5 p.m., Central Time, on the applicable due date are late.

5.a. Treatment of Assumed Exposure for Purposes of Calculating Reimbursement Premium. So as not to impair the financial incentives for insurers engaging in RPCJUA take-outs pursuant to Sections 627.351(6)(g)3. and 627.3511, Florida Statutes, the Board has determined that for purposes of reporting exposure, calculating reimbursement premiums, determining retentions, and paying loss reimbursements, the Board shall treat all exposure removed from the RPCJUA pursuant to an assumption agreement as the exposure of the assuming insurer. This policy is effective December 1, 1996.

b. RPCJUA Reporting Requirement after Each Assumption. The RPCJUA, after entering into an agreement for a take-out pursuant to Sections 627.351(6)(g)3. and 627.3511, Florida Statutes, which has the effect of transferring covered policies on an assumption basis to an authorized insurer, shall report the transaction to the Board within 10 days of the date of the transaction. The RPCJUA shall report each assumption separately. If an assuming insurer enters into more than one assumption agreement, then the RPCJUA shall report each assumption transaction for that insurer separately. The report shall include a copy of the agreement between the RPCJUA and the authorized insurer effecting the take-out pursuant to Sections 627.351(6)(g)3. and 627.3511, Florida Statutes, along with a summary of the number of covered (wind) policies assumed; and the total wind exposure assumed by type of business and by line of business. In support of the summary report, the RPCJUA shall submit a detailed report to the Board which includes the following for each assumed policy: the insured's name, policy number, policy period, date assumed, zip code, deductible, construction code, total insured value – building, total insured value – appurtenant structures, and total insured value – contents. The detailed report shall be sorted by type and line of business and shall reconcile to the summary report.

c. RPCJUA Reporting Requirements for the Exposure Report as of 6/30. The RPCJUA shall report its wind exposure as of 6/30 of the contract year pursuant to the requirements of Rule 19-8.029. Pursuant to the provisions of subsubparagraph i of this subparagraph c, the RPCJUA shall not report wind exposure removed from the RPCJUA pursuant to an assumption agreement pursuant to Sections

627.351(6)(g)3. and 627.3511, Florida Statutes. However, in order to facilitate audits of policies removed from the RPCJUA under assumption agreements and pursuant to the requirements of Rule 19-8.029, the RPCJUA shall also report, in addition to, but separate from, the 6/30 data call, all exposure removed from the RPCJUA which, as of 6/30, had not been renewed onto the assuming insurer's policy forms. The report shall be in the same format as prescribed by the data call adopted and incorporated by reference in Rule 19-8.029. The report shall report the exposure separately for each assuming company subject to an assumption agreement and reported to the FHCF pursuant to sub-subparagraph c.i., above.

d. Assuming Company Reporting Requirements for the Exposure Report as of 6/30. Those authorized insurers to which sub-subparagraph c.i. applies shall report their exposure as of 6/30 of the contract year pursuant to the requirements of Rule 19-8.029 and shall include in that exposure all direct business of the insurer and all RPCJUA exposure removed from the RPCJUA pursuant to an assumption agreement pursuant to Sections 627.351(6)(g)3. and 627.3511, Florida Statutes, which exposure has been renewed onto such authorized insurer's policy forms. Pursuant to the requirements of Rule 19-8.029, such authorized insurer shall also report, in a separate file, all wind exposure removed from the RPCJUA which has not renewed onto such authorized insurer's policy forms as of 6/30 in the same format as prescribed by the data call adopted and incorporated by reference in Rule 19-8.029.

e. Records Retention Requirements for the RPCJUA and the Assuming Insurers. For purposes of compliance with the records retention requirements of the Reimbursement Contract adopted and incorporated by reference in Rule 19-8.010, both the RPCJUA and the assuming insurers shall maintain auditable records, in policy level detail, as of 6/30 of the contract year, of the exposure which was the subject of the assumption agreement. Neither the RPCJUA nor any of its servicing agents, contractors, or carriers, nor any authorized insurer engaging in a take-out on an assumption basis shall delete, remove, or otherwise eliminate any information required by the Reimbursement Contract adopted and incorporated by reference in Rule 19-8.010 or any other rules relating to the Board's audit requirements for 5 years or until the Fund has completed either an exposure audit or a loss reimbursement audit or both, whichever is later.

f. Calculation of Final Premium Installment Due on December 1 for the RPCJUA. The RPCJUA shall pay the full premium on the wind exposure determined in accordance with this rule and Rule 19-8.029. Payments shall be made in accordance with the premium installment payment schedule in the Reimbursement Contract as adopted and incorporated by reference in Rule 19-8.010.

g. Calculation of Final Premium Installment Due on December 1 for the Assuming Insurers. The assuming insurers shall pay the full premium on the wind exposure determined in

accordance with this rule and Rule 19-8.029. Payments shall be made in accordance with the premium installment payment schedule in the Reimbursement Contract as adopted and incorporated by reference in Rule 19-8.010.

h. Retention Calculation and Loss Reporting. The Board shall calculate the reimbursement premium and determine the retentions of the authorized insurers removing covered policies from the RPCJUA on an assumption basis and of the RPCJUA as if all the exposure for covered policies included in the assumption agreement is the exposure of the authorized insurer as of 6/30 of the contract year. The authorized insurer removing covered policies from the RPCJUA on an assumption basis shall report its losses for those covered policies to the Board and the Board shall reimburse those authorized insurers for losses for those covered policies directly to such authorized insurer.

6. Since the calculation of the actuarially-indicated rates assumes that the companies will pay their reimbursement premiums timely, interest charges will accrue under certain circumstances. If a company chooses to estimate its own premium installments, then an interest charge will accrue on any premium which is underestimated. No interest will accrue regarding any provisional premium, if paid as billed by the Fund's Administrator. However, if the premium payment is not received from a company when it is due, an interest charge will accrue on a daily basis until the payment is received. An interest credit will be applied for any premium which is overpaid as either an estimate or as a provisional premium. Interest shall not be credited past December 1 of any contract year. The applicable interest rate for interest credits will be the projected average rate earned by the Board for the Fund for the first six months of the Contract Year. The applicable interest rate for interest charges will accrue at this rate plus 3%.

(4) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Reinsurance Risk Management Services, Inc., 3600 West 80th Street, Minneapolis, Minnesota 55431.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2),(3),(4),(5),(6),(7) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 1998

DEPARTMENT OF CORRECTIONS

RULE TITLE: Use of Force
 RULE NO.: 33-3.0066

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow for the provision of chemical agents to designated security staff for use in self-defense or to prevent injury to others.

SUMMARY: The proposed rule provides for the issuance of chemical agents to designated security staff for use in self-defense or to prevent injury to others.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: (If one 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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.35 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., July 14, 1999

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-3.0066 Use of Force.

(1) through (12) No change.

(13) Use of Chemical Agents.

(a) The following chemical agents are authorized for use by the department:

1. OC – Oleoresin Capsicum – causes tearing and involuntary closing of the eyes, nasal discharge, sneezing, disorientation, and the sensation of respiratory distress.

2. CS – Orthochlorobenzal Malononitrile or Orthochlorobenzylidene Malononitrile – causes eyes to burn and tear, nasal discharge, and skin and upper respiratory irritation.

3. CN – Chloroacetophene – causes tearing of the eyes, nasal discharge, and skin and upper respiratory irritation.

(b) Chemical agents, OC CN or CS gas, shall be used only after all other reasonable efforts to control a disorderly inmate or group of inmates have been exhausted. All chemical agents shall be used with caution.

(c) In controlled situations when time constraints are not an issue, chemical agents shall be used only by order of the Superintendent or a high ranking employee specifically

designated by the superintendent. For purposes of this paragraph, "high ranking" means shift supervisor or higher. Additionally, in accordance with (k) below, certified correctional staff will be designated by the superintendent to carry chemical agents and will be pre-authorized to administer chemical agents in instances where chemical agents must be used for intervention in self-defense, i.e., when the officer believes that he or she is in imminent threat of bodily harm or that the use of chemical agents will prevent injury to other staff, visitors, volunteers or inmates.

(d) Except in cases of emergency, as determined by the Superintendent or officer in charge, chemical agents shall be employed only by persons trained in their use.

(e) Chemical agents shall never be used to punish an inmate.

(f) No inmate shall be removed from his assigned cell and placed into another cell for the purpose of administering chemical agents.

(g) No inmate shall be handcuffed solely for the purpose of administering chemical agents. If chemical agents are administered to a handcuffed inmate, an explanation as to why the removal of the handcuffs was not feasible shall be included in Section I of the Report of Force Used, Form DC3-300.

(h) No inmate shall be stripped of his clothing or comfort items for the explicit purpose of administering chemical agents.

(i) Chemical agents shall only be used when a use force is necessary and when this level of force is the least likely to cause injuries to staff or inmates.

(j) All chemical agents shall be used with caution and in accordance with the manufacturer's instructions. The Material Safety Data Sheet (MSDS) for chemical agents shall be kept at the institution.

(k) Chemical agents shall be stored in the main arsenal. A small amount of chemical agents may be stored in secure locations such as the control room mini-arsenal or the officer's station in confinement and close management units until their use is authorized. Shift supervisors, correctional officer sergeants, and other assigned internal security officers shall be issued one dispenser of MK-4 Defense Technologies 10% non-flammable OC pepper spray or equivalent, with marking dye, which shall be securely encased and attached to the officer's belt.

(l) In any case where chemical agents are used, an accurate record shall be maintained as to what type of agent was used, how much was used, method of administration, persons authorized to draw chemical agent when issued from a secure location, person administering and administer the chemical agent, location administered, and reason for use. This information shall be included in section I of the use of force report. Individual chemical agent dispensers carried by staff will be weighed by staff as designated by the superintendent at the beginning and end of each shift. These inspections will be

documented on Form DC3-019, Chemical Agent Dispenser Accountability Log, and any discrepancies shall be immediately reported. Form DC3-019 is hereby incorporated by reference. Copies of this form are available from the Office of Security and Institutional Management, 2601 Blair Stone Road, Tallahassee, Florida, 32399-1500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is _____.

(m) Procedure for the use of chemical agents on disruptive inmates under controlled conditions:

1. If an inmate becomes disorderly, disruptive, unruly, and attempts by officers at counseling and ordering the cessation of disruptive behavior fails, the shift supervisor or higher shall be contacted for further instructions.

2. If the shift supervisor's efforts to control the disorderly inmate have failed and the use of chemical agents is the least level of force that can be expected to successfully gain control of the disruptive inmate while minimizing the risk of injuries to all involved, the shift supervisor shall:

a. Ensure that medical staff are contacted when time and circumstances permit, to determine if the inmate has a medical condition that would prevent the use of chemical agents; and

b. Contact the superintendent, if in the institution, or his designee, if superintendent is not available, and request authorization to utilize chemical agents.

3. Prior to using chemical agents, the inmate again shall be ordered by staff to cease his actions.

a. If these efforts fail, the shift supervisor shall order the disorderly inmate to cease his actions and inform him that chemical agents will be administered if he continues his disruptive behavior.

b. Any uninvolved inmates in the cell or immediate area shall be given an opportunity to leave the potentially affected area, if it will not jeopardize the safety of staff or other inmates.

c. Except in cases of emergency, the shift supervisor shall be present during the time of the final counseling period and the administering of chemical agents.

(n)4. Medical Requirements. All The inmates shall be examined by medical staff as soon as possible after the chemical agent has been used but not more than one hour after the first exposure, except in cases of emergency where this may not be possible. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. If an injury is claimed or found to exist, Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide

sufficient documentation to support that conclusion. In those cases where an injury is claimed but not substantiated by medical examination, the statement shall indicate that, and the documentation shall be sufficient to support that no injury was found upon examination.

~~(o)~~ Any part of the body exposed to the chemical agents, especially eyes, shall be flushed with water as soon as possible after exposure.

(14) through (16) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.35 FS. History--New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stan Czerniak

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

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.

SUMMARY: The rule amends the days of the week on which Fantasy 5 drawings are conducted, from Monday through Friday, to daily.

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(2)(a), 24.105(10)(d) FS.

LAW IMPLEMENTED: 24.105(10)(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., July 13, 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:

53-29.002 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(2)(a), 24.105(10)(d) FS. Law Implemented 24.105(10)(d) FS. History--New 11-22-93, Amended.

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: June 9, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Procedures for Construction Contract Bidding, Award, Negotiation and Changes 60D-5

RULE TITLES: RULE NOS.:
Public Announcement 60D-5.003

Bidder's Qualification Requirements and Procedures 60D-5.004

Competitive Selection 60D-5.0082

PURPOSE, EFFECT AND SUMMARY: Updating forms of announcements of projects requiring construction services, form of experience questionnaire and financial statement used by contractors in prequalifying; and evaluation form used in determining relative ability of construction firms to perform a project.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None has been prepared.

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

SPECIFIC AUTHORITY: 255.29 FS.

LAW IMPLEMENTED: 255.29, 255.05, 255.051, 255.0525 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: 2:00 p.m. EST, July 13, 1999

PLACE: Suite 335N, 4030 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: H. R. Hough, Contracts Administrator, Department of Management Services, Division of Building Construction, Suite 315, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, Telephone: (850)487-9926; SUNCOM: 277-9926

THE FULL TEXT OF THE PROPOSED RULES IS:

60D-5.003 Public Announcement.

Pursuant to the provisions of 60D-5.0073(4) and (5), the Agency shall publish an announcement in the "Florida Administrative Weekly" published by the Department of State, Division of Elections, Tallahassee, Florida 32399, available by subscription through the Division of Elections, providing a general description of each project requiring construction services and defining the scope of services to be provided. The form of announcement is suggested to be the "Form of Advertisement" form nos. S and R, effective date 2/99, ~~2/93~~, and 2/99 ~~3/96~~ respectively which are incorporated herein by reference. These forms may be obtained from the Division of Building Construction, Department of Management Services, Building 4030, Suite 335, 4050 Esplanade Way, Tallahassee, Florida 32399-0950. The announcement may also be published on the Florida Community Network at <http://fcn.state.fl.us/dms/dbc/oppo1.html>.

Specific Authority 255.29 FS. Law Implemented 255.29 FS. History--New 5-26-76, Amended 6-7-77, 7-14-81, 7-7-83, Formerly 13D-11.03, Amended 1-25-89, 11-5-91, Formerly 13D-11.003, Amended.

60D-5.004 Bidder's Qualification Requirements and Procedures.

(1) No change.

(2)(a) Prequalification to submit a bid. (Prequalification requirements apply to all bidders as well as potential bidders on Levels Four and Five contracts.)

1. Requirements: Each potential bidder on Levels Four and Five contracts, whose field or area is governed by Chapter 399, 455, 489 or 633, F.S., for licensure will be prequalified by the Agency to participate in the bid process for a specific field or area of construction based on the bidder's area of license or certification. In order to be eligible to submit a bid for construction, renovation, repairs, modifications, demolition or other work on an Agency project, during the current two year period (beginning on July 1 of each odd numbered year and continuing for a period of twenty-four months), a potential bidder under the jurisdiction of Chapter 399, 455, 489 or 633, F.S., must provide to the Agency evidence of the following qualifications biennially after July 1, of each odd-numbered year, or during the bidding of a specific project. Prequalification with one Agency will not automatically prequalify the contractor with other Agencies. Contractors not governed by the requirements of Chapter 399, 455, 489, or 633, F.S., are not required to be prequalified under this section.

a. through b. No change.

2. through 4. No change.

(b) Prequalifications for award of the contract on Levels Four and Five Contracts.

1. Requirements: any bidder that has submitted a bid on Levels Four and Five contracts must satisfy the following requirements as judged by the Agency in order to be eligible for award of the contract for construction.

a. through d. No change.

e. On Levels Four and Five projects the bidder must provide a completed experience questionnaire and financial statement on the form entitled "Experience Questionnaire and Contractor's Financial Statement", form number DBC-5085, effective 1/98, 4/95 incorporated herein by reference. Form number DBC-5085 may be obtained from the Department of Management Services, Division of Building Construction, Building 4030, Suite 335, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, or from the appropriate Agency. The Contractor's financial condition must demonstrate that adequate liquid assets and equipment are available to properly perform this project as follows: The value of liquid assets must be less than one-twentieth of the amount of the base bid. Liquid assets shall include cash, stocks, bonds, pre-paid expenses and receivables, but shall not include the value of equipment.

f. through j. No change.

2. No change.

Specific Authority 255.29 FS. Law Implemented 255.05, 255.051, 255.29 FS. History--New 5-26-76, Amended 6-7-77, 7-14-81, 7-7-83, 9-2-85, Formerly 13D-11.04, Amended 1-1-87, 11-5-91, Formerly 13D-11.004, Amended 8-28-96, _____.

60D-5.0082 Competitive Selection.

When authorized under Rule 60D-5.008 or Rule 60D-5.0081, the Agency shall determine the prime contractor most able to perform the work as follows:

(1) No change.

(2) No change.

(3) The Selection Committee shall determine the relative ability of each firm to perform the services required for each project. Determination of ability shall be developed utilizing the evaluation criteria set forth in the evaluation scoring form, number DBC-5033 entitled "Evaluation Summary Sheet - General Contractor/Construction Manager Selection", effective 2/99 3/22/95 which is hereby incorporated by reference. The form with instructions for its use may be obtained from the Division of Building Construction, Department of Management Services, Building 4030, Suite 335, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

(4) No change.

Specific Authority 255.29(3) FS. Law Implemented 255.29 FS. History--New 1-25-89, Amended 11-5-91, Formerly 13D-11.0082, Amended 8-28-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Deborah Whitehouse, Director of Facilities Development
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Mills, Deputy, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Definitions
RULE NO.: 61G4-12.011

PURPOSE AND EFFECT: Rule 61G4-12.001 is being amended within subsection (3) to include any electronic media, including Internet sites, to the list of tools used under the definition of "advertise" or "advertises." New subsection (14) is being added to define the term "system" as it applies to central air conditioning, refrigerating, heating and ventilating systems.

SUMMARY: The definitions of the terms "advertise or advertises," and "system" are being clarified and created, respectively.

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: 489.103(5), 489.105(3), 489.108, 489.113(3) FS.

LAW IMPLEMENTED: 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS.

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

TIME AND DATE: 8:00 a.m., or shortly thereafter, Friday, July 16, 1999

PLACE: Doubletree Hotel, Tampa Westshore Airport, 4500 West Cypress Street, Tampa, Florida 33607

Specific Authority 489.108 FS. Law Implemented 455.217(1)(b) FS. History—New 1-24-96, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 1999

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Examination Review Procedures

RULE NO.: 61G6-6.006

PURPOSE AND EFFECT: The Boards has determined that a new rule is necessary in order to define the examination review procedures.

SUMMARY: A new rule is being created by the Board which will set forth the examination review procedures.

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: 455.217(3) FS.

LAW IMPLEMENTED: 455.217(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-6.006 Examination Review Procedures.

(1)(a) An applicant who fails the examination is entitled to review, subject to the conditions set forth in Rule 61-11.017, copies of: the applicant's examination questions, pertinent exhibits related to those questions, the correct answers to those questions, the applicant's responses to the same questions, the scratch papers used at the examination, and the grades and grading key used in the licensure examination.

(b) Test booklets used by the candidate during the examination are not retained. Candidates reviewing the examination will be provided with a clean, exact copy of the original test booklets. They will not be given the actual test

booklets they used during the examination. Consequently, any marks or notes made by candidates in their test booklets during the examination will not be available during the review.

(2) Unsuccessful examinees may not bring other persons with them to the examination review. The examination review is limited to the examinee and cannot be extended to expert witness(es) and/or attorneys. The review session will be conducted in accordance with the examination administration procedures to the extent possible and feasible. Only those text books and other reference materials listed in the Candidate Information Brochure and reference list and which were permitted at the examination will be used during the review session.

(3) Prior to the commencement of examination reviews, examinees shall be instructed and shall sign a statement stating that they understand that no notes or recordings may be taken from the examination review room, that they shall be monitored during the review, and that they have the right to challenge any question which the examinee believes may be ambiguous or any solution which the examinee believes may be incorrect and to request a hearing if the challenge is found to be without merit. The challenges must be submitted in writing during the review. Any challenges or supporting documentation submitted after the candidate has left the review room shall not be analyzed. At least 30 days must elapse between examination review and any subsequent retake of that examination.

(4) If a successful challenge results in a regrade of an examination, that regrade shall be limited to the candidate who filed the successful challenge and shall apply only if the examination successfully challenged is the last examination for which the candidate has tested.

(5) The examinee may file a petition for a hearing which must be in writing and postmarked within twenty-one days from the date on the grade notification or twenty-one days from the date of the post-examination review, or from the date on the letter notifying the candidate of the Department's evaluation decision regrading his/her challenges, if any, and must clearly identify the question(s) that the examinee believes is ambiguous or the test solution(s) that the examinee believes is incorrect.

Specific Authority 455.217(3) FS. Law Implemented 455.217(3) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Fees
 RULE NO.: 61G6-8.001

PURPOSE AND EFFECT: The purpose is to update the rule text with regard to fees.

SUMMARY: The Board has determined that amendments are necessary in order to amend certain fees prescribed by the Board.

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: 455.217(2), 455.219(1), 489.507(3), 489.509 FS.

LAW IMPLEMENTED: 119.07(1)(a), (b), 455.217(2), 455.219(1), 455.271(8), 489.509, 489.511(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-8.001 Fees.

The following fees are prescribed by the Board:

- (1) No change.
- (2) The initial application fee for licensure by endorsement as a certified unlimited electrical contractor shall be one hundred fifty three hundred dollars (\$150.00) ~~(\$300.00)~~.
- (3) The fee for issuance, renewal or reinstatement of certification for electrical contractor or alarm systems contractor shall be two hundred fifty three hundred dollars (\$250.00) ~~(\$300.00)~~.
- (4) No change.
- (5) The initial fee for registration shall be one hundred ~~fifty~~ dollars (\$100.00) ~~(\$150.00)~~.
- (6)(a) through (b) No change.
- (7) The fee for renewal of registration shall be one hundred ~~fifty~~ dollars (\$100.00) ~~(\$150.00)~~.
- (8) through (9) No change.

(10) Transfer fee. The fee to transfer a certificate or registration from one business organization to another shall be one hundred fifty two hundred dollars (\$150.00) ~~(\$200.00)~~ for a certified contractor and fifty one hundred dollars (\$50.00) ~~(\$100.00)~~ for a registered contractor.

(11) through (12) No change.

(13) The initial application fee for licensure by second entity as certified unlimited electrical contractor or alarm system contractor shall be two hundred fifty three hundred dollars (\$250.00) ~~(\$300.00)~~.

(14) through (15) No change.

Specific Authority 455.217(2), 455.219(1), 489.507(3), 489.509 FS. Law Implemented 119.07(1)(a), (b), 455.217(2), 455.219(1), 455.271(8), 489.509, 489.511(2) FS. History-New 1-2-80, Amended 10-27-80, 5-13-81, 5-3-82, 8-4-82, 5-2-83, 1-19-84, Formerly 21GG-8.01, Amended 7-9-86, 12-24-87, 10-30-88, 2-20-89, 8-26-90, 4-1-91, 7-3-91, Formerly 21GG-8.001, Amended 3-14-94, 11-30-94, 4-5-95, 7-13-95, 12-25-96, 6-1-97, 3-10-98, 12-31-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Proof of Completion by Certificate by
 RULE NO.: 61G6-9.0105

Certificate Holders and Registrants
 PURPOSE AND EFFECT: The purpose of this rule is define the proper form to used when submitting proof of completion of continuing education requirements.

SUMMARY: The Board has determined that a new rule is necessary in order to properly explain the form to use when providing proof of completion by certificate holders and registrants and how the form may be obtained.

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: 489.507(3), 489.509, 489.517 FS.

LAW IMPLEMENTED: 455.217 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.0105 Proof of Completion by Certificate Holders and Registrants.

Proof of completion of the continuing education requirements shall be submitted by the certificate holder or registrant with his or her renewal application on Form BPR/ECLB.CERT.COMP.5/99, which is hereby incorporated by reference, effective _____, copy of which may be obtained from the Board office.

Specific Authority 489.507(3), 489.509, 489.517 FS. Law Implemented 489.517 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Violations and Penalties RULE NO.: 61G6-10.002

PURPOSE AND EFFECT: The purpose is to amend this rule to update the rule text.

SUMMARY: The Board has determined that an amendment is necessary to Subsection (15)(e) to include the words "continuing education".

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: 455.2273 FS.

LAW IMPLEMENTED: 455.2273 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-10.002 Violations and Penalties.

In imposing disciplinary penalties upon licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty corresponding to the violations set forth below absent aggravating and mitigating circumstances and subject to the other provisions of Chapters 455 and 489, Part II: The cited statutory language is intended to provide a description of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited following the violation description.

(1) through (14) No change.

(15) Failure to comply with Chapter 489, Part II, F.S. (489.533(1)(o), F.S.):

(a) through (d) No change.

(e) Failure to respond to request to submit any proof of continuing education, liability or workers' compensation insurance. A \$1,000 fine for each offense.

(f) No change.

(16) through (21) No change.

Specific Authority 455.2273 FS. Law Implemented 455.2273 FS. History--New 12-10-86, Amended 2-26-89, Formerly 21GG-10.002, Amended 12-24-97, 2-18-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLE: Safety Guidelines RULE NO.: 61G14-15.003

PURPOSE AND EFFECT: Rule 61G14-15.003 is being amended within subsection (5) to ensure statutory compliance with Sections 310.075(4) and 310.101(1)(d), Florida Statutes, and to remove portions of the rule for which statutory authority may be questionable.

SUMMARY: The amendments to Rule 61G14-15.003 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: 310.185 FS.

LAW IMPLEMENTED: 310.075(4), 310.101(1)(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: 1:00 p.m., July 15, 1999

PLACE: Doubletree Hotel, 2649 South Bayshore Drive, Miami, Florida 33133

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Glenda Albritton, Program Administrator, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-15.003 Safety Guidelines.

(1) through (4) No change.

(5) The pilots in each port shall submit to the Board for its review and approval, the current maximum allowable draft of vessels calling at the port and operational guidelines of each port giving consideration to maritime interests and other regulatory agencies in each port area. The operational guidelines will provide for safe and prudent handling of commercial vessels and be subject to an annual review. It shall include, but not be limited to, restrictions on bottom clearance or maximum draft for each berth and channel, as required by Sections 310.075(4) and 310.101(1)(d), Florida Statutes wind and tide restrictions, agreements, port regulations, and guidelines for radio communications of vessel traffic. The Board of Pilot Commissioners shall provide this information on each port to the publishers of the U.S. Coast Pilot.

(6) No change.

Specific Authority 310.185 FS. Law Implemented 310.075(4), 310.101(1)(d) FS. History—New 11-6-89, Amended 6-26-90, 12-30-91, 10-25-92, Formerly 21SS-9.001, 21SS-15.003, Amended 11-15-93, 1-26-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Approval of Courses RULE NO.: 61G19-9.004

PURPOSE AND EFFECT: The purpose of this rule amendment is to provide for granting continuing education credit.

SUMMARY: The proposed amendment to the current rule will establish that certificate holders may receive up to seven (7) hours credit toward the required fourteen (14) hours of continuing education by attending a meeting of the Florida Building Commission, or any of the meetings of any technical committees of that Commission.

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: 468.606, 468.627 FS.

LAW IMPLEMENTED: 468.627 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Building Code Administrators and Inspectors' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.004 Approval of Courses.

(1) through (12) No change.

(13) Of the required fourteen (14) continuing education hours, up to seven (7) hours credit may be earned by attending a meeting of the Florida Building Commission within the Department of Community Affairs, or any of the meetings of any technical committees of the Commission. Certificate holders shall be responsible for obtaining and maintaining satisfactory proof of attendance at such meetings as specified in Rule 61G19-9.008.

Specific Authority 468.606, 468.627 FS. Law Implemented 468.627 FS. History—New 5-23-94, Amended 5-21-95, 10-1-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors' Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Education Requirements RULE NO.: 61J1-4.001

PURPOSE AND EFFECT: The purpose and effect of amending Rule 61J1-4.001 is to establish educational requirements for registered assistant appraisers who decide to obtain a new registration following the expiration of the original registration. The Florida Real Estate Appraisal Board wants to ensure that those who decide to obtain a new registration have current information so the public will be protected. The amendment will also limit the time the Uniform Standards of Professional Appraisal Practice course is valid for obtaining a registration.

SUMMARY: Rule 61J1-4.001 informs registered assistant appraisers whose registrations expire that the original 75 classroom hours they completed to become originally registered are insufficient to obtain a new registration. In addition, an applicant will need to have completed the 15 classroom hour Uniform Standards of Professional Appraisal Practice course within the two years prior to filing the application.

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

Any person who wishes to provide information regarding the Statement of Estimated Regulatory Costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this Notice.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 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., or as soon thereafter as possible, August 3, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.001 Education Requirements.

(1)(a) Persons desiring to become registered as an appraiser must satisfactorily complete 75 classroom hours, inclusive of examination, of board approved academic courses in subjects related to real estate appraisal, which shall include coverage of the Uniform Standards of Professional Appraisal Practice. A classroom hour is defined as 50 minutes out of each 60 minute segment.

(b) If a registration expires due to failure to renew pursuant to Rule 61J1-4.007, Florida Administrative Code, the original 75 classroom hours to become initially registered will be invalid and may not be used to secure another registration.

(c) If an initial application to become registered is not received within 2 years after the successful completion of the 15 classroom hour Uniform Standards of Professional Appraisal Practice course, the course will be invalid for purposes of securing registration.

(2) through (12) No change.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617, FS. History—New 10-15-91, Formerly 21VV-4.001, Amended 1-9-94, 3-10-98, 9-6-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 1999

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-19R

RULE CHAPTER TITLE: Stationary Sources – Preconstruction

Review 62-212

RULE TITLE: Prevention of Significant Deterioration (PSD) RULE NO.: 62-212.400

PURPOSE AND EFFECT: To amend the prevention-of-significant-deterioration (PSD) rule in accordance with U.S. Environmental Protection Agency (EPA) guidance to provide an exemption from PSD review for pollution control projects (PCPs) involving pulp and paper mills and municipal solid waste landfills.

SUMMARY: The proposed amendments would revise the PSD air permitting rule to exempt from PSD review those pulp and paper and municipal solid waste landfill projects that are considered environmentally beneficial and qualify as PCPs according to EPA guidance. The proposed amendments would

also correct discrepancies between existing state and federal rule language relating to PCP exemptions for electric power plants.

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

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

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 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., Tuesday, July 20, 1999

PLACE: Douglas Building, First Floor, Conference Room B, 3900 Commonwealth Blvd., Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Venkata Panchakarla, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9556

THE FULL TEXT OF THE PROPOSED RULE IS:

62-212.400 Prevention of Significant Deterioration (PSD).

(2)(a) Facility and Project Exemptions.

2. Pollution Control Project Exemptions.

a. A pollution control project that is being added, replaced, or used at an existing electric utility steam generating unit and that meets the requirements of 40 CFR 52.21(b)(2)(iii)(h), adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule.

b. A significant net increase in the actual emissions of a collateral pollutant that would occur solely as a result of a project undertaken for the purpose of complying with the hazardous air pollutant emission reduction requirements of 40 CFR Part 63, Subpart S, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule, provided the owner or operator demonstrates to the Department that such increase would not cause or contribute to a violation of any ambient air quality standard, maximum allowable increase, or visibility limitation.

c. A significant net increase in the actual emissions of a collateral pollutant that would occur solely as a result of a project undertaken for the purpose of complying with the non-methane organic compound emission reduction requirements of 40 CFR Part 60, Subpart Cc or WWW, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule, provided the owner or operator demonstrates to the Department that such increase would not cause or contribute to a violation of any ambient air quality standard, maximum allowable increase, or visibility limitation.

3. Temporary Clean Coal Technology Demonstration Project Exemption. The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project that meets the requirements of 40 CFR 52.21(b)(2)(iii)(i), adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule. A temporary clean coal technology demonstration project shall have the meaning provided in 40 CFR 52.21(b)(36), adopted and incorporated by reference at Rule 62-204.800, F.A.C.

4.3. Permanent Clean Coal Technology Demonstration Project Exemption. The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering shall not be subject to the preconstruction review requirements of this rule, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant unit-by-unit basis. A clean coal technology demonstration project shall have the meaning provided in 40 CFR 52.21(b)(35), adopted and incorporated by reference at Rule 62-204.800, F.A.C.

5.4. Very Clean-Coal Fired Electric Utility Steam Generating Unit Exemption. The reactivation of a very clean-coal fired electric utility steam generating unit, as defined under 40 CFR 52.21(b)(38), adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History-Formerly 17-2.500 Amended 2-2-93 Formerly 17-212.400 Amended 11-23-94, 1-1-96, 3-13-96, 2-5-98.

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: Howard L. Rhodes, Director, Division of Air Resource Management

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Physician Assistant Licensure
RULE NO.: 64B8-30.003

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth the passing scores and relative weight of questions for the examination for graduates of foreign medical schools.

SUMMARY: The proposed rule amendments set forth a written examination score of 325 questions; the relative weight of the exam questions; and deletes the clinical portion of the examination.

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: 458.309, 458.347 FS.

LAW IMPLEMENTED: 458.347, 459.79(2) 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., July 14, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.003 Physician Assistant Licensure.

(1) No change.

(2) The physician assistant examination for Requirements for Licensure of graduates of foreign medical schools. An individual must pass the examination developed and administered by the Department for the Department and as approved by the Board.

(a) The examination must have been previously validated and administered in its totality.

(a)(b) The physician assistant examination for graduates of foreign medical schools shall consist of the following parts:

1. a general written examination containing 325 250 questions; and

2. a clinical examination consisting of three (3) clinical problems (75 scoreable units); and

3. a specialty primary care multiple-choice written examination containing 150 questions; and/or

3.4. a specialty surgery multiple-choice written examination containing 150 questions.

(b)(e) In order to be eligible for licensure licensed, the candidate must pass:

1. the general written examination; and

2. the clinical examination; and

2.3. either the specialty surgery or primary care written examination.

(c)(d) The minimum passing scores for the examination shall be:

1. A The minimum passing score for the general written examination shall be a standardized score of 600 for the general written examination;

2. The minimum passing score for the clinical examination shall be a standardized score of 600.

2.3. The minimum passing score for the specialty surgery written examination shall be a A standardized score of 600 for the specialty surgery written examination; and-

3.4. The minimum passing score for the specialty primary care written examination is to be a A standardized score of 600 for the specialty primary care written examination.

(d)(e) The general written examination shall assess candidate knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled in performing. The examination questions may be drawn from the entire range of physician assistant activities, including, but not limited to, the content areas listed below:

- 1. Endocrine System
a. General Skills 2-4% 3-5%
b. Primary Care 3-5%
c. Surgical Skills 1-3%
2. Pediatric
a. General Skills 6-8% 5-10%
b. Primary Care 5-10%
c. Surgical Skills 1-3%
3. Nutritional/Metabolism
a. General Skills 1-3% 2-4%
b. Primary Care 2-4%
c. Surgical Skills 1-2%
4. Blood and Blood-forming Hematology
a. General Skills 2-4% 3-5%
b. Primary Care 3-5%
c. Surgical Skills 1-3%
5. Head and Neck
a. General Skills 1-3% 2-4%
b. Primary Care 2-4%
c. Surgical Skills 2-4%
6. Eyes
a. General Skills 1-3% 2-3%
b. Primary Care 2-3%
c. Surgical Skills 1-3%

7. Ears	
a. General Skills	1-3%
b. Primary Care	1-3%
c. Surgical Skills	1-3%
8. Mental Health	
a. General Skills	<u>1-2%</u> 1-3%
b. Primary Care	1-3%
c. Surgical Skills	0-1%
9. Nervous System and Sense Organs	
a. General Skills	<u>2-4%</u> 3-5%
b. Primary Care	3-5%
c. Surgical Skills	4-6%
10. Circulatory System	
a. General Skills	<u>3-5%</u> 4-6%
b. Primary Care	4-6%
c. Surgical Skills	8-10%
11. Respiratory System	
a. General Skills	4-6%
b. Primary Care	4-6%
c. Surgical Skills	3-5%
12. Digestive System	
a. General Skills	<u>3-5%</u> 4-6%
b. Primary Care	4-6%
c. Surgical Skills	8-10%
13. Genitourinary System	
a. General Skills	2-4%
b. Primary Care	2-4%
c. Surgical Skills	4-6%
14. Gynecology and Pregnancy	
a. General Skills	<u>3-5%</u> 4-6%
b. Primary Care	4-6%
c. Surgical Skills	5-7%
15. Skin and Subcutaneous Tissue	
a. General Skills	2-3%
b. Primary Care	2-3%
c. Surgical Skills	2-4%
16. Musculoskeletal System and Connective Tissue	
a. General Skills	2-4%
b. Primary Care	2-4%
c. Surgical Skills	6-8%
17. Infectious Diseases	
a. General Skills	<u>10-12%</u> 10-20%
b. Primary Care	10-20%
c. Surgical Skills	8-10%
18. Trauma/Emergency	
a. General Skills	<u>4-6%</u> 6-8%
b. Primary Care	6-8%
c. Surgical Skills	12-15%
19. Preventive Disease Medicine Section	
a. General Skills	1-2%

b. Primary Care	1-2%
c. Surgical Skills	0-1%
20. Pharmacology	
a. General Skills	<u>5-7%</u> 6-10%
b. Primary Care	6-10%
c. Surgical Skills	6-10%
21. Scope of Practice	
a. General Skills	<u>1-3%</u> 2-3%
b. Primary Care	0%
c. Surgical Skills	0%
22. Practice Competencies	
a. General Skills	20-22%
b. Primary Care	0%
c. Surgical Skills	0%

(e)(f) The specialty written examination shall assess candidates' knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled in performing, such as those noted above in paragraphs 64B8-30.003(2)(d) ~~(e)~~ 1-22, ~~21~~, F.A.C., as applied to patient care situations relevant to the appropriate specialty area.

(g) The format of the clinical examination is as follows:

1. Candidates will be presented with three (3) clinical problems and asked to perform an assessment examination on a live model patient for each problem.

2. The candidate's performance on each problem will be observed by two (2) examiners and recorded on a pre-developed and validated check list. The clinical check lists are scored by giving one (1) point for each correct step in the 10 minute scenarios and two (2) points for each step in the 20 minute scenario. The examiner will be either a licensed physician or a certified physician assistant.

(f)(h) Examination fees shall be \$620 ~~\$650~~ for candidates who want to take the general and one specialty examination practical and one core examination and \$700 for candidates who want to take the general practical and both specialty core examinations. ~~(The breakdown on the costs of the examinations are as follows: the clinical examination costs \$500; the general written examination costs \$100; to take only the primary care examination costs \$50; or to take only the surgical care examination costs \$50.)~~

(3) through (5) No change.

Specific Authority 458.309, 458.347 FS. Law Implemented 458.347, 459.79(2) FS. History—New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Department of Health, Examination Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Medicine

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Medicinal Drugs Which May be Ordered by Pharmacists

RULE NO.: 64B8-36.003

PURPOSE AND EFFECT: The proposed rule amendment is intended to conform the rule to the current pharmacy rule and to address additions made by the pharmacists formulary committee.

SUMMARY: The proposed rule amendment makes additions which have been approved by the pharmacists formulary committee and also conforms the rule to the current pharmacy rule on the same subject.

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: 465.186(2) FS.

LAW IMPLEMENTED: 465.186 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., July 14, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-36.003 Medicinal Drugs Which May Be Ordered by Pharmacists.

A Pharmacist may order and dispense from the following formulary, subject to the stated conditions:

(1) Oral analgesics. ~~The following may be ordered~~ for mild to moderate pain: magnesium salicylate/phenyltoloxamine citrate, acetylsalicylic acid (Zero order release, long acting tablets), choline salicylate and magnesium salicylate, naproxen sodium, naproxen, and ibuprofen ~~IBUPROFEN (no more than 400 mg per dosage unit for minor pain and menstrual cramps for patients with no history of~~

peptic ulcer disease; limited to a six (6) day supply for one treatment). When appropriate, such prescriptions shall be labeled to be taken with food or milk.

(2) Urinary analgesics; ~~The following may be ordered:~~ phenazopyridine, not exceeding a two (2) day supply. Such prescriptions shall be labeled as to the tendency to discolor urine and when appropriate shall be labeled to be taken after meals.

(3) Otic analgesics; ~~The following may be dispensed:~~ antipyrine 5.4%, benzocaine 1.4%, glycerin, which shall be labeled for use in the ear only.

(4) ~~Hemorrhoid medications. The following may be dispensed:~~ 0.5% hydrocortisone acetate and 0.5% dibucaine ointments and creams, limited to a seven (7) day supply.

(5) ~~Leg cramps. The following may be ordered: quinine sulfate tablets, except to patients with cardiac arrhythmias, and not to patients currently using anticoagulant or digitalis containing drugs. When appropriate, such prescriptions shall be labeled to be taken with or after meals.~~

(4)(6) Anti-nausea preparations; ~~The following may be dispensed:~~ Meclizine up to 25 mg., except for a patient currently using a central nervous system (CNS) depressant. The prescription shall be labeled to advise of drowsiness ~~side effects~~ and caution against concomitant use with alcohol or other depressants. Scopolamine not exceeding 1.5 mg. per dermal patch. Patient to be warned "if eye pain develops, seek appropriate medical attention."

(5)(7) Antihistamines and decongestants. The following, including their salts, either as a single ingredient product or in combination, including nasal decongestants, may be ordered for patients above (6) years of age:

- (a) Diphenhydramine
- (b) Carbinoxamine
- (c) ~~Clemastine 1.34 mg.~~
- (c)(d) Pyrilamine
- (e) ~~Chlorpheniramine~~
- (d)(f) Dexchlorpheniramine
- (e)(g) Brompheniramine
- (f) Loratadine (maximum 14 days supply only)

The patient should be warned that antihistamines should not be used by patients with bronchial asthma or other lower respiratory symptoms, glaucoma, cardiovascular disorders, hypertension, prostate conditions and urinary retention. Antihistamines shall be labeled to advise of drowsiness ~~side effect~~ and caution against the concomitant use with alcohol or other depressants.

- (g) Fexofenadine
- (h) Azelastine
- (h) Triprolidine
- (i) Pseudoephedrine
- (j) Phenylpropanolamine
- (i)(k) Ephedrine

- (j)(4) Phenylephrine
- (k)(m) Phenyltoloxamine
- (l)(n) Azatadine
- (m)(o) Diphenylpyraline

Oral decongestants shall not be ordered for use by patients with coronary artery disease, angina, hyperthyroidism, diabetes, glaucoma, prostate conditions, hypertension, or patients currently using monoamine oxidase inhibitors.

~~(6)(8) Anthelmintic: The following may be ordered:~~
 Pyrantel pamoate. The drug product may only be ordered for use by patients over 2 years of age.

~~(7)(9) Topical antifungal/antibacterials: The following may be ordered:~~ Idochlorhydroxyquin with 0.5% Hydrocortisone (not exceeding 20 grams), Haloprogin 1%, Clotrimazole topical cream and lotion, Nystatin topical cream, ointment, lotion or powder, miconazole nitrate topical cream, erythromycin topical. The patient shall be warned that all of the above products should not be used near deep or puncture wounds, and Idochlorhydroxyquin preparations shall be labeled as to the staining potential.

~~(8)(10) Topical anti-inflammatory: The following may be ordered:~~ Preparations containing hydrocortisone not exceeding ~~2.5%~~ 0.5%. The patient shall be warned that hydrocortisone should not be used on bacterial infections, viral infections, or fungal infections or by patients with impaired circulation. Such prescriptions shall be labeled to avoid contact with eyes and broken skin.

~~(9)(11) Otic antifungal/antibacterial: The following may be ordered:~~ acetic acid 2% in aluminum acetate solution, which shall be labeled for use in ears only.

~~(10)(12) Keratolytics: The following may be ordered:~~ salicylic acid 16.7% and lactic acid 16.7% in flexible collodion, to be applied to warts, except for patients under two (2) years of age, and those with diabetes or impaired circulation. Prescriptions shall be labeled to avoid contact with normal skin, eyes and mucous membranes.

~~(11)(13) Vitamins with fluoride (This does not include vitamins with folic acid in excess of 0.9 mg.)~~

~~(12)(14) Medicinal drug shampoos containing Lindane may be ordered pursuant to the following conditions:~~

(a) The pharmacist shall limit the order to the treatment of head lice only and provide the patient with the appropriate instructions and precautions for use.

(b) The amount allowed per person shall be four ounces.

(13) Antidiarrheal: Loperamide 2mg. per dosage unit. No more than a two day supply may be dispensed.

(14) Smoking cessation products: Nicotine transdermal systems.

(a) Before prescribing, the pharmacist:

1. Must have successfully completed a comprehensive smoking cessation training program such as the American Cancer Society Physician Training Program or other ACPE approved certification program.

2. Must insure patient involvement in a behavior modification program.

3. Must insure that there are no medical contraindications for patient participation including pregnancy or breastfeeding, cardiovascular disease (postinfarction, arrhythmias, hypertension, peripheral vascular disease), pheochromocytoma, hyperthyroidism, or insulin dependent diabetes mellitus.

4. Must inform patients of all contraindications and hazards of drug therapy including drug, food, and nutritional interactions.

5. Must counsel patients on proper drug use of prescribed product.

(b) After prescribing, the pharmacist:

1. May dispense no more than a 14 day supply of nicotine transdermal patches.

2. May dispense smoking cessation products for no more than 24 consecutive weeks of drug therapy.

3. May prescribe these products for nicotine replacement only.

4. Must perform and document follow-up counseling during therapy.

(15) Ophthalmics: Naphazoline 0.1% ophthalmic solution.

(16) Cough suppressants:

(a) Guaifenesin

(b) Dextromethorphan.

(17) Vaginal antifungals: Miconazole nitrate suppositories and/or miconazole nitrate cream.

(18) Histamine H2 antagonists:

(a) Cimetidine

(b) Famotidine

(c) Ranitidine HCL

Pharmacists shall advise patients that these agents may mask serious disorders.

(19) Topical Antiviral:

(a) Acyclovir ointment may be ordered for the treatment of herpes simplex infections of the lips.

(b) Penciclovir.

(20) Acne product: Benzoyl peroxide.

Specific Authority 465.186(2) FS. Law Implemented 465.186 FS. History-- New 5-1-86, Formerly 21M-39.003, 61F6-39.003, 59R-36.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Pharmacists Formulary Committee

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 1999

DEPARTMENT OF HEALTH

Board of Medicine

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

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to increase the fees prescribed by the Council.

SUMMARY: The Council recommended to the Board of Medicine that the fee for renewal of inactive status and the change of status processing fee should be increased and the Board of Medicine concurred.

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: 455.711, 468.507, 468.508 FS.

LAW IMPLEMENTED: 455.711, 455.641, 468.508 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council/MQA, 2020 Capital Circle, S. E., Bin #05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE 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 455.711, 468.507, 468.508 FS. Law Implemented 455.711, 455.641, 468.508 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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF HEALTH

Board of Medicine

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

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to add the words "or its successor".

SUMMARY: The Council recommended to the Board of Medicine that an amendment be made to this rule to include the words "or its successor" in an attempt to clarify the content of this rule and the Board of Medicine agreed.

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: 455.574(1), 468.507 FS.

LAW IMPLEMENTED: 468.509 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council/MQA, 2020 Capital Circle, S. E., Bin #05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE 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 455.574(1), 468.507 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

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B8-44.003
PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update the rule text with regard to disciplinary guidelines.

SUMMARY: The Council recommended to the Board of Medicine that Subsection (4)(a) be amended to update the rule text to narrow the recommended range of penalty and the Board of Medicine approved these changes.

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: 455.627, 458.309, 468.507 FS.
LAW IMPLEMENTED: 455.627, 468.517, 468.518(2) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council/MQA, 2020 Capital Circle, S. E., Bin #05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE 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 (a) Violating Practice Act or Board or Department Rules (468.518(1)(a))
RECOMMENDED RANGE OF PENALTY (a) From a minimum of six months' probation reprimand to revocation or denial of licensure and an administrative fine from \$150 \$100 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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: Healthy Start Coalitions
RULE CHAPTER NO.: 64F-2
RULE TITLE: Operations of Coalitions
RULE NO.: 64F-2.005
PURPOSE AND EFFECT: Repeals rule that lacks specific statutory authority pursuant to 120.536, F.S.
SUMMARY: Repeals 64F-2.005.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding this 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: 383.216(10) FS.
LAW IMPLEMENTED: 383.216 FS.
IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:00 a.m., July 15, 1999
PLACE: 1311 Winewood Boulevard, Building 5, Room 406, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Laura Pan, Division of Family Health Services, 2020 Capital Circle, S. E., Bin #A-13, Tallahassee, FL 32399-0700, (850)922-1218, (FAX) (850)488-2341

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-2.005 Operation of Coalitions.

Specific Authority 383.216(10) FS. Law Implemented 383.216 FS. History--New 11-11-91, Formerly 10D-113.007, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura Pan, Division of Family Health Services, 2020 Capital Circle, S. E., Bin #A-13, Tallahassee, FL 32399-0700

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Annette Phelps, Bureau Chief for Family and Community Health

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 24, 1999

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Developmental Services Program

RULE CHAPTER TITLE: Group Living Home Trust Fund
RULE CHAPTER NO.:: 65B-5

RULE TITLE: Authority to Loan; Provisions and

Determination of Eligibility
RULE NO.:: 65B-5.003

PURPOSE AND EFFECT: The department's Group Living Home Trust Fund rule chapter has been re-titled and revised to more clearly reflect changes in statutory language, program direction and philosophy.

SUMMARY: This rule establishes the criteria and standards under which a developmental services program shall be eligible to receive a loan and also establishes loan repayment, forgiveness and default procedures.

SPECIFIC AUTHORITY: 393.15 FS.

LAW IMPLEMENTED: 393.15 FS.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not prepared for this rule.

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. (EDT), July 15, 1999

PLACE: 1317 Winewood Blvd., Building 3, Room 313, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: George Gill, Operations and Management Consultant II, Florida Department of Children and Family Services, Developmental Services Program Office, 1317 Winewood Blvd., Building 3, Room 303, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

65B-5.003 Authority to Loan; Provisions and Determination of Eligibility.

(1) Eligible Expenses – ~~The funds provided by the Group Living Home Trust Funds under this chapter~~ are for the purpose of granting loans to eligible ~~programs group living homes~~. Initial costs of development are those permissible costs for establishment of new programs and those permissible costs necessary for an already established program to initiate the accommodation of hard to place clients. Cost of development may include structural modification, purchase of equipment and fire and other safety devices, and the purchase of insurance. Cost of structural modification shall include only those changes required for compliance with building, fire safety and health codes and those changes necessary for the implementation of the intended program. Purchase of equipment shall include only those basic furnishings, equipment, and appliances necessary to furnish, equip, and maintain the premises and considered essential to the operation of the intended program. Such cost shall not include the actual construction, lease or any other costs of acquisition of the ~~program group living home~~.

(2) Amounts of Loans – An eligible ~~program group living home~~ may receive a lump sum loan in one payment, not to exceed the approved ~~CRPP~~ rate for providing two months of ~~residential or non residential service care and maintenance~~ to each ~~developmental services client mentally retarded, autistic, or developmentally disabled person~~ to be placed in the ~~program home~~ by the Department. Loans granted to ~~programs group living homes~~ shall not be in lieu of payment for ~~residential or non-residential service maintenance~~ and care provided, but shall stand separate and distinct. The amount of the monthly care and maintenance payment shall be determined by the appropriate rate or rate formula for the category of client.

(3) Terms of the Loan – Any loan granted ~~through the Trust Fund under the Group Home Loan Program~~ shall be repaid in five equal annual installments without interest.

(4) A ~~program group living home~~ receiving a loan under the act and operating as a nonprofit corporation meeting the requirements of Section 501(c)3. of the Internal Revenue Code shall submit to the Department a report setting forth the ~~residential~~ service it has provided during the year and upon approval of each such annual statement, the Department shall forgive 20 per cent of the principal of such loan. The report shall include:

- (a) A brief narrative description of the facility and programs;
- (b) The age, functioning level and handicapping conditions of the client served;
- (c) Client-staff ratio;
- (d) The average number of clients served per month for the previous 12 months;

- (e) A list of actual loan expenditures;
- (f) A report by Developmental Services Program Office staff who have surveyed the operation of the facility;
- (g) Proof of compliance with health, fire, building and zoning regulations;
- (h) Proof of compliance with section 501(c)3. of the Internal Revenue Code; and
- (i) A recommendation from the District Administrator that the loan be forgiven.

(5) In the event the borrower ceases to accept and provide care and maintenance to persons placed in the home program by the Department, or the borrower files papers of bankruptcy, at that point, the loan shall become an interest bearing loan at the rate of 5% per annum on the entire amount of the initial loan which shall be repaid within a one year period from the date at which the home ceases to provide care or files papers in bankruptcy and the amount of the loan due plus interest shall constitute a lien in favor of the State of Florida against all real and personal property of the borrower.

Specific Authority 393.15 FS. Law Implemented 393.15 FS. History—New 3-31-76, Amended 1-1-77, Formerly 10F-5.03, 10F-5.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
George Gill
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bill Wendt
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 1998

Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF STATE
Division of Cultural Affairs**

RULE NO.: RULE TITLE:
1T-1.001 Division of Cultural Affairs
 NOTICE OF CHANGE

Notice of Change is hereby given to the above referenced rule based upon comments received from the Joint Administrative Procedures Committee. The rule was originally published in Vol. 25, No. 15, of the April 16, 1999 issue of the Florida Administrative Weekly.

When changed, Rule 1T-1.001(6) will read as follows:

(6), Grant awards through the Cultural Facilities Program shall be made through Grant Award Agreement Form #CA2E028, eff. _____ ~~8/98~~, and use Grant Award Amendment Form #CA2E047 and Report Form #CA2E048, both eff. _____ ~~7/96~~. Grant awards through the Cultural

Endowment Program shall be made through Grant Award Agreement Form #CA2E039, eff. _____ ~~8/98~~. Grant Award agreements shall specify the grants management requirements. Other changes involve clarification of language in incorporated documents.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Downey, Chief, Bureau of Grant Services, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250

**DEPARTMENT OF EDUCATION
Florida School for the Deaf and the Blind**

RULE NO.: RULE TITLE:
6D-5.003 Other Personnel
 NOTICE OF CHANGE

The Florida School for the Deaf and the Blind hereby gives notice of change to the above proposed rule published in the Florida Administrative Weekly, Vol. 25, No. 17, April 30, 1999. These changes are in response to comments received from the Bureau of Instructional Support and Community Service and comments received from public hearing held on Thursday, June 3, 1999.

Subsection (13) Specialist – Speech Language Pathologist/ Intake Specialist.

A master's degree or higher with a graduate major in speech-language pathology, valid certificate of clinical competence issued by the American Speech-Language Hearing Association and ~~or~~ valid license in speech-language pathology issued pursuant to Chapter 468, Part 1, Florida Statutes.

Subsection (14) Specialist – Speech Language Pathologist.

A master's degree or higher with a graduate major in speech-language pathology, valid certificate of clinical competence issued by the American Speech-Language Hearing Association and ~~or~~ valid license in speech-language pathology issued pursuant to Chapter 468, Part 1, Florida Statutes.

Subsection ~~(34)~~~~(33)~~ Clinical Social Worker. Licensure by the State Department of Professional Regulation, and certification by the Academy of Certified Social Workers, and nine (9) semester hours in Hearing Impaired or Visually Impaired.

Specific Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History—New 12-19-74, Amended 10-9-84, 12-6-92, 10-26-94, 7-10-95, 2-22-97, 2-24-98, _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
14-43 Regulation of Encroachments Over
 State Rights of Way
RULE NO.: RULE TITLE:
14-43.001 Regulation of Encroachments Over
 State Rights of Way

NOTICE OF CHANGE

SUMMARY OF CHANGE: Notice is hereby given that the following change has been made to the proposed amendments to rule 14-43.001 in accordance with subparagraph 120.54(3)(d)1., Florida Statutes. Notice of rulemaking was published in Vol. 24, No. 12, March 26, 1999, issue of the Florida Administrative Weekly.

In response to a review from the Joint Administrative Procedures Committee, the Clear Zone references in 14-43.001(2)(b) are changed to refer back to the reference in 14-43.001(2)(a), which incorporates specific tables instead of the manual. The revised 14-43.001(2)(b) will read as follows:

“(b) Within municipalities where there is no curb and gutter construction, provided the sign or canopy, including attachments and supports, does not extend more than six feet (1.8 meters) over the right of way; does not extend closer than 12 feet (3.7 meters) from the edge of the driving lane; has a vertical clearance of at least ten feet (3 meters); and the entire structure complies with the Department’s clear zone requirements as set forth in the tables identified and incorporated by reference in 14-43.001(2)(a) above.”

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-84
RULE CHAPTER TITLE: Discrimination and Sexual Harassment Complaints

RULE NO.: 14-84.0011
RULE TITLE: Discrimination and Sexual Harassment Complaints

NOTICE OF CHANGE

SUMMARY OF CHANGE: The rule amendment as proposed is changed in response to questions from the Joint Administrative Procedures Committee. Notice of Rulemaking was published in Florida Administrative Weekly, Vol. 25, No. 12, dated March 26, 1999. The changes are summarized as follows:

1. The definition of “Discrimination” in 14-84.0011(2)(b) is changed to read as follows:

(b) “Discrimination” means any unlawful employment practice as described in 42 U.S.C. Sections 2000e-2 and 2000e-3, which are incorporated herein by reference, and made unlawful by Chapter 760, of the Florida Statutes.

2. The definition of “Sexual Harassment” in 14-84.0011(2)(h) is changed to read as follows:

(h) “Sexual Harassment” has the meaning set forth in Chapter 60L-28, F.A.C.

3. 14-84.0011(3)(c) is changed to read as follows:

(c) The Department shall provide relief to any complainant who has been or may have been a victim of an act of discrimination or sexual harassment as authorized by Chapter 760, Florida Statutes, or Chapter 60L-28, F.A.C. by taking any action allowed by the Laws of Florida and the Florida Administrative Code.

4. In 14-84.0011(6)(d), the sentence “Any informal inquiry based upon such complaints shall be conducted according to the Department procedures.” is deleted in its entirety.

5. In 14-84.0011(7)(d)2., the word “sworn” is deleted so that it reads as follows:

2. Written investigative questionnaires, statements, or position statements by any party or witness;

6. In Form 275-010-01, the affirmation at the end of Page 2 of 2 is modified to read:

I affirm that the information contained in this complaint is true to the best of my knowledge and verify by my signature that I have been informed that my filing a complaint with the Department does not preclude my filing a complaint on the same matter with the Florida Commission on Human Relations (FCHR) or the Equal Employment Opportunity Commission (EEOC). I understand that I have the right to file a complaint with the FCHR within 365 days of the incident in question, or with the EEOC within 300 days of the incident in question as described in Rule Section 14-84.0011(5), F.A.C.

7. The Specific Authority citations are changed as follows:
Specific Authority 20.05(5), 110.201(2), 334.044(2), 339.05 FS.

GAME AND FRESH WATER FISH COMMISSION

RULE NO.: 39-13.008
RULE TITLE: Hunting Regulations for Migratory Birds other than Ducks and Coots

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule amendment regarding migratory birds other than ducks and coots, published in Florida Administrative Weekly, Vol. 25, No. 15, April 16, 1999, has been withdrawn.

MARINE FISHERIES COMMISSION

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

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

NOTICE OF WITHDRAWAL OF PROPOSED RULES

The Marine Fisheries Commission announces withdrawal of proposed amendment to Rule 46-4.002, FAC, relating to gear definitions, which rule amendment was proposed and published in the January 22, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 3.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53-16.009
RULE TITLE: Administrative Leave

NOTICE OF CORRECTION

The Department of the Lottery notices the following correction. The Notice of Proposed Rulemaking for Chapter 53-16.009, FAC published in the May 28, 1999, edition of the

Florida Administrative Weekly, incorrectly lists April 23, 1999, as the date the Notice of Proposed Rule Development was published in the Florida Administrative Weekly. April 30, 1999, is the correct date the Notice of Proposed Rule Development for Chapter 53-16.009 appeared in the Florida Administrative Weekly.

INTERLOCAL AGENCIES

Lake Apopka Natural Gas District

RULE NO.: RULE TITLE:
54C-1.001 Tariff

NOTICE OF CHANGE

Notice is hereby given that the following changes (in response to proposed objections of the Joint Administrative Procedures Committee) have been made, in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed rule published in Vol. 24, No. 43, October 23, 1998, issue of the Florida Administrative Weekly.

Section 2.06 of ARTICLE II: INITIATION OF SERVICE, on Original Sheet 2, shall be modified as follows:

2.06 DISCONTINUANCE OF GAS SERVICE FOR UNAUTHORIZED USE OF GAS. District will discontinue Gas Service without notice in the event of tampering with regulators, valves, meters or other facilities furnished and owned by District, or other unauthorized or fraudulent use of Gas Service. Whenever Gas Service is discontinued for unauthorized or fraudulent use thereof, the District, before restoring Gas Service, ~~will may~~ require Customer to make, at Customer's expense, all changes in piping or equipment necessary to eliminate the unauthorized or fraudulent use, and to pay an amount reasonably estimated as the deficiency in District's revenue and all costs incurred by District resulting from such unauthorized or fraudulent use.

Section 2.07 of ARTICLE II: INITIATION OF SERVICE, on Original Sheet 2, shall be modified as follows:

2.07 LIMITATION OF USE. Gas delivered to a Customer shall be for such Customer's own use and shall not be resold by such Customer, either by submetering or otherwise, ~~unless such resale has been authorized by the District~~. In case of any unauthorized submetering, sale, or disposition of Gas by a Customer, Gas Service to such Customer may be discontinued and, if discontinued, such Gas Service will not be restored until such unauthorized activities have ceased and all bills outstanding have been paid in full. Billings for Gas sold or disposed of by the Customer may be recalculated under appropriate rate schedules and, in addition, a bill ~~will may~~ be rendered to the Customer for all expenses incurred by the District for clerical work, testing, and inspections in connection with such recalculation.

Section 3.01 of ARTICLE III: CUSTOMER'S INSTALLATION, on Original Sheet 3, shall be modified as follows:

3.01 GENERAL. Customer's Installation shall be constructed, installed and maintained, at Customer's expense, in accordance with standard practice as determined by ~~the American Gas Association, the Standard Gas Code by Southern Building Code Congress International, the National Fuel Gas Code by the National Fire Protection Association,~~ State and local governmental codes and ordinances applicable thereto, these Rules and Regulations and other applicable governmental requirements.

Section 3.02 of ARTICLE III: CUSTOMER'S INSTALLATION, on Original Sheet 3, shall be modified as follows:

3.02 INSPECTION OF CUSTOMER'S INSTALLATION. Where governmental inspection of a Customer's Installation is required, District will not supply Gas Service to such installation until all governmental authorities having jurisdiction have inspected and approved the Customer's Installation and the District has been authorized to furnish Gas Service. The District will discontinue Gas Service to a Customer whenever the Customer's Installation, or any part thereof, is in violation of a code, ordinance, regulation or statute governing the Customer's Installation and Gas Service will be restored only when the noncomplying condition has been corrected. ~~District may also inspect the Customer's Installation prior to rendering Gas Service, and from time to time thereafter, but assumes no responsibility whatsoever on account of having made such inspection.~~

Section 3.08 of ARTICLE III: CUSTOMER'S INSTALLATION, on Original Sheet 3, shall be modified as follows:

3.08 OPERATION OF DISTRICT'S FACILITIES. No Customer or other person shall, ~~unless authorized by District to do so,~~ operate, change or tamper with any of the District's facilities.

Section 4.01 of ARTICLE IV: DEPOSITS, on Original Sheet 4, shall be modified as follows:

4.01 ESTABLISHMENT OF CREDIT. Each prospective Customer shall establish credit prior to the commencement of Gas Service by District as follows:

(1) Residential Customers shall establish credit by making a cash deposit in the sum of \$50.00; provided, however, if Gas Service to a residential Customer has been discontinued for non-payment of bills rendered by the District, the deposit requirement for restoration of Gas Service shall be \$100.00.

(2) All non-residential ~~other~~ Customers shall establish credit by making a cash deposit with the District equal to two times the estimated average monthly bill to be rendered by the District during periods of peak Gas usage. ~~One of the following methods:~~

(3) As an alternative to making a cash deposit, a non-residential Customer shall have the option of establishing credit by one of the following methods:

~~(a)~~ Making a cash deposit with District equal to two times the estimated average monthly bill to be rendered by District during periods of peak Gas usage.

~~(a)(b)~~ Furnishing an irrevocable letter of credit from a bank, or a surety bond, issued by a company with an A.M. Best Rating Service rating of B/VI or higher for bonds up to \$50,000 in amount and a rating of A-/VII or higher for bonds over \$50,000 in amount. The amount of such deposit, letter of credit or surety bond shall be equal to two times the estimated average monthly bill during periods of peak Gas usage.

~~(b)(e)~~ By possessing and maintaining a Standard & Poor's Long Term Debt Rating of A-, or better, or by possessing and maintaining a Moody's rating of A3 or better. Comparable ratings will ~~may~~ be considered from other nationally recognized rating organizations acceptable to the District.

~~(c)(d)~~ If the Customer's debt is not rated and the Customer's aggregate annual usage is 500,000 Therms or more, credit may be established by demonstrating adequate financial strength and stability. Upon request of a Customer whose annual usage is 500,000 Therms or more, the District will evaluate the Customer's creditworthiness by reviewing the Customer's audited financial statements for at least the two most recently completed fiscal years. These audited financial statements must be furnished by the Customer and must be accompanied by the opinion of independent certified public accountants or chartered accountants of recognized national or regional standing. In evaluating the Customer's creditworthiness, the District will consider the following financial factors: the Customer's tangible net worth, the interest coverage ratio, the ratio of long term debt to tangible net worth, and the Customer's net cash flow. In evaluating the Customer's credit-worthiness, the District may also consider other known factors relating to the Customer's creditworthiness. Accounts for which credit is established pursuant to this section ~~(3)(4)~~ are subject to periodic review by the District to assure that no material changes adversely affecting the Customer's credit-worthiness have occurred. Each Customer for whom credit is established pursuant to this section ~~(3)(4)~~ shall annually furnish audited financial statements, together with the opinion of independent certified public accountants or chartered accountants of recognized national or regional standing, to the District within 90 days following the conclusion of the Customer's fiscal year. In the event ~~(1)(f)~~ the debt rating or audited financial statements are unacceptable to the District, or become unacceptable, or (ii) the Customer pays with a check dishonored by a bank, or (iii) the Customer fails to comply with the District's Rules and Regulations, credit may be established by either a cash deposit, a letter of credit or a surety bond.

~~(4)(5)~~ A parent company may serve as a guarantor for a subsidiary company to secure the payment of bills for Gas Service provided the parent company can meet the requirements for establishing credit as stated in subsections ~~(2)(3)~~ or ~~(3)(4)~~, above.

Section 4.02 of ARTICLE IV: DEPOSITS, on Original Sheet 4, shall be modified as follows:

4.02 NEW OR ADDITIONAL DEPOSITS. Whenever a non-residential Customer's Gas usage increases for reasons likely to recur (such as, for instance, installation of additional gas appliances or increased work schedules) to the extent that the actual or estimated charges for Gas Service for two peak Gas usage Billing Periods will exceed the amount of the cash deposit, or other security, made or furnished by the Customer, the District will require, upon thirty (30) days written notice delivered to Customer separate and apart from any bill for Gas Service, an additional or new cash deposit, or, at the Customer's option, other security in accordance with Section 4.01, above, so that the amount of the cash deposit, or other security, is equal to the then current actual or estimated charges for Gas Service for two peak Gas usage Billing Periods. ~~District may require, upon thirty (30) days written notice delivered to Customer separate and apart from any bill for Gas Service, a new cash deposit, guaranty, letter of credit or surety bond (where previously waived or returned), or an additional cash deposit (or increase in the amount of a guaranty, letter of credit or surety bond), in order to secure payment of current bills; provided, however, that the total amount of the required cash deposit or other security shall not exceed an amount equal to the average actual or estimated charges for Gas Service for two peak Gas usage Billing Periods.~~ If Customer has received Gas Service continuously during the 12 month period immediately prior to the date of notice, actual Gas consumption shall be used. If Customer has received Gas Service for less than 12 months, then District will base the amount of the new or additional cash deposit, or other security, upon estimated Gas usage when actual Gas usage is not available. The 30 day notice shall not apply when Gas Service is being reestablished after discontinuance of service for non-payment.

Section 4.07 of ARTICLE IV: DEPOSITS, on Original Sheet 4, shall be modified as follows:

4.07 DISHONORED CHECKS. Customer shall pay a service charge of \$20 or 5 per cent of the amount of the check, whichever is greater, for each check delivered to the District which is dishonored by the bank upon which it is drawn. Gas Service will ~~may~~ be terminated for failure to pay such dishonored check charge.

Section 5.08 of ARTICLE V: BILLING, on Original Sheet 5, shall be modified as follows:

5.08 DISCONTINUANCE OF SERVICE FOR NON-PAYMENT OF BILLS. Gas Service will be discontinued for non-payment of bills but only after District has made a diligent attempt to have the Customer make payment, including at least five (5) business days' written notice to Customer, such notice being separate and apart from any bill for Gas Service, unless the controversy over the nonpayment has been resolved through mutual agreement, or successfully disputed by Customer. ~~Notwithstanding any other provision of this rule, District shall not discontinue Gas Service to a residential Customer if such discontinuance will cause or severely aggravate a medical emergency of the Customer, a member of the Customer's family or other permanent resident of the premises where Gas Service is rendered provided that the Customer conforms to the procedures described in paragraph 5.09, below.~~

Section 5.09 of ARTICLE V: BILLING, on Original Sheet 5, shall be modified by being deleted as follows:

~~5.09 MEDICAL EMERGENCY. As used in this section, "medical emergency" means that the discontinuance of Gas Service would require hospitalization as certified by a medical doctor. District will postpone the discontinuance of Gas Service for a period of seven days to enable the Customer to arrange for payment, if the Customer produces a licensed Florida physician's statement or notice from a public health or social services official which identifies the medical emergency and specifies the period of time during which discontinuance will aggravate the medical condition. Thereafter, District may discontinue Gas Service unless the Customer demonstrates by affidavit that:~~

~~(1) neither the Customer nor any other permanent resident of the premises where Gas Service is rendered is able to make payment of the bill; or~~

~~(2) that the Customer has sought available public assistance funds and will apply a reasonable portion of any payments of public funds or other income available to the Customer to the amount due; or~~

~~(3) that the medical condition for which disconnection of gas service was postponed continues to exist. Failure to submit the affidavit, failure to apply a reasonable portion of any public assistance funds or other income of the Customer to the amount owed to District, or failure to respond to reasonable inquiries regarding the continued validity of the facts stated in the affidavit shall permit District to discontinue Gas Service. During the period that Gas Service is continued under the provisions of this section, the Customer shall continue to be responsible for the cost of the residential Gas Service.~~

Section 5.10 of ARTICLE V: BILLING, on Original Sheet 5, shall be modified as follows:

~~5.09~~ 5.10 ADJUSTMENT OF BILLS FOR METER ERROR. If a Meter is found to be in error, bills will be adjusted in the following manner:

(1) Whenever a Meter is found to have an average error of more than two percent (2%) fast (in District's favor), District will refund to Customer the amount billed in error for one half the period since the last meter test. This one half period will not exceed twelve (12) months unless it can be shown that the error was due to some cause, the date of which can be fixed, in which case the overcharge shall be computed back to, but not beyond, such date based on available records. If the Meter has not been tested, the period for which it has been in service beyond the regular test period will be added to the twelve (12) months in computing the refund. The refund will not include any part of any customer charge.

(2) Whenever a Meter tested is found to have an average error of more than two-percent (2%) slow (in Customer's favor), District will ~~may~~ bill Customer an amount equal to the unbilled error. If District has required a meter test deposit, Customer will ~~may~~ be billed only for the portion of the unbilled error which is in excess of the deposit retained by District.

(3) District will ~~may~~ back bill Customer if a Meter is found to be slow, non-registering or partially registering. District will ~~may~~ not back bill for any period greater than twelve (12) months from the date it removes the meter of a Customer, which Meter is later found by District to be slow, non-registering or partially registering. If it can be ascertained that the Meter was slow, nonregistering or partially registering for less than twelve (12) months prior to removal, then District will ~~may~~ back bill only for the lesser period of time. Customer may extend the payments of the back bill over the same amount of time for which District issued the back bill.

(4) In the event of a non-registering or a partially-registering Meter, Customer will ~~may~~ be billed on an estimate based on previous bills for similar usage. When a Meter is found to be in error in excess of the prescribed limits of two percent (2%) fast or slow, the figure to be used for calculating the amount of refund or charge shall be that percentage of error as determined by the test.

(5) In the event of unauthorized use, Customer will ~~may~~ be billed on an a reasonable estimate of the Gas consumed. The estimate shall be made by the District based upon the Customer's historical Gas usage, the Btu capacity of the Customer's Gas appliances, weather conditions and other facts and circumstances known to the District which would directly affect the Customer's Gas usage during the period of unauthorized use.

Section 6.04 of ARTICLE VI: MEASUREMENT, on Original Sheet 6, shall be modified as follows:

6.04 METER TEST BY REQUEST. Customer may request the Meter be tested pursuant to the following conditions and provisions:

(1) Upon written request of a Customer, District shall, without charge, make a test of the accuracy of the Meter in use at Customer's premises; provided ~~(1)(4)~~ that the Meter has not been tested by District within 12 (twelve) months previous to such request and (ii) that Customer agrees to accept the results of such test as the basis for the adjustment of disputed charges.

(2) Should Customer request a meter test more frequently than once a year, District ~~will may~~ require a deposit to defray the cost of testing not to exceed \$100.00 for each test. If the Meter is found to be more than two percent (2%) fast, the deposit shall be refunded, but if below this accuracy limit the deposit ~~will may~~ be retained by District as a service charge for conducting the test.

(3) Customer may witness the Meter test. A written report, giving the results of the test, shall be furnished to Customer upon request.

Section 7.04 of ARTICLE VII: MAIN AND SERVICE EXTENSIONS, on Original Sheet 7, shall be modified as follows:

7.04 MAIN AND SERVICE EXTENSIONS AMORTIZATION SURCHARGE. In cases where ~~(1)(4)~~ the estimated actual cost of extending necessary Main and Service facilities exceeds the MACC; (ii) the District, in its reasonable discretion, determines that there is a reasonable likelihood that such extension will produce sufficient revenue to justify the necessary investment in such facilities; and (iii) the District determines that the credit-worthiness of the party or parties requesting the extension is satisfactory to assure recovery of the additional investment above the MACC, the District ~~will only may~~ provide the facilities subject to a Main and Service Extension Agreement. In such cases, in lieu of a Construction Deposit Agreement, the party or parties requesting an extension shall enter into a Main and Service Extension Agreement ~~an agreement~~ with the District by which said party or parties guarantee, by payment or otherwise, that the District will recover the costs in excess of the MACC.

Section 9.01 of ARTICLE IX: END USE CURTAILMENT OR INTERRUPTION PLAN, on Original Sheet 9, shall be modified as follows:

9.01 APPLICATION. This curtailment/interruption plan is applicable to all Gas Service and will be invoked by the District in the event of a supply or a capacity constraint to insure system integrity is maintained and the priority of service requirements set forth below are met. Prior to or in conjunction with curtailment, the District ~~will request may call for~~ voluntary usage reductions on the part of industrial and commercial Customers.

Section 9.04 of ARTICLE IX: END USE CURTAILMENT OR INTERRUPTION PLAN, on Original Sheet 9, shall be modified as follows:

9.04 CURTAILMENT OF CUSTOMER-OWNED GAS. If adequate supply to priority essential human needs customers is threatened in the District's judgement, Customer-owned

transportation gas ~~will may~~ be curtailed in addition to system supply and in same order of priorities. In the event that Customer-owned gas is diverted for use by higher priority customers, the District will reimburse the Customer by paying the cost of the Customers alternative fuel; or, if the Customer has no alternative fuel, reimbursement will be for the delivered cost of the Gas at the District's receipt point. ~~In lieu of this provision, the District may enter into contractual or informal arrangements with transportation Customers or any other parties to obtain supplies to avoid curtailments.~~

Section 9.07 of ARTICLE IX: END USE CURTAILMENT OR INTERRUPTION PLAN, on Original Sheet 9, shall be modified as follows:

9.07 WITHHOLDING OF GAS SERVICE. If a Customer fails to voluntarily comply with a complete or partial curtailment or interruption order, and it is deemed necessary by the District to insure compliance, the District ~~will may~~ withhold the Customer's Gas Service altogether during all or part of the curtailment or interruption period.

Paragraph I.D. of the TRANSPORTATION SERVICE RATE SCHEDULE, on Original Sheet 25, shall be modified as follows:

D. A balancing service from the District's system supply is also part of this tariff. This service is interruptible and is mandatory to all Customers on this tariff. Under this service, the District, ~~at its option,~~ will sell Gas to the Customer, if available from system supply, when under-deliveries of Gas occur and will buy Gas from the Customer when over-deliveries of Gas occur, as the terms over-delivery and under-delivery are defined herein, in accordance with the provisions of Section VII, hereof.

Section 8.02 of ARTICLE VIII: DEPOSITS AND ESTABLISHMENT OF CREDIT of the GAS TRANSPORTATION SERVICE AGREEMENT of the PRO FORMA CONTRACTS, on Original Sheet No.70, shall be modified as follows:

8.02 Continuation of Creditworthiness. Shipper shall maintain its creditworthiness, and may be required to provide a new or additional cash deposit, or alternatively, at Shipper's option, a guaranty, letter of credit or surety bond in accordance with the provisions of Article IV of the District's Tariff.

The SPECIFIC AUTHORITY for this rulemaking is Section 12 of Chapter 59-556, Laws of Florida, 1959.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Development Office

RULE NO.: 59G-4.231 RULE TITLE: Physician Assistant

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; and a Notice of Change as published in Vol. 25, No. 19, Florida

Administrative Weekly, May 14, 1999. This change is in response to comments received from the Florida Osteopathic Medical Association.

The following change was made to the Florida Medicaid Physician Assistant Coverage and Limitations Handbook, January 1999, which is being incorporated by reference in the rule.

On page 1-4, under Physician Supervision, we are adding references to Chapter 64B15-6, F.A.C., and Chapter 459, F.S., which authorizes Osteopathic Physicians to supervise physician assistants.

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 BUSINESS AND PROFESSIONAL REGULATION

State Athletic Commission

RULE NOS.:	RULE TITLES:
61K1-1.001	Purpose, Applicability and Scope of Rules
61K1-1.002	Definitions
61K1-1.0023	Commission, Commission Employees, Duties and Responsibilities; Deputy Commissioners
61K1-1.0024	Medical Advisory Council, Duties and Responsibilities
61K1-1.0025	Executive Secretary, Assistant Executive Secretary, Duties and Responsibilities
61K1-1.0027	Commission Representatives, Duties and Responsibilities
61K1-1.0028	Chief Inspector, Inspectors, Duties and Responsibilities
61K1-1.003	License, Permits; Requirement, Procedure and Period, Fee
61K1-1.0035	Insurance
61K1-1.004	Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee
61K1-1.0043	Drugs and Foreign Substances; Penalties
61K1-1.005	Promoter and Matchmaker; Licensing and Bond; Duties and Conduct
61K1-1.006	Arena Equipment; Ring Requirements; Floor Plan and Apron Seating; Emergency Medical and Other Equipment and Services

61K1-1.007	Participants' Apparel and Appearance
61K1-1.008	Bandages and Handwraps
61K1-1.009	Gloves and Mouthpieces
61K1-1.010	Physician; License and Duties; Authority
61K1-1.011	Manager; License; Contract Between Manager and Participant
61K1-1.012	Participant; License; Conduct and Other Requirements
61K1-1.013	Judge; License and Duties
61K1-1.017	Timekeeper or Knockdown Timekeeper; License and Duties
61K1-1.018	Second; License and Duties
61K1-1.019	Referee; License and Duties
61K1-1.023	Trainer; License and Conduct
61K1-1.030	Rounds
61K1-1.035	Scoring System; Scoring, Criteria; Knockdowns; Fouls; Determination of Win or Draw; Decision Final, Exceptions
61K1-1.037	Post-Match Physical Requirements; Suspensions
61K1-1.040	Post-Match Reports Required to be Filed; Penalty for Late Filing
61K1-1.042	Closed Circuit Telecasts; Requirements; Penalty for Late Filing
61K1-1.070	Administrative Complaints
61K1-1.080	Forms

NOTICE OF PUBLIC HEARING

The State Athletic Commission hereby gives notice of a public hearing to be held on the above-referenced rules on July 1, 1999, at 1:00 p.m., at the offices of Aleida Ors Waldman, P.A., 440 South Andrews Avenue, Fort Lauderdale, Florida 33301. The rules were originally published in Vol. 25, No. 1, of the January 8, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tom Thomas, Chief Attorney, 1940 North Monroe Street, Tallahassee, Florida 32399-0792

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact Shelly Bradshaw, Assistant Executive Director, (850)488-8448, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Commission 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 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
Waters

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 24, No. 52, December 24, 1998, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009
RULE TITLE: Standard of Care for Office Surgery

SECOND NOTICE OF CHANGE

The Board of Medicine hereby gives notice of changes made to the above-referenced rule based upon comments received at an additional public hearing on the rule. The rule was originally published in Vol. 25, No. 3, of the January 22, 1999, Florida Administrative Weekly. The Board held this additional public hearing on June 3, 1999, in Tampa, Florida. At the Board's meeting held on June 4, 1999, at the same location, the Board voted to make changes to the rule. Any changes which conflict with the previous Notice of Change published in the April 23, 1999, FAW, are superseded by the changes set forth below.

The changes are as follows:

1. Subsection (1)(a) shall be changed to read as follows: "Surgery. For the purpose of this rule, surgery is defined as any operative procedure, including the use of lasers, performed upon the body of a living human being for the purposes of preserving health, diagnosing or curing disease, repairing injury, correcting deformity or defects, prolonging life, relieving suffering, or any elective procedure for aesthetic, reconstructive or cosmetic purposes, to include, but not be limited to: incision or curettage of tissue or an organ; suture or other repair of tissue or organ, including a closed as well as an open reduction of a fracture; extraction of tissue including premature extraction of the products of conception from the uterus; insertion of natural or artificial implants; or an endoscopic procedure with use of local or general anesthetic."

2. Subsection (1)(e) shall be reworded to read, "Nationally recognized accrediting agencies include the American Association of Ambulatory Surgery Facilities (AAAASF), Accreditation Association for Ambulatory Health Care (AAAHC), and Joint Commission on Accreditation of Healthcare Organizations (JCAHO)."

3. Subsection (2)(b) shall be reworded to read: "The surgeon must maintain complete records of each surgical procedure, including anesthesia records, when applicable and

the records shall contain written informed consent from the patient reflecting the patient's knowledge of identified risks, consent to the procedure, type of anesthesia and anesthesia provider, and that a choice of anesthesia provider exists, i.e., anesthesiologist, certified registered nurse anesthetist, or physician assistant qualified as set forth in rule 64B8-30.012(2)(b)6., Florida Administrative Code."

4. A new subsection (2)(c) shall be added to read, "The surgeon must maintain a log of all Level II and Level III surgical procedures performed, which must include a confidential patient identifier, the type of procedure, the type of anesthesia used, the duration of the procedure, the type of post-operative care, and any adverse incidents, as identified in Section 197, Chapter 99-__, Laws of Florida (HB 2125). The log and all surgical records shall be provided to investigators of the Department of Health upon request."

5. The subsections numbered (2)(c) through (2)(h) shall be renumbered as (2)(d) through (2)(j) and shall read as follows:

"(d) In any liposuction procedure, the surgeon is responsible for determining the appropriate amount of supernatant fat to be removed from a particular patient. A maximum of 4000 cc supernatant fat may be removed by liposuction in the office setting. A maximum of 50mg/kg of Lidocaine can be injected for tumescent liposuction in the office setting.

(e) The maximum planned duration of all surgical procedures combined must not exceed 8 hours. The patient must be discharged within 24 hours of presenting to the office for surgery. An overnight stay is permitted in the office provided the total time the patient is at the office does not exceed 23 hours and 59 minutes including the surgery time.

(f) The surgeon must assure that the post-operative care arrangements made for the patient are adequate to the procedure being performed as set forth in Rule 64B8-9.007, F.A.C. Management of post surgical care is the responsibility of the operating surgeon and may be delegated only as set forth in Rule 64B8-9.007(3), F.A.C. If an overnight stay at the office in relation to any surgical procedure is necessary:

1. The office must provide at least two (2) monitors and maintain a monitor to patient ratio of at least 1 monitor to 2 patients. Both monitors must be certified in Advanced Cardiac Life Support. The full and current crash cart required below must be present in the office and immediately accessible for the monitors.

2. The surgeon must be reachable by telephone and readily available to return to the office if needed. For purposes of this subsection, "readily available" means capable of returning to the office within 15 minutes of receiving a call.

(g) A policy and procedure manual must be maintained in the office and updated annually. The policy and procedure manual must contain the following: duties and responsibilities

of all personnel, cleaning and infection control, and emergency procedures. This shall not apply to offices that limit surgery to Level I procedures.

(h) The surgeon shall report to the Department of Health any adverse incidents that occur within the office surgical setting. This report shall be made within 15 days after the occurrence of an incident as required by section 197, Chapter 99-__, Laws of Florida (HB 2125).

(i) Any licensee performing Level II procedures lasting more than (5) minutes or any Level III office surgery shall be required to register with the Department of Health, unless such facility is licensed pursuant to Chapter 395, F.S. Such registration shall include each address at which Level II or Level III office surgery is performed; identification of the accrediting agency that accredits each location; and a statement of compliance with these accreditation results.

(j) A sign must be prominently posted in the office which states that the office is a doctor's office regulated pursuant to the rules of the Board of Medicine as set forth in Rule Chapter 64B8, F.A.C. This notice must also appear prominently within the required patient informed consent."

6. Subsection (3)(a) shall be reworded to read:

"(a) Scope. Level I office surgery includes the following:

1. Minor procedures such as excision of skin lesions, moles, warts, cysts, lipomas and repair of lacerations or surgery limited to the skin and subcutaneous tissue performed under topical or local anesthesia not involving drug-induced alteration of consciousness other than minimal pre-operative tranquilization of the patient.

2. Liposuction involving the removal of less than 4000cc supernatant fat is permitted.

3. Incision and drainage of superficial abscesses, limited endoscopies such as proctoscopies, skin biopsies, arthrocentesis, thoracentesis, paracentesis, dilation of urethra, cysto-scope procedures, and closed reduction of simple fractures or small joint dislocations (i.e., finger and toe joints).

4. Pre-operative medications not required or used other than minimal pre-operative tranquilization of the patient; anesthesia is local, topical, or none. No drug-induced alteration of consciousness other than minimal pre-operative tranquilization of the patient is permitted in Level I Office Surgery.

5. Chances of complication requiring hospitalization are remote."

7. Subsection (3)(c) shall be deleted.

8. Subsection (4) shall be reworded to read:

"(4) Level II Office Surgery.

(a) Scope.

1. Level II Office Surgery is that in which peri-operative medication and sedation are used intravenously, intramuscularly, or rectally, thus making intra and post-operative monitoring necessary. Such procedures shall

include, but not be limited to: hemorrhoidectomy, hernia repair, reduction of simple fractures, large joint dislocations, breast biopsies, colonoscopy, and liposuction involving the removal of up to 4000 cc supernatant fat.

2. Level II Office surgery includes any surgery in which the patient is placed in a state which allows the patient to tolerate unpleasant procedures while maintaining adequate cardiorespiratory function and the ability to respond purposefully to verbal command and/or tactile stimulation. Patients whose only response is reflex withdrawal from a painful stimulus are sedated to a greater degree than encompassed by this definition.

(b) Standards for Level II Office Surgery.

1. Transfer Protocol Required. If the surgeon does not have staff privileges to perform the same procedure as that being performed in the office setting at a licensed hospital, the surgeon must have a written transfer protocol that insures continuity of appropriate treatment at a licensed hospital within reasonable proximity.

2. Training Required. The surgeon must have staff privileges at a licensed hospital to perform the same procedure in that hospital as that being performed in the office setting or must be able to document satisfactory completion of training such as Board certification or Board eligibility by a Board approved by the American Board of Medical Specialties or any other board approved by the Board of Medicine or must be able to establish comparable background, training, and experience. The surgeon and one assistant must be currently certified in Basic Life Support and the surgeon or at least one assistant must be currently certified in Advanced Cardiac Life Support or have a qualified anesthesia provider practicing within the scope of the provider's license manage the anesthesia.

3. Equipment and Supplies Required.

a. Full and current crash cart at the location the anesthetizing is being carried out. The crash cart must include, at a minimum, the following resuscitative medications:

(I) adrenalin (epinephrine) 1:10,000 dilution; 10ml

(II) adrenalin (epinephrine) 1:1000 dilution; 1ml

(III) atropine 0.1mg/ml; 5ml

(IV) benadryl (diphenhydramine)

(V) calcium chloride 10%; 10ml

(VI) dextrose 50%;

(VII) dilantin (phenytoin)

(VIII) dopamine

(IX) heparin

(X) inderal (propranolol)

(XI) isuprel

(XII) lanoxin (digoxin)

(XIII) lasix (furosemide)

(XIV) xylocaine (lidocaine)

(XV) magnesium sulfate 50%

(XVI) narcan (naloxone)

- (XVII) pronestyl (procaïnamide)
- (XVIII) sodium bicarbonate 50mEq/50ml
- (XIX) solu-medrol (methylprednisolone)
- (XX) verapamil hydrochloride
- (XXI) mazicon
- b. Suction devices, endotracheal tubes, laryngoscopes, etc.
- c. Positive pressure ventilation device (e.g., Ambu) plus oxygen supply.
- d. Double tourniquet for the Bier block procedure.
- e. Monitors for blood pressure/EKG/Oxygen saturation.
- f. Emergency intubation equipment.
- g. Adequate operating room lighting.
- h. Emergency power source able to produce adequate power to run required equipment for a minimum of two (2) hours.

- i. Appropriate sterilization equipment.
- j. IV solution and IV equipment.

4. Assistance of Other Personnel Required. An Anesthesiologist, Certified Registered Nurse Anesthetist, or Physician Assistant qualified as set forth in Rule 64B8-30.012(2)(b)6., Florida Administrative Code, to provide anesthesia. The anesthesia provider cannot function in any other capacity during the procedure. Additional assistance may be required by specific procedure or patient circumstances. A physician licensed under Chapter 458 or 459, a licensed physician assistant, a licensed registered nurse with post-anesthesia care unit experience or the equivalent, credentialed in Advanced Cardiac Life Support or, in the case of pediatric patients, Pediatric Advanced Life Support, must be available to monitor the patient in the recovery room until the patient is recovered from anesthesia.”

9. A new subsection (5) shall be inserted to read:

“(5) Level IIA Office Surgery.

(a) Scope. Level IIA office surgeries are those Level II office surgeries with a maximum planned duration of 5 minutes or less and in which chances of complications requiring hospitalization are remote.

(b) Standards for Level IIA Office Surgery.

1. The standards set forth in 64B8-9.009(4)(b), must be met except for the requirements set forth in section 64B8-9.009(4)(b)4., regarding assistance of other personnel.

2. Assistance of Other Personnel Required. During the procedure, the surgeon must be assisted by a physician or physician assistant who is licensed pursuant to Chapter 458 or 459, F.S., or by a licensed registered nurse or a licensed practical nurse. Additional assistance may be required by specific procedure or patient circumstances. Following the procedure, a physician or physician assistant who is licensed pursuant to Chapter 458 or 459, F.S., or a licensed registered nurse must be available to monitor the patient in the recovery room until the patient is recovered from anesthesia. The

monitor must be certified in Advanced Cardiac Life Support, or, in the case of pediatric patients, Pediatric Advanced Life Support.”

10. The subsection numbered (5) shall be renumbered as (6) and shall read as follows:

“(6) Level III Office Surgery.

(a) Scope.

1. Level III Office Surgery is that surgery which requires, or reasonably should require, the use of a general anesthesia or major conduction anesthesia and pre-operative sedation. This includes the use of:

a. Intravenous sedation beyond that defined for Level II office surgery;

b. General Anesthesia: loss of consciousness and loss of vital reflexes with probable requirement of external support of pulmonary or cardiac functions; or

c. Major Conduction anesthesia.

2. Only patients classified under the American Society of Anesthesiologist’s (ASA) risk classification criteria as Class I, II, or III are appropriate candidates for Level III office surgery. For ASA Class III patients, the surgeon must document in the patient’s record the justification and precautions that make the office an appropriate forum for the particular procedure to be performed.

(b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:

1. Training Required.

a. The surgeon must have staff privileges at a licensed hospital to perform the same procedure in that hospital as that being performed in the office setting or must be able to document satisfactory completion of training such as Board certification or Board eligibility by a Board approved by the American Board of Medical Specialties or any other board approved by the Board of Medicine or must be able to establish comparable background, training, and experience. In addition, the surgeon must have knowledge of the principles of general anesthesia.

b. The surgeon and one assistant must be currently certified in Basic Life Support and the surgeon or at least one assistant must be currently certified in Advanced Cardiac Life Support or have a qualified anesthesia provider practicing within the scope of the provider’s license manage the anesthesia.

c. Emergency procedures related to serious anesthesia complications should be formulated, periodically reviewed, practiced, updated, and posted in a conspicuous location.

2. Equipment and Supplies Required.

a. Equipment, medication, including at least 36 ampules of dantrolene on site, and monitored post-anesthesia recovery must be available in the office.

b. The office, in terms of general preparation, equipment, and supplies, must be comparable to a free standing ambulatory surgical center, including, but not limited to, recovery capability, and must have provisions for proper recordkeeping.

c. Blood pressure monitoring equipment; EKG; end tidal CO2 monitor; pulse oximeter, precordial or esophageal stethoscope, emergency intubation equipment and a temperature monitoring device.

d. Table capable of trendelenburg and other positions necessary to facilitate the surgical procedure.

e. IV solutions and IV equipment.

3. Assistance of Other Personnel Required. An Anesthesiologist, Certified Registered Nurse Anesthetist, or Physician Assistant qualified as set forth in Rule 64B8-30.012(2)(b)6., Florida Administrative Code, must administer the general or regional anesthesia and an M.D., D.O., Registered Nurse, Licensed Practical Nurse, Physician Assistant, or Operating Room Technician must assist with the surgery. The anesthesia provider cannot function in any other capacity during the procedure. A physician licensed under chapter 458 or 459, a physician assistant, or a licensed registered nurse with post-anesthesia care unit experience or the equivalent, and credentialed in Advanced Cardiac Life Support, or in the case of pediatric patients, Pediatric Advanced Life Support, must be available to monitor the patient in the recovery room until the patient has recovered from anesthesia."

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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program Office

RULE NO.: 65A-4.301
 RULE TITLE: Drug Screening and Testing of Temporary Cash Assistance Applicants

NOTICE OF CHANGE

Notice is hereby given that changes are being made to the rule identified above as published in Vol. 24, No. 48, Florida Administrative Weekly, on November 25, 1998. That original rule text has been amended previously by notices of change published in Vol. 25, No. 5, Florida Administrative Weekly, on February 5, 1999 and in Vol. 25, No. 16, Florida Administrative Weekly, on April 23, 1999. The changes contained in this notice are the result of comments received at a noticed public hearing held on May 21, 1999.

The specific changes are as follows:

In sub-paragraph (3)(b)2., the first line, following "CF-ES 2274," insert "May 99" and delete "~~Dec 98~~".

In paragraph (4), the first sentence following "submit to a drug test", delete the words, "~~as provided in accordance with Chapter 59A-24, Florida Administrative Code.~~"

In sub-paragraph (4)(a), the first sentence, following "and analyzed under proper procedures," delete "~~as specified in Chapter 59A-24.~~".

Amend the second paragraph of sub-paragraph (4)(a) to read as follows: When the MRO shall process applicant requests ~~for~~ a retest of the original specimen following a positive drug test result, the MRO shall contact the original laboratory to initiate the retest within 30 180 days of ~~notice of the positive test result at another licensed laboratory selected by the applicant's request.~~ The applicant shall be required to pay for the costs of the retest, including handling and shipping expenses. ~~The MRO shall contact the original laboratory to initiate the retest.~~

In sub-paragraph (4)(d)2., the first sentence, following, "Within" insert "90" and delete "~~180~~", and following "the applicant shall be permitted to" insert "request and".

In sub-paragraph (4)(f), change the title as follows, "Notification of Drug Testing Rights and Notification of Results of Drug Testing." In the same sub-paragraph, add a new sentence following the single sentence, "Notification of retest or new test results will be through form CF-ES 2285, Notification of Drug Test Results and Treatment Availability, June 99 (incorporated by reference)."

Add a new paragraph (5), "(5) Approval Prior to Results of a Drug Test. Assistance for the applicant may be approved pending results of testing when: drug testing results have not been received by the sixth day after the test is conducted; the applicant has completed all drug screening and testing requirements; and, all other eligibility requirements are met."

Re-number existing paragraphs (5) through (11) as paragraphs (6) through (12).

In paragraph (6), Appeals Hearings, in the first sentence, following "Hearings" insert, "about decisions on eligibility". In the same paragraph, insert a second sentence to read, "There is no right to appeal a denial based on failure of an unannounced drug test following treatment."

In paragraph (7), Agreement to Seek Treatment and Consent to Release Confidential Information, the first sentence, following, "Applicants who", delete "~~fail a drug test and who~~".

In the same paragraph, the fifth sentence, following "CF-ES 2276" insert "May 99", and delete "~~Dec 98~~".

In paragraph (12), Forms Availability, in the second sentence, following "CF-ES 2276" insert a ",", delete "~~and~~", and following "CF-ES 2281" insert "and CF-ES 2285".

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-13.001	Definitions
65C-13.003	Pre-Service and In-Service Training
65C-13.005	Changes During the Licensed Year
65C-13.009	Parent Preparation
65C-13.011	Minimum Standards for Licensure of Family Foster Homes, Family Emergency Shelter Homes and Family Group Homes
65C-13.012	Substitute Family Records

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. 18, May 7, 1999, issue of the Florida Administrative Weekly:

65C-13.001 Definitions.

The following definitions describe the types of care that are addressed in this chapter.

(10) "Child Resource Record" (CRR) means a standardized record which contains the basic legal, demographic and known medical information pertaining to a specific child. This folder is to be kept with the child and shall accompany the child to every health care encounter so that medical information may be shared with the provider and updated as appropriate. The information includes, but is not limited to, medical/psychological information; immunization record; Medicaid card; service agreement; school information and records; name, telephone number and address of the child's parent (s) or significant other person(s); names and telephone numbers of the Family Service Counselor and the Family Service Counselor Supervisor; the emergency contact person and the way such person can be contacted; dates and duration of Family Service Counselor visits with the family; and any other information pertinent to the child's care and well being.

65C-13.003 Pre-Service and In-Service Training.

Section 409.175(13)(a),(b), F.S., requires the department to provide or cause to provide pre-service and in-service training for foster and emergency shelter parents who are licensed and supervised by the department as a condition of licensure.

(1) Pre-Service Training. Substitute care parents are required to complete a minimum of 21 hours of training. The department shall consider the pre-service training uniform statewide if the training and the curriculum, at a minimum, addresses the topics found in s. 409.175(13)(b). ~~Districts shall require additional pre-service training in other topic areas in order to enhance the skills of the foster parents who will be caring for children with special needs.~~ The pre-service training schedule may be flexible to accommodate the participants,

such as day time, evenings and weekend hours and can be scheduled more than once during the week, i.e. a weeknight and all day Saturday.

65C-13.005 Changes During the Licensed Year.

(1) If the district establishes that the substitute care parents violated the standards found in s. 409.175, F.S., or in the current Administrative Rule 65C-13 or any successor rule or have been found to have abused or neglected children as defined in Chapter 39, F.S., the department has the authority to discontinue the use of the home or revoke the license. The reasons for such action must be discussed with the substitute care parents and they must be advised that they have the right to appeal the department's decision under Section 120.57, F.S. If any administrative action is required, the administrative complaint must be reviewed and signed by the district administrator or his designated representative in accordance with the Administrative Procedures Act. ~~When a district makes the decision to suspend or revoke the license prior to expiration, proceedings must be in accordance with Section 120.57, F.S.~~ Both the license and the form Closing of Substitute Care Home for Dependent Children, CF-FSP 5026, which is hereby incorporated by reference, must be sent to the district office where the license will be canceled. A copy of form 5026 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL, 32399-0700. If the substitute care parents voluntarily surrender the license and agree with the decision to terminate as substitute care parents, but then change their mind within 30 days of surrendering their license, they have a right to request an administrative hearing and must be so advised.

65C-13.009 Parent Preparation.

(2) The requirements for prospective substitute parents are:

(f) Sign permission for a yearly foster home evaluation which includes feedback surveys from school teachers, biological parents, Family Safety and Preservation staff, foster children and any other service providers, ~~if applicable.~~

65C-13.011 Minimum Standards for Licensure of Family Foster Homes, Family Emergency Shelter Homes and Family Group Homes.

Section 409.175(11)(a)2., F.S., makes it unlawful for any person to make a willful or intentional misstatement on any license application or other document required to be filed in connection with an application for a license. Such a violation is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Applicants who make such willful or intentional misstatements will have their license denied or revoked. Any exceptions to the following standards must be for good cause and must be approved in writing by the district program office of Family Safety and Preservation prior to the exceptions being implemented. Exceptions to the maximum

capacity of five children may only be granted in the case of sibling groups, children who have previously been in the home, and mothers and their babies.

(8) Screening. Substitute care parents must meet the screening requirements as stated in Chapter 435, F.S., and be void of any other Florida Abuse Hotline Information System or criminal offenses that may negatively impact their ability to be a foster parent as stated in paragraph 65C-13.009(6)(b) of this chapter.

(17) Transportation Safety.

(a) Substitute parents are required to transport foster children in a safe manner. Transportation in the back of a pickup truck or on a motorcycle is forbidden at all times. All vehicles used to transport children must be equipped with seat belts and have approved car seats for children under the age of four years as required in s. 316.215 through 316.614, F.S. Each child being transported must have his own seat belt or car seat.

65C-13.012 Substitute Family Records.

A record must be maintained for each substitute care home. Except for confidential information on abuse or neglect reports, the substitute care home record is a public record and can be reviewed by the substitute parent. Subsection 409.175(15), F.S. provides an exemption from the public records law for all identifying information, except name, in the foster home licensing file regarding foster parents, including those who became adoptive parents, their spouses and their children, unless otherwise ordered by a court. All other substantive information is available to the public. The exempted information includes: the home, business, work, child care, or school addresses; telephone numbers; social security numbers; birth dates; photographs of licensees, their family and other adult household members; identifying information about such persons in neighbor references; the floor plan of the foster home; and any identifying information about such persons contained in similar sensitive, personal information that is provided to the department. Records are filed in a central place alphabetically under three headings: Pending in the study process, Approved, and Closed. A unit file must also be established for all approved substitute care homes which must contain all of the completed items listed below:

- (18) Delinquency Checks, ~~if appropriate;~~
- (19) Health Certificate Sample Letter, ~~if appropriate;~~

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

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

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 11, March 19, 1999, Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE:	RULE NO.:
Instant Game 53 Specifics	53ER99-28

SUMMARY OF THE RULE: This emergency rule relates to Florida Lottery Instant Game 53, "FULL HOUSE," for which Lottery retailers will begin selling tickets on a date to be 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:

53ER99-28 Instant Game 53 Specifics.

(1) Name of Game. Instant Game Number 53. "FULL HOUSE."

(2) Price. FULL HOUSE tickets sell for \$2.00 per ticket.

(3) FULL HOUSE 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 FULL HOUSE 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 FULL HOUSE Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The "HAND" play symbols and play symbol captions in FULL HOUSE are as follows:

(5) The "PRIZE" play symbols and captions in FULL HOUSE are as follows:

(6) Determination of Prize Winners. There are six hands on each ticket. In order for a ticket to be a winning ticket, a player must get two of a kind, two pairs, three of a kind, or a full house (three of a kind and a pair) in one hand. Players may win in one or more hands per ticket.

(a) The holder of a ticket having two of a kind exposed in one hand, and a TICKET shown as the corresponding 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 two of a kind exposed in one hand shall be entitled to the corresponding prize amount shown for that hand.

(c) The holder of a ticket having two pairs in one hand shall be entitled to a prize double the amount shown for that hand.

(d) The holder of a ticket having three of a kind exposed in one hand shall be entitled to a prize three times the amount shown for that hand.

(e) The holder of a ticket having a full house exposed in one hand shall be entitled to a prize four times the amount shown for that hand.

(7) Prize amounts which may appear in the "PRIZE" play area are: \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$40.00, \$50.00, \$100, \$400, \$1,000, \$5,000, \$20,000.

(8) Number and Size of Prizes. The following prizes will be available in Instant Game Number 53, FULL HOUSE:

(a) Approximately 1,180,122 prizes falling in the cash categories of 63 pools of 120,000 tickets.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 53 are as follows:

GET A PAIR, 2 PAIRS
3 OF A KIND OR A
FULL HOUSE WITH
PRIZE(S) OF:

<u>WIN</u>	<u>NUMBER IN 63 POOLS</u>	<u>ODDS</u>
<u>FREE TICKET</u>	<u>907.200</u>	<u>1 in 8.33</u>
<u>\$2</u>	<u>403.200</u>	<u>1 in 18.75</u>
<u>\$2 (D)</u>	<u>302.400</u>	<u>1 in 25.00</u>
<u>\$4</u>	<u>151.200</u>	<u>1 in 50.00</u>
<u>\$2 (D) + \$2</u>	<u>50.400</u>	<u>1 in 150.00</u>
<u>\$2 (T)</u>	<u>50.400</u>	<u>1 in 150.00</u>
<u>\$2 x 5</u>	<u>25.200</u>	<u>1 in 300.00</u>
<u>\$2 (T) + \$4</u>	<u>50.400</u>	<u>1 in 150.00</u>
<u>\$2 + \$4 + \$4</u>	<u>25.200</u>	<u>1 in 300.00</u>
<u>\$2 (Q) + \$2</u>	<u>25.200</u>	<u>1 in 300.00</u>
<u>\$10</u>	<u>25.200</u>	<u>1 in 300.00</u>
<u>\$5 x 4</u>	<u>12.600</u>	<u>1 in 600.00</u>
<u>\$2 x 5 + \$5 (D)</u>	<u>12.600</u>	<u>1 in 600.00</u>
<u>\$20</u>	<u>25.200</u>	<u>1 in 300.00</u>
<u>\$5 x 6</u>	<u>8.001</u>	<u>1 in 944.48</u>
<u>\$2 (Q) x 5</u>	<u>3.402</u>	<u>1 in 2,222.22</u>
<u>\$5 (D) x 4</u>	<u>2.835</u>	<u>1 in 2,666.67</u>
<u>\$10 + \$10 + \$20</u>	<u>2.520</u>	<u>1 in 3,000.00</u>
<u>\$10 x 4 + \$20 x 2</u>	<u>1.008</u>	<u>1 in 7,500.00</u>
<u>\$5 (Q) x 3 + \$10 x 2</u>	<u>756</u>	<u>1 in 10,000.00</u>
<u>\$40 (D) + \$5 x 4</u>	<u>567</u>	<u>1 in 13,333.33</u>
<u>\$100</u>	<u>504</u>	<u>1 in 15,000.00</u>
<u>\$20 (Q) x 2 + \$20 x 4</u>	<u>378</u>	<u>1 in 20,000.00</u>
<u>\$50 x 6</u>	<u>252</u>	<u>1 in 30,000.00</u>
<u>\$100 (D) + \$100 x 2</u>	<u>252</u>	<u>1 in 30,000.00</u>
<u>\$100 x 4</u>	<u>189</u>	<u>1 in 40,000.00</u>
<u>\$400</u>	<u>89</u>	<u>1 in 40,000.00</u>
<u>\$1,000</u>	<u>63</u>	<u>1 in 120,000.00</u>
<u>\$5,000 (Q)</u>	<u>3</u>	<u>1 in 2,520,000.00</u>
<u>\$20,000</u>	<u>3</u>	<u>1 in 2,520,000.00</u>

(9) The over-all odds of winning any prize in Instant Game Number 53 are 1 in 3.62.

Specific Authority 24.105(10)(a),(c),(e), 24.109(1) FS. Law Implemented 24.105(10)(a),(c),(e) FS. History--New 6-9-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: June 9, 1999

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN that the Florida Department of Agriculture and Consumer Services received, on April 28, 1999, a petition from Graebel/Tampa Bay Movers, Inc., seeking a temporary variance under section 120.542 of the Florida Statutes, from the requirement of any slope in a vehicle scale approach ensuring drainage away from the scale under rule 5F-5.001, Florida Administrative Code, for the use of a drainage trench between the ten (10) foot level apron and the remaining portion of the approach to assure proper drainage. The petition has been assigned OGC case number 99-106. Copies may be received from, and written comments submitted to, Department of Agriculture and Consumer Services, Office of General Counsel, PL10, The Capitol, Mail Stop CA43, Tallahassee, Florida 32399-0180, Attn.: Linton Eason. Comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs has received a Petition for Waiver dated June 4, 1999 from Martin County. The petitioner seeks a temporary waiver, with respect to its Series P9A Florida Communities Trust grant application, from the literal interpretation of one aspect of Rule 9K-4.007(2), Fla. Admin. Code. The rule requires that the applications shall be submitted by a published deadline or shall not be considered unless an exception for good cause is made by the Executive Director of Florida Communities Trust. A copy of the Petition, which has been assigned the number DCA99-WAI-107, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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. A notice of Variance Waiver was published in the May 14, 1999, edition of the Florida Administrative Weekly.

On May 27, 1999, the Department issued an order granting the partial waiver of rule 15C-1.0104(3), as amended, which provides that all new and used mobile homes installed 60 days after the effective date of the rule must have longitudinal tie downs or other approved longitudinal stabilizing systems designed to resist horizontal windloads in the length of the home. The Department granted the requested waiver through August 31, 1999, on the grounds that the Petitioner has shown that with regard to homes constructed prior to July 13, 1994, the 60 day phase-in period provided for by rule 15C-1.0104(3) is too short to allow the adaptation of longitudinal tie downs to, or the development and approval of other longitudinal stabilizing systems for, homes manufactured before July 13, 1994. Furthermore, the Petitioner has shown that limiting the phase-in period for these older mobile homes to 60 days would impose a substantial hardship on consumers, mobile home dealers and installers. The Department denied the requested 60 day period be extended until December 31, 1999, on the grounds that it would be unreasonable to extend the phase-in period by more than three months in light of the fact that the Petitioner was well aware of the proposal to require longitudinal tie downs during the rule development process and did not bring to the Department's attention at that time the matters set forth in its Petition. A copy of this order may be obtained by contacting 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 has received a petition from Nocatee Utility Corporation, filed June 1, 1999 in Docket No. 990696-WS, seeking temporary variance from Rules 25-30.033(1)(h),(j),(k),(m),(o),(r),(t),(u),(v),(w),(2),(3),(4) and 25-30.433(10), Florida Administrative Code. The above-referenced portion of Rules 25-30.033 and 25-30.433 contain the information required to establish rates and charges. Rules 25-30.033(2),(3) and (4) require the utility to implement the base facility and usage rate structure, to establish a return

on common equity using the Commission's leverage formula, and authorizes the accrued allowance for funds used during construction.

Written comments on the petition should be filed with the Commissions' Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of Records and Reporting. For additional information, please contact Samantha Cibula, Division of Legal Services, at the above address or telephone (850)413-6202.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petition for waiver of Rule 25-24.515(13), Florida Administrative Code, filed March 15, 1999, in Docket No. 990363-TC and 990376-TC was approved by the Commission at its May 18, 1999 Agenda Conference. Order No. PSC-99-1149-PAA-TC, issued June 7, 1999 memorialized the decision. The rule addresses the requirement that all pay telephone stations allow incoming calls. 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. Notice of the petition was published in the FAW on March 30, 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 June 1, 1999, the Florida Public Service Commission received a Petition from Bell South Public Communications, Inc, (Docket No. 990703-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 location of the pay telephone stations is as follows: G P Mart, 2007 East 11th Street, Panama City, Florida 32401. 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: Donna Clemons, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6199.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that PhoneTel Technologies, Inc.'s petition for waiver exemption of Rule 25-14.515(8), Florida Administrative Code, filed February 18, 1999, in Docket No.

990189-TC, was approved by the Commission at its April 20, 1999 Agenda Conference. Order No. PSC-99-0941-PAA-TC, issued May 11, 1999, memorialized the decision. The rule requires that each pay telephone station receive incoming calls. The petition was approved on the basis that the application of the rule would create substantial hardship. Notice of the petition was published in the FAW on March 19, 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 by the Florida Public Service Commission that Vista-United Telecommunications' petition for waiver exemption of Rule 25-4.115, Florida Administrative Code, filed November 16, 1998, in Docket No. 981610-TL, was approved by the Commission at its February 2, 1999 Agenda Conference. Order No. PSC-99-0381-FOF-TL, issued February 23, 1999, memorialized the decision. The rule addresses directory assistance. 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. Notice of the petition was published in the FAW on December 18, 1998.

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 petition for waiver of Rule 25-24.515(13), Florida Administrative Code, filed March 4, 1999, in Docket No. 990251-TC was approved by the Commission at its May 4, 1999 Agenda Conference. Order No. PSC-99-1033-PAA-TC, issued May 21, 1999 memorialized the decision. The rule addresses the requirement that each pay telephone station shall allow incoming calls at all times. 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. Notice of the petition was published in the FAW on March 23, 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Cosmetology hereby gives notice that it has received a petition, filed on May 14, 1999, by Mary Lange, seeking a variance of Rule 61G5-20.002, with respect to the required minimum square footage for cosmetology salons. Written comments on this petition should be filed with Board

of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0750, within 14 days of publication of this notice.

For a copy of the petition, contact: Ed Broyles, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department announces receipt of a petition filed pursuant to Section 120.542, Florida Statutes, from LCD of Flagler, Inc. to obtain a variance from certain Department rules regulating the petitioner's land clearing disposal facility. Specifically, the petitioner has requested a variance from Rule 62-701.300(2)(g), Florida Administrative Code, that prohibits the storage or disposal of solid waste within 200 feet of any natural or artificial body of water, including wetlands within the jurisdiction of the Department. 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.

The Department of Environmental Protection announces its entry of a Final Order granting a request for a variance as required by section 120.542(8), F.S.

NAME OF THE PETITIONER: Kenneth and Patricia Meiring.

DATE THE PETITION WAS FILED: February 4, 1999.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE VARIANCE IS SOUGHT: Section 62B-33.007(3)(c), FAC, which requires all new major structures to be elevated on, and securely anchored to, an adequate pile foundation in such a manner as to locate the building support structure above the design breaking wave crests or wave approach as superimposed on the storm surge with dynamic wave setup of a one-hundred-year storm.

REFERENCE TO THE PLACE AND DATE OF PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, February 26, 1999, Vol. 25, No. 8.

THE DATE OF THE ORDER APPROVING THE VARIANCE OR WAIVER: April 27, 1999.

THE GENERAL BASIS FOR THE AGENCY DECISION: The petitioner has demonstrated that the application of the rule would create a substantial hardship and that the purpose of the underlying statute will be achieved since the proposed improvements are confined to the limits of the existing foundation, are designed to resist the predicted forces during a 100-year storm event, and are not expected to result in significant adverse impacts to the beach and dune system.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the final order can be obtained by contacting Ann Kiefert, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, telephone (850)487-1262, extension 186.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Health, Bureau of Emergency Medical Services, received a Petition for Variance on June 3, 1999 from Baptist Hospital, Pensacola, Florida.

Applicable Rule: Section 64E-2.005, F.A.C.

Requested Action: To variance the quantities of several items of equipment and medications currently required to be carried on rotary wing air ambulances.

Any interested person or agency may submit written comments on this petition until close of business July 2, 1999. Comments on or requests for copies of the petition must be addressed to Ms. Pam Lesley, Sr. Management Analyst, Emergency Medical Services, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32301.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Florida Motor Vehicle Theft Prevention Authority, The Office of the Attorney General, Florida Motor Vehicle Theft Prevention Authority, announces a public meeting of the Board of Directors of the Florida Motor Vehicle Theft Prevention Authority to which all interested persons are invited.

DATE AND TIME: Wednesday, July 28, 1999, 10:00 a.m.

PLACE: Florida Department of Highway Safety and Motor Vehicles (DHSMV), Neil Kirkman Building, Room A-427, 2900 Apalachee Parkway, Tallahassee, Florida

PURPOSE: Quarterly meeting of the Board of Directors as required by Florida Statute. Consideration of matters as presented in the agenda for the meeting.

A copy of the agenda may be obtained by contacting: Mary Mills, Florida Motor Vehicle Theft Prevention Authority, Office of the Attorney General, The Capitol, Room PL-01, Tallahassee, Florida 32399-1050, or by calling (850)414-3362. A request for the agenda may be faxed to the Authority office, (850)413-0633.

TDD users, please call through the Florida Relay Service, 1(800)955-8771. If special accommodations are needed to attend this meeting because of a disability, please contact, Mary Mills, no later than seven days prior to the proceedings,

(850)414-3362. If hearing impaired, contact Mary Mills via Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BANKING AND FINANCE

The Florida **Department of Banking and Finance** is now revising its 5-year Agency Strategic Plan for fiscal years 2000-2005, which states the priorities and objectives utilized in addressing the mission and challenges faced within the agency. In addition, the Department will hold a public workshop to receive comments on the plan. Written comments or suggestions regarding the 2000-2005 Agency Strategic Plan will be accepted through July 26 by the Department. All interested individuals are invited.

DATE AND TIME: Wednesday, June 23, 1999, 9:00 a.m. – completion of the agenda

PLACE: Florida Education Center, Turlington Building, Room 1706, 325 West Gaines Street, Tallahassee, Florida 32399-0400

PURPOSE: Agenda: 1) Call to order/opening address; 2) Summary of Plan Highlights; 3) Public comments/suggestions; 4) Adjournment.

To solicit comments and suggestions on the Revising its 5-year Agency Strategic Plan.

Copies of the plan may be obtained through e-mail by requesting a copy from: Teresa Wood, internet address: twood@mail.dbf.state.fl.us.

A hard copy of the plan may be obtained by contacting: Ms. Teresa M. Wood, Research and Planning Director, (850)410-9052 or Fax (850)410-9663, or by writing: 101 E. Gaines Street, Suite 118B, Tallahassee, Florida 32399-0350. Copies of the plan will also be available at the workshop for those participants who do not obtain an advance copy.

Any individual requiring a special accommodation at this meeting because of a physical impairment should contact Ms. Cynthia Shingles, (850)410-9052 or Ms. Ginger Daniels, (850)921-8377 (TDD) prior to the meeting.

The **Florida Financial Management Information System (FFMIS) Coordinating Council** announces the following public meetings to which all persons are invited.

DATES AND TIME: Friday, June 25, 1999; Friday, July 30, 1999; Friday, August 13, 1999; Friday, September 17, 1999; Friday, October 22, 1999; Friday, November 19, 1999; Friday, December 17, 1999, 1:30 p.m.

PLACE: Room G16C, Fletcher Building, 101 E. Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relating to the Florida Financial Management Information System.

A copy of the agenda may be obtained by contacting: Martin Young, Department of Banking and Finance, Division of Accounting and Auditing, FFMIS Design and Coordination Staff, 101 E. Gaines Street, 434E Fletcher Building, Tallahassee, FL 32399-0350, Telephone (850)410-9415, Fax (850)410-9278, e-mail: Martin_L_Young@mail.dbf.state.fl.us.

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

DATE AND TIME: July 14, 1999, 10:00 a.m. – 5:00 p.m.

PLACE: Omni Colonnade Hotel, 180 Aragon Avenue, Coral Gables, FL 33134

PURPOSE: Regular Board Business

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

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

The **Department of Insurance**, announces a pre-filing conference to which all persons are invited:

DATE AND TIME: June 30, 1999, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coordination of issues regarding 1999 worker's compensation rate filings by rating organizations.

A copy of the agenda may be obtained by contacting: Kevin McCarty, Deputy Director, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, Phone (850)413-0000.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)413-4214.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a meeting of the Florida Agriculture Center and Horse Park Authority:

DATE AND TIME: June 30, 1999, 1:00 p.m.

PLACE: Florida Farm Bureau Offices, 5700 Southwest 34 Street, Board Room, Suite 1521, Gainesville, Florida

PURPOSE: Business Meeting

A copy of the agenda can be obtained by contacting: Stephen Monroe, Mayo Building, Room 431, Tallahassee, Florida 32399-0800, or by calling (850)488-4132.

If special accommodations are needed to attend this meeting because of a disability, please contact Stephen Monroe.

The **Florida State Fair Authority** announces a meeting of the Finance Committee and Marketing Committee:

DATE AND TIME: Wednesday, June 30, 1999, 10:00 a.m.

PURPOSE: To Discuss Old and New Business of the Finance and Marketing Committees

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, Tampa, Florida 33610

A copy of the Agendas may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact: Ms. Ann Menchen, (813)621-7821, as soon as possible.

The **Florida State Fair Authority** announces a meeting of the Full Authority to which all persons are invited:

DATE AND TIME: Wednesday, June 30, 1999, 11:00 a.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER: Committee Reports; Old and New Business; Approval of Fiscal Year 99/00 Operating Budget.

A copy of the Agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821, as soon as possible.

The **Florida State Fair Authority** announces a special meeting of the Mills Committee.

DATE AND TIME: Wednesday, June 30, 1999, 1:00 p.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, Tampa, Florida 33610

PURPOSE: To Select Consultant For Feasibility Study

A copy of the Agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821, as soon as possible.

DEPARTMENT OF EDUCATION

The **State Board of Independent Colleges and Universities**, announces a telephone conference call committee meeting to which all persons are invited.

DATE AND TIME: Friday, June 25, 1999, 10:00 a.m. – 12:00 noon

PLACE: The conference call “meet me” numbers (850)921-6623 or SC 291-6623.

PURPOSE: Telephonic meeting to address the settlement offer made by Bisk/Toltape and address issues related to referring the matter for administrative hearing.

The meeting may be continued to the following date, time and “meet me number”: Monday, June 28, 1999, 10:00 a.m. – 12:00 noon, (850)921-6623, SC 291-6623. If a continuance is needed, it will be announced during the June 25, 1999, telephonic meeting.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting, 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.

A copy of the agenda may be obtained by writing: State Board of Independent Colleges and Universities, Department of Education, Tallahassee, Florida 32399, or by calling (850)488-8695.

Pursuant to the provision of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise the Board at least five calendar days before the meeting by contacting, Mary Cook, (850)488-8695.

The **State Board of Community Colleges**, announces the following conference call to which all persons are invited:

DATE AND TIME: Tuesday, June 29, 1999, 9:00 a.m.

PLACE: Ralph Turlington Building, Room 1314, 325 W. Gaines Street, Tallahassee, Florida

TELEPHONE NUMBER: To participate in the conference call, dial Suncom 291-5400 or (850)921-5400.

PURPOSE: Preliminary review of community college audits for Board action by the Finance Subcommittee on Audits.

If you need additional information, write: Division of Community Colleges, 1314 Ralph Turlington Building, 325 W. Gaines Street, Tallahassee, Florida 32399-0400.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN by the **Florida Building Commission**, announcing the following meeting and workshop to which all persons are invited:

Workshop – Florida Building Code
DATE AND TIME: June 29, 1999, 9:00 a.m. – 3:00 p.m.

PLACE: Beach Side Resort & Conference Center, 14 Via De Luna Drive, Pensacola Beach, Florida, (904)932-5331

PURPOSE: To solicit public comments on the first draft of the Florida Building Code.

Should you have any questions regarding this meeting, please contact the Building Codes and Standards staff, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate at this meeting should advise the Department of Community Affairs at least 5 calendar days before the meeting by contacting: Mr. Mo Madani, (850)487-1824. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

NOTICE OF CANCELLATION – The notice of a Product Approval Technical Advisory Group for the **Florida Building Commission** meeting published in the June 4, 1999, Florida Administrative Weekly, has been canceled.

DATE AND TIME: June 30, 1999, 10:00 a.m. – 4:00 p.m.
PLACE: Holiday Inn Select, 5750 TG Lee Boulevard, Orlando, Florida, (407)851-6400

PURPOSE: To develop a product approval process.

Should you have any questions regarding this meeting, please contact the Building Codes and Standards staff, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate at this meeting should advise the Department of Community Affairs at least 5 calendar days before the meeting by contacting: Mr. Mo Madani, (850)487-1824. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission**, announces a public meeting to which all persons are invited:

DATES AND TIME: June 25, 1999; June 28, 1999; June 29, 1999, 8:00 a.m. – 6:00 p.m.

PLACE: Executive Conference Room, 5th Floor, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida

PURPOSE: Special meeting of the Screening Committee of the Florida Transportation Commission to interview candidates for the position of Secretary of the Florida Department of Transportation, followed by a special meeting of the Florida Transportation Commission to select three nominees for submittal to the Governor. (These meetings will be held if interviews and selection of three nominees are not concluded at the June 14th and 15th meetings.)

Information may be obtained by contacting: Florida Transportation Commission, M.S. #9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, Phone (850)414-4105.

The **Department of Transportation**, District 3, announces a public hearing to which all persons are invited.

DATE AND TIME: July 13, 1999, 6:00 p.m. (CST)

PLACE: Ensley Alliance Church, 512 West Detroit Street, Pensacola, Florida

PURPOSE: This public hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code and Section 335.18, Florida Statutes.

This hearing is also being held in accordance with the Federal-Aid Highway Act of 1968, as amended, 23 USC 128, 40 CFR 1500-1508, 23 CFR 771 and Section 339.15, Florida Statutes, and is also consistent with the Americans With Disabilities Act of 1990.

Anyone needing special accommodations should write to the address given below or call (904)638-0250, Ext. 523. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

This hearing is also in compliance with Title IV of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968, as amended.

This public hearing is being conducted exclusively to give all interested parties an opportunity to comment on the proposed access management classification, location, conceptual design, social, economic and environment effects of State Project No. 48040-1572; F.M. Item No. 2186031 (Work Program Item No. 3111979); otherwise known as SR-95 (US-29) from SR-8 (I-10) to SR-10 (US-90) in Escambia County, Florida.

A copy of the agenda may be obtained by writing: Ms. Regina Battles, P. E., District Environmental Management Engineer, Florida Department of Transportation, P. O. Box 607, Chipley, Florida 32428.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, June 23, 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 two Commission Staff issue identification meetings in the following docket, to which all interested persons are invited: Docket No. 990649-TP, Investigation into Pricing of Unbundled Network Elements.

DATES AND TIMES: Wednesday, June 23, 1999, 9:30 a.m.; Wednesday, June 30, 1999, 1:30 p.m.

PLACE: Florida Public Service Commission, Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE: The purpose of these meetings will be to identify and discuss the issues involved in this docket. Issues to be addressed in this proceeding may include the deaveraged pricing of unbundled network elements (UNEs) and UNE combinations, as well as the pricing of certain non-recurring charges. We will also discuss procedural matters associated with this docket. All interested persons are invited to attend.

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

For additional information, contact: Will Cox, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, or Telephone (850)413-6204 or David Dowds, Division of Communications, (850)413-6542.

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

DATE AND TIME: July 6, 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, FAC), by contacting 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: <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, 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: July 6, 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: The Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

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

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

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

Docket No. 990373-TP – Establishment of a statewide emergency area code relief plan.

DATES AND TIME: July 7-8, 1999, 9:30 a.m.

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

PURPOSE: To permit parties to present testimony and exhibits relative to the establishment of a statewide emergency area code relief plan and for such other purposes as the Commission may deem appropriate. At the hearing, all parties shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on June 16, 1999.

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapters 25 and 28, FAC.

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

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

Docket No. 990149-TP – Petition by MediaOne Florida Telecommunications, Inc. for arbitration of an interconnection agreement with BellSouth Telecommunications, Inc. pursuant to Section 252(b) of the Telecommunications Act of 1996.

DATE AND TIME: July 9, 1999, 9:30 a.m.

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

PURPOSE: To permit parties to present testimony and exhibits relative to the petition by MediaOne Florida Telecommunications, Inc. for arbitration of an interconnection agreement with BellSouth Telecommunications, Inc. pursuant to Section 252(b) of the Telecommunications Act of 1996, and for such other purposes as the Commission may deem appropriate. At the hearing, all parties shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on June 22, 1999. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S. and Chapters 25 and 28, FAC.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior

to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached, 1(800)955-8771 (TDD).

NOTICE IS HEREBY GIVEN that the Staff of the Florida **Public Service Commission** will conduct a staff workshop regarding Docket No. 990342-TP.

DATE AND TIME: July 28, 1999, 9:30 a.m.

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

PURPOSE: This workshop will address the appropriate method of collecting and remitting 911 fees to the counties, and the providing of accurate customer record information to the 911 coordinators in each county, pursuant to Chapter 365.171, Florida Statutes.

For additional information, contact Kelly Biegalski, (850)413-6546 or Lee Fordham, (850)413-6226, or at the above address.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor** announces a public meeting of the Florida Geographic Information Board's (GIB) Aerial Photography workgroup to which all persons are invited.

DATE AND TIME: June 25, 1999, 8:30 a.m. or as soon thereafter as possible and will continue until complete

PLACE: Volusia County Administration Center, 123 Indiana Avenue, Deland, Florida

PURPOSE: A special meeting to address the joint funding of aerial photography in Volusia County and to establish a model for other joint funding projects.

More information can be obtained by contacting: The Volusia County Property Appraisers Office, (904)822-5717, or at the GIB's Website: <http://als.dms.state.fl.us>.

REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 12, 1999, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida

PURPOSE: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Miami; Any adopted Local Government Comprehensive Plan Amendment

received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before 9:00 a.m. and following the regularly scheduled Council meetings.

Any party desirous of ascertaining schedules of the sub-committees, or if you require additional information regarding the above meeting, should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD). If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Northeast Florida Regional Planning Council** Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited:

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

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited:

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

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: To discuss pending personnel, program planning and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

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

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: Monthly Meeting

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information call: Ginny Montgomery, (904)363-6350, Extension 146, at least three working days prior to the meeting. Hearing impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

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: Wednesday, June 23, 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: 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation**, announces a joint meeting of Department of Labor and Employment Security, Division of Workers' Compensation and the **Department of Insurance, Division of Fraud**, to which the public is invited.

DATE AND TIME: Tuesday, June 29, 1999, 9:00 a.m. – 12:00 p.m.

PLACE: The Hilton Palm Beach Airport, 150 Australian Avenue, West Palm Beach, Florida

PURPOSE: Public Workshop to discuss the processes and procedures of the Department of Labor, Division of Workers' Compensation and the Department of Insurance, Division of Insurance Fraud.

For further information about this meeting, contact: Karen Hickey, 109 Montgomery Bldg., 2562 Executive Center Circle, East, Tallahassee, Florida 32399-0661, Telephone number (850)488-2713.

Persons with a disability or handicap requiring reasonable accommodation should contact Karen Hickey in writing at the above address or by telephone at least three business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Karen Hickey using the Florida Dual Party Relay System which can be reached, 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following public workshops to which all persons are invited:

DATE AND TIME: Monday, June 28, 1999, 6:00 p.m. – 7:30 p.m., CDT

PLACE: Pensacola City Hall, Hagler/Mason Room, 180 Governmental Center, Pensacola, Florida

DATE AND TIME: Wednesday, June 30, 1999, 6:00 p.m. – 7:30 p.m., EDT

PLACE: Leon County Courthouse, County Commission Chambers, 5th Floor, 301 South Monroe Street, Tallahassee, Florida

PURPOSE: To solicit public input on the District's 1999 District Water Management Plan

Copies of the workshop agenda and the 1994 District Water Management Plan can be obtained: NFWFMD web-site, <http://www.state.fl.us/nfwfmd>.

Requests for printed copies can be made to: Ms. Maria Culbertson, NFWFMD, 81 Water Management Drive, Havana, Florida 32333-9700, (850)539-5999.

Provisions will be made to accommodate the handicapped provided the District is given at least seven days advance notice.

The **St. Johns River Water Management District** announces a Land Acquisition and Management Committee Meeting and tour to which all persons are invited.

Tour

DATE AND TIME: Friday, June 25, 1999, 10:00 a.m. – 12:00 p.m.

PLACE: Pellicer Creek Property, Flagler County

Land Acquisition and Management Committee Meeting

DATE AND TIME: Friday, June 25, 1999, 1:00 p.m. – 3:00 p.m.

PLACE: Princess Place Preserve, At Pellicer Creek in Flagler County

PURPOSE: To review land management and land acquisition activities.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

If, due to disability, you require a special accommodation to participate in this public meeting contact Linda Lorenzen, (904)329-4262 or (904)329-4450 (TDD), at least five work days before the date of the meeting.

The **Southwest Florida Water Management District** announces the following public meeting to which all persons are invited.

Peace River Basin Board Meeting (Note: This is a change of location from what was originally scheduled.)

DATE AND TIME: Friday, June 25, 1999, 2:00 p.m.

PLACE: Bartow Service Office, 170 Century Boulevard, Bartow, 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 **Southwest Florida Water Management District** Governing Board will hold a private attorney-client session pursuant to Section 286.011(8), Florida Statutes.

DATE AND TIME: Wednesday, June 30, 1999, 9:00 a.m., during its regularly scheduled monthly Board meeting.

PLACE: District’s Brooksville Headquarters, 2379 Broad Street, U.S. 41 South, Brooksville, FL

PURPOSE: To discuss pending litigation relating to Southwest Florida Water Management District v. Heard, Highlands County Circuit Court Case Nos. GC 95-28 and GC 96-230.

Those scheduled to attend the meeting include:

Governing Board Members: Ronald C. Johnson, Chair; Brenda Menendez, Vice Chair; Sally Thompson, Secretary; Ronnie E. Duncan, Treasurer; Joe L. Davis, Jr.; Rebecca M. Eger; John P. Harlee, IV; Monroe “Al” Coogler; John K. Renke, III; Pamela Stinnette-Taylor; Watson L. Haynes, II; District Staff and Counsel; E. D. “Sonny” Vergara, Executive Director; Edward B. Helvenston, General Counsel; Hugh McGuire, Esquire; Carol Masio, Esquire.

Should you have any questions concerning this session, please contact 1(800)423-1476 or (352)796-7211, Extension 4610.

The **Southwest Florida Water Management District** announces the following public meetings to which all persons are invited.

Florida Association of Counties Meeting

DATE AND TIME: Thursday, June 24, 1999, 7:30 p.m. – 9:30 a.m.

PLACE: Peabody Hotel, 9801 International Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Water Management issues affecting counties

Land Acquisition Ad Hoc Committee Meeting

DATE AND TIME: Thursday, June 24, 1999, 9:30 a.m.

PLACE: Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Committee Business

Hillsborough River Basin Board Meeting (Note: This is a reschedule of the June 21 advertised meeting.)

DATE AND TIME: Friday, June 25, 1999, 9:00 a.m.

PLACE: Temple Terrace City Hall, 11250 North 56 Street, Temple Terrace, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:
 Consideration of Basin Business, including approval of tentative FY 2000 Basin budget

Peace River Basin Board (Note: This is a reschedule of the June 15 advertised meeting.)

DATE AND TIME: Friday, June 25, 1999, 2:00 p.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.

The following meeting is cancelled:

New Basin Board Member Orientation

DATE AND TIME: Friday, June 25, 1999, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

Manasota Basin Board Meeting (Note: This is a reschedule of the June 16 advertised meeting.)

DATE AND TIME: Monday, June 28, 1999, 10:00 a.m.

PLACE: Manatee County Administrative Complex, 1112 Manatee Ave., W., Bradenton, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:
 Consideration of Basin Business, including approval of tentative FY 2000 Basin budget.

Governing Board Meeting, Public Hearing And Committee Meetings

DATE AND TIME: Tuesday, June 29, 1999, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:
 Conduct of Meeting, Public Hearing and Committee Meetings, including Adoption of FY 2000 Tentative Millage Rate.

Governing Board Meeting and Public Hearing

DATE AND TIME: Wednesday, June 30, 1999, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:
 Conduct of Meeting and Public Hearing

New Basin Board Member Orientation

DATE AND TIME: Friday, July 9, 1999, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:
 Orientation of new Basin Board members

New Basin Board Member Orientation

DATE AND TIME: Tuesday, July 13, 1999, 9:00 a.m.

PLACE: Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED:
 Orientation of new Basin Board members

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 purpose that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)423-1476 (Florida), or (352)796-7211, Extension 4604, Fax (904)754-6874, TTD ONLY 1(800)231-6103 (Florida).

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:

DATES AND TIME: Friday, June 25, 1999; Saturday, June 26, 1999, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637-6759

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 **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: July 14, 1999, 9:00 a.m.

PURPOSE: Governing Board workshop and meeting to discuss and consider District business, including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference in

order to take action on items listed on the Thursday, July 15th meeting agenda, including regulatory and non-regulatory items.

DATE AND TIME: July 14, 1999, 1:00 p.m.

PURPOSE: Human Resources Committee meeting to discuss regular committee business.

DATE AND TIME July 14, 1999, 2:00 p.m.

PURPOSE: Audit Committee meeting to discuss regular committee business. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

DATE AND TIME: July 15, 1999, 8:30 a.m.

PURPOSE: Governing Board meeting for consideration of District business other than regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

DATE AND TIME: July 15, 1999, 2:00 p.m.

PURPOSE: Governing Board meeting for consideration of regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

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.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

The South Florida Water Management District announces a private attorney-client session:

DATE AND TIME: July 15, 1999, Immediately following Governing Board Meeting, but not to begin before 2:00 p.m.

PLACE: South Florida Water Management District, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Attorney-Client session pursuant to Fla. Stat. Section 286.011(8)(1997) to discuss settlement negotiations or strategy related to litigation expenditures in Miccosukee Tribe of Indians, Fortin, Gonzalez-Rauchman, et. al. v. SFWMD, Miami-Dade DERM, et al.

ATTENDEES: Governing Board members M. Collins, M. Berger, V. Carter, G. Fernandez, P. Gleason, N. Gutierrez, Jr., M. Minton, H. Thornton, T. Williams, District attorneys J. Fumero, F. Bartolone, P. Sole-Calas, and outside counsel R. Rivas, Interim Executive Director J. Harvey, or in his absence and unavailability to attend, Deputy Executive Director T. Campbell.

The subject matter shall be confined to the pending litigation. At the conclusion of the session, the Governing Board shall be re-opened. Pursuant to Florida law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

Transcript of the attorney-client session shall be made part of the public record upon conclusion of the litigation.

The South Florida Water Management District announces a private attorney-client session:

DATE AND TIME: July 15, 1999, Immediately following Governing Board meeting, but not to begin before 2:00 p.m.

PLACE: South Florida Water Management District, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Attorney-Client session pursuant to Fla. Stat. Section 286.011(8) (1993) to discuss settlement negotiations or strategy related to litigation expenditures in Basore vs. South Florida Water Management District.

ATTENDEES: Governing Board members M. Collins, M. Berger, V. Carter, G. Fernandez, P. Gleason, N. Gutierrez, Jr., M. Minton, H. Thornton, T. Williams, Interim District Executive Director J. Harvey, District attorneys T. Wolfe, R. Clements, and District outside counsel P. Nettleton.

The subject matter shall be confined to the pending litigation. At the conclusion of the session, the Governing Board meeting shall be re-opened. Pursuant to Florida law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

Transcript of the attorney-client session shall be made part of the public record upon conclusion of the litigation.

The South Florida Water Management District announces a private attorney-client session:

DATE AND TIME: July 15, 1999, Immediately following Governing Board meeting, but not to begin before 2:00 p.m.

PLACE: South Florida Water Management District, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Attorney-Client session pursuant to Fla. Stat. Section 286.011(8) (1993) to discuss settlement negotiations or strategy related to litigation expenditures in *Barley, Mullins, Wermeil, Reed, et al. v. SFWMD*.

ATTENDEES: Governing Board Members M. Collins, M. Berger, V. Carter, G. Fernandez, P. Gleason, N. Gutierrez, Jr., M. Minton, H. Thornton, T. Williams, Interim District Executive Director J. Harvey, District attorneys T. Wolfe, R. Clements, G. Miller, and District outside counsel P. Nettleton.

The subject matter shall be confined to the pending litigation. At the conclusion of the session, the Governing Board meeting shall be re-opened. Pursuant to Florida law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. Transcript of the attorney-client session shall be made part of the public record upon conclusion of the litigation.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 25, 1999, 10:00 a.m. – 5:00 p.m.

PLACE: District Headquarters, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Evaluation Committee to discuss and tabulate scores of evaluations of proposals submitted in response to RFP C-10918, Miscellaneous Surveying Services.

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 29, 1999, 10:00 a.m., in Conference Room 2A.

Should one or more members of the Evaluation Committee need to attend this meeting by means of communications media technology (CRT), the meeting will be teleconferenced at the time, place, and conference room referenced above.

For more information, contact: Gabriel Ocasio-Davila, Senior Contracts Administrator, (561)682-2181.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 29, 1999, 10:00 a.m.

PLACE: Florida Department of Transportation, Auditorium, 1000 N. W. 111 Avenue, Miami, Florida

PURPOSE: A meeting of the Miami-Dade County Lake Belt Plan Implementation Committee to continue development of the Lake Belt Phase II Detailed Master Plan.

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: Jim Jackson, Project Manager, (561)682-6334.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIMES: July 16-17, 1999, 10:00 a.m. – 5:00 p.m., each day

PLACE: District Headquarters, B-1 Building, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Evaluation Committee for oral presentations and final tabulation of scores for proposals submitted in response to RFP C-10918, Miscellaneous Surveying Services.

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 one or more members of the Evaluation Committee or proposer need to attend this meeting by means of communications media technology (CMT), the meeting will be teleconferenced at the time, place and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on July 23-27, 1999, in Conference Room 3B.

For more information, contact: Gabriel Ocasio-Davila, Senior Contract Administrator, (561)682-2181.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 23, 1999, 5:30 p.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

DATE AND TIME: July 9, 1999, 6:30 p.m.

PLACE: Collier County Commission Chambers, Collier County Government Center, 3301 E. Tamiami Trail, Naples, Florida

PURPOSE: To solicit comments and suggestions on the Revised District Water Management Plan and FY2000 Budget. 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: Aaron Basinger, (561)682-6660.

The Florida **Department of Elder Affairs** announces a public hearing to which all persons are invited:

DATE AND TIME: Monday, June 28, 1999, 9:30 a.m. – 11:30 a.m.

PLACE: Beardall Senior Center, 800 South Delaney Avenue, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Comments on the draft of the Agency Strategic Plan for 2000-2005 to ensure the plan for delivery of services to elders meets citizen needs and reflects public participation in the strategic planning process at the statewide level, as required by s. 186.022, F.S.

Persons unable to attend the hearing may submit written comments to the above address within 21 days after the date of the hearing or by July 19, 1999.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact: Ms. Sam Reimers, Strategic Planning Unit, (850)414-2000, at least five business days prior to the meeting. If you are hearing or speech impaired, please contact Sam Reimers using the TDD (850)414-2001.

A copy of the agenda for this meeting may be obtained by contacting: Sam Reimers or Sandi Smith, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, or by calling (850)414-2000.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Probable Cause Panel (North), **Board of Medicine**, announces a meeting.

DATE AND TIME: June 25, 1999, 10:00 p.m. or soon thereafter

PLACE: Tallahassee Regional Airport, McDonnell Conference Room, Tallahassee, Florida, (850)891-7570

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: P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (850)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: July 7, 1999, 6:00 p.m. 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: P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (850)922-2414, 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Agency for Health Care Administration**, The Task Force on Home Health Services Licensure Provisions, announces the initial Task Force meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room D, 2727 Mahan Drive, Tallahassee, Florida

PURPOSE: To review the provisions of Part IV of Chapter 400, Florida Statutes, and recommend additional legislative revisions to that part. The review will include the legislative budget request for an increase in fees for Medicaid home health services.

For Agenda: Anne Menard, Home Care Unit, Agency for Health Care Administration, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308, Telephone (850)414-6010 or Internet: menarda@fdhc.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise, Anne Menard, (850)414-6010 or menarda@fdhc.state.fl.us, at least 48 hours before the meeting. If you are hearing or speech impaired, contact, Anne Menard, via the Florida Relay Service, 1 (800)955-8770 (Voice) or 1 (800)955-8771 (TDD), for assistance.

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **Capitol Center Planning Commission**, announces a public meeting to which all persons are invited.

DATE AND TIME: June 29, 1999, 9:30 a.m.

PLACE: The Florida Room, 2nd Floor, City Hall, 300 S. Adams St., Tallahassee, FL 32301

PURPOSE: This will be a regular monthly meeting of the Commission to discuss and act on its agenda for that meeting.

The agenda includes matters pertaining to the approval of building construction within the district and other matters affecting the Capitol Center located in Tallahassee, Florida.

Copies of the agenda may be obtained by writing: The Capitol Center Planning Commission, Suite 380, 4030 Esplanade Way, Tallahassee, FL 32399-0950.

If a person anticipates that she/he may appeal any decision made by the Commission with respect to any matter considered at this meeting, she/he will need to ensure that a written verbatim record of the proceedings shall have been made, at no cost to the Commission, which record includes the testimony and evidence upon which the appeal is to be based.

Any attendee requiring special accommodation because of a disability or physical impairment should contact: Kay Clement, (850)488-2074, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired can contact the

Commission at the above number using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The State of Florida, **Retirement Commission**, announces public hearings to which all persons are invited.

DATE AND TIME: June 21-22, 1999, 8:30 a.m.

PLACE: Cedars Executive Center, 2639 North Monroe Street, Building B, Tallahassee, 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, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Funeral Directors & Embalmers** announces to the following meeting to be held by telephone conference call to which all parties are invited to attend.

DATE AND TIME: June 28, 1999, 10:00 a.m. (EST)

ACCESS PHONE: (850)921-2548, SunCom 291-2548

PURPOSE: Board meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Funeral Directors & Embalmers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a 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 a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)488-8690, at least five calendar days prior to the meeting. If you are hearing or speech impaired,

please contact the Board office using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers**, announces an Application Review Committee Meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATES AND TIME: July 8, 1999, 9:00 a.m.; July 9, 1999, 9:00 a.m., if necessary

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: Review Application of Licensure.

A copy of the agenda may be obtained by writing: Jim Rimes, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756.

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 Jim Rimes, by Thursday, July 1, 1999.

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: July 14, 1999, 2:00 p.m.

PLACE: Jacksonville Hilton and Towers, 1201 Riverplace Blvd., Jacksonville, FL 32207

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 Stacey Merchant, Building Code Administrators and Inspectors Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call

Stacey Merchant using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Building Code Administrators and Inspectors Board** announces an official Board meeting to which all interested persons are invited.

Board Meeting/Committee Meeting

DATE AND TIME: July 15, 1999, 9:00 a.m.

Board Meeting/Committee Meetings

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

PLACE: Jacksonville Hilton and Towers, 1201 Riverplace Blvd., Jacksonville, FL 32207

PURPOSE: Official Board and Committee meetings.

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, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact: Stacey Merchant, Building Code Administrators and Inspectors Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call, Stacey Merchant, using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the Florida **Real Estate Commission** meeting previously advertised in the June 4, 1999 issue of the FAW has been changed to:

DATE AND TIME: Monday, July 19, 1999, 3:00 p.m. or the soonest thereafter. Portions of the probable cause proceedings are not open to the public.

PLACE: 400 West Robinson Street, Suite 301, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact: Division of Real Estate, (407)245-0800, between the hours of 9:00 a.m. – 4:00 p.m., at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Realty System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD)

The **State Athletic Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: July 14, 1999, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

PURPOSE: To conduct a general business meeting of the Commission and to elect officers. In addition, the Commission will consider suggested changes to its proposed rules which were originally published in Vol. 25, No 1, of the January 8, 1999, Florida Administrative Weekly. These suggested changes will be based on comments made by the Joint Administrative Procedures Committee and on comments received as a result of the rule workshop to be held on July 1, 1999. The July 1 workshop is noticed elsewhere in this issue of the Florida Administrative Weekly.

A copy of the agenda may be obtained by writing: State Athletic Commission, Attn: Shelly Bradshaw, Assistant Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399-1016.

Any person deciding to appeal a decision made by the Commission with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact: Shelly Bradshaw, Assistant Executive Director, (850)488-8448, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 1, 1999, 9:00 a.m. – 3:00 p.m.

PLACE: Orange County Public Library, 101 East Central Boulevard, Orlando, Florida

PURPOSE: The Department is considering initiating rulemaking to make changes to Chapter 62-701, Florida Administrative Code, the Solid Waste Management Facilities rule. This is a public meeting to solicit ideas and input on possible changes to that rule.

If accommodation for a disability is needed to participate in this activity, please notify: Mary Jean Yon, (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: Mary Jean Yon, 2600 Blair Stone Road, MS #4565, Tallahassee, Florida 32399-2400, (850)488-0300.

The **Department of Environmental Protection**, Division of Air Resource Management, announces a public workshop (40 CFR 51.102 hearing) to which all persons are invited.

DATE AND TIME: Tuesday, July 20, 1999, 9:00 a.m.

PLACE: Douglas Building, First Floor, Conference Room B, 3900 Commonwealth Blvd., Tallahassee, Florida

PURPOSE: The Department will hear comments on its proposal to submit to the U.S. Environmental Protection Agency, as a proposed revision to the State Implementation Plan (SIP), a set of amendments to rule Chapter 62-212, FAC. The rule amendments, if approved by the Secretary and adopted by the Department, would provide an exemption from prevention of significant deterioration (PSD) review for certain pollution control projects involving pulp and paper mills and municipal solid waste landfills.

A copy of the workshop agenda and proposed SIP revision may be obtained by writing: Ms. Sandy Ladner, Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Mail Station #5510, Tallahassee, Florida 32399-2400, or by calling (850)921-9590.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Personnel Services Specialist, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Land Acquisition and Management Advisory Council**, as defined in Section 259.035, Florida Statutes, announces the following public hearings to receive public testimony on six new projects proposed for addition to the Conservation and Recreation Lands (CARL) Priority List. All interested parties are invited to attend one of the following:

DATE AND TIME: July 8, 1999, 9:00 a.m. (EDT/CDT)

PLACE: Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Conference Room A, Tallahassee, Florida 32399-3000

DATE AND TIME: July 14, 1999, 7:00 p.m. (EDT/CDT)

PLACE: Marion County Commission Auditorium, 601 S. E. 25th Avenue, Ocala, Florida 34471

The Council considers this testimony when determining which projects should be added to the list. The proposed projects are: Lecanto Sandhills (Citrus County), Ross Prairie Addition (Marion County), Big Bend Swamp/Holopaw Ranch (Osceola County), Chinquapin Farm Sandhills (Suwannee/Columbia Counties), Three Chimneys (Volusia County), Spring Hollow (Washington County).

If an accommodation is needed for a disability in order to participate in these meetings, please notify: Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

DEPARTMENT OF HEALTH

The Florida **Board of Medicine's**, Rules Committee, announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, July 8, 1999, 4:00 p.m., or soon thereafter

PLACE: The Hotel Royal Plaza, 1905 Hotel Plaza Blvd., Lake Buena Vista, Florida 32830, (407)828-2828

PURPOSE: To discuss general business of the Committee.

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIMES: Friday, July 9, 1999, 8:30 a.m. or soon thereafter; continuing Saturday, July 10, 1999, 8:00 a.m. or soon thereafter; continuing Sunday, July 11, 1999, 8:00 a.m., if necessary

PLACE: The Hotel Royal Plaza, 1905 Hotel Plaza Blvd., Lake Buena Vista, Florida 32830, (407)828-2828

PURPOSE: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine's**, Credentials Committee, announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, July 17, 1999, 8:00 a.m. or soon thereafter

PLACE: The Westin Hotel, 400 Corporate Drive, Ft. Lauderdale, Florida 33334-3642, (954)772-1331

PURPOSE: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health** and the Advisory Council on Respiratory Care, under the **Board of Medicine**, announces a meeting to which all persons are invited.

DATE AND TIME: June 25, 1999, 9:00 a.m., or soon thereafter

PLACE: The Hilton Garden Inn, 3333 Thomasville Rd., Tallahassee, FL 32302, (850)385-3553

PURPOSE: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Advisory Council on Respiratory Care, 2020 Capital Circle, S. E., BIN #C05, Tallahassee, Florida 32399-3255, or by calling the council office, (850)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 council office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Orthotists & Prosthetists** will hold a duly noticed meeting to which all persons are invited to attend.
DATES AND TIME: Friday, July 9, 1999, 9:00 a.m.; continuing Saturday, July 10, 1999, if necessary
PLACE: Sheraton West Palm Beach, 630 Clearwater Park Road, West Palm Beach, Florida 33401, (561)833-1234
PURPOSE: General board business

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: 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, 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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Statewide Health and Human Services Board, (SHHSB), will meet:

DATE AND TIME: Monday, June 28, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Winewood Complex, Building 4, Conference Center, 1317 Winewood Boulevard, Tallahassee, Florida

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact: Diann Lowery, prior to the meeting, Department of Children and Family Services, 1317 Winewood Boulevard, Building 1, Room 205, Tallahassee, FL 32399-0700, Telephone (850)488-4306, SunCom 278-4306 or call via The Florida Relay Service, 1(800)955-8771 (TDD).

The Florida **Department of Children and Family Services**, announces the District 8, Human Rights Advocacy Committee, for Mental Health will meet on the following dates:

DATES AND TIME: June 28, 1999; August 2, 1999; August 30, 1999; October 4, 1999; November 1, 1999; December 6, 1999, 10:00 a.m.

PLACE: Riverside Behavioral Center, 733 E. Olympia Avenue, Punta Gorda, FL

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting: The Department of Children and Family Services, Consumer Relations Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

Certain portions of the meetings are not subject to open meetings requirement per 402.165(8)(c), Florida Statutes and 402.166(8)(c), Florida Statutes.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Consumer Relations Unit, (941)338-1431 or 1(800)342-0825, Florida Relay Service 1(800)955-8770 (Voice) 1(800)955-8771 (TDD).

The Florida **Department of Children and Family Services** announces the District 8, Human Rights Advocacy Committee, for Multi-Program will meet on the following dates:

DATE AND TIME: July 29, 1999, 10:00 a.m.

PLACE: Community & Career Service Center of Fort Myers, 4150 Ford St., Fort Myers, FL

DATE AND TIME: August 26, 1999, 10:00 a.m.

PLACE: Community & Career Service Center of Venice, E. Venice Avenue, Venice, FL

DATE AND TIME: September 23, 1999, 10:00 a.m.

PLACE: Naples Service Center, 215 Airport-Pulling Road, North, Naples, FL

DATE AND TIME: October 28, 1999, 10:00 a.m.

PLACE: North Fort Myers Service Center, 935 Pondella Road, North Fort Myers, FL

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

PLACE: Regional Service Center, Room 140, 2295 Victoria Ave., Fort Myers, FL

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting the Department of Children and Family Services, Consumer Relations Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

Certain portions of the meetings are not subject to open meetings requirement per 402.165(8)(c), Florida Statutes and 402.166(8)(c), Florida Statutes.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Consumer Relations Unit, (941)338-1431 or 1(800)342-0825. Florida Relay Service 1(800)955-8770 (Voice) 1(800)955-8771 (TDD)

The Florida Department of Children and Family Services, announces the District 8, Human Rights Advocacy Committee, for Developmental Services will meet on the following dates:

DATES AND TIME: August 19, 1999; October 21, 1999; December 16, 1999, 10:00 a.m.

PLACE: Gulf Coast Center, Administration Building, 5820 Buckingham Rd., Fort Myers, FL

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

PLACE: Children’s Haven, 4405 DeSoto Road, Sarasota, FL

DATES AND TIME: July 15, 1999, 10:00 a.m.; November 18, 1999, 10:00 a.m.

PLACE: Regional Service Center, Room 140, 2295 Victoria Avenue, Fort Myers, FL

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting: The Department of Children and Family Services, Consumer Relations Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

Certain portions of the meetings are not subject to open meetings requirement per 402.165(8)(c), Florida Statutes and 402.166(8)(c), Florida Statutes.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Consumer Relations Unit, (941)338-1431 or 1(800)342-0825, Florida Relay Service 1(800)955-8770 (Voice) 1(800)955-8771 (TDD).

The Department of Children and Family Services, District 5, Health and Human Services Board, announces the following public meetings to which all persons are invited:

Health and Human Services Board

DATE AND TIME: July 7, 1999, 9:30 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular board meeting for general business

The Health and Human Services Board standing committees will meet as follows:

Organization Committee

DATE AND TIME: July 7, 1999, 8:45 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular committee meeting for general business.

Planning, Budget and Evaluation Committee

DATE AND TIME: July 7, 1999, immediately following the board meeting

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular committee meeting for general business.

Legislative Committee

DATE AND TIME: July 16, 1999, 10:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular committee meeting for general business.

Comprehensive Services for Adults and Children Committee

DATE AND TIME: July 12, 1999, 3:00 p.m.

PLACE: Emmanuel Community Baptist Church, 1150 C.R. 1, Palm Harbor, FL

PURPOSE: Regular committee meeting for general business.

Family Support Committee

DATE AND TIME: July 21, 1999, 9:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular committee meeting for general business.

Family Care Council

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

PLACE: Countryside Library, 2741 Route 580, Clearwater, FL

PURPOSE: Regular meeting for general business.

Community-Based Care Pasco Task Force

DATE AND TIME: July 14, 1999, 2:30 p.m.

PLACE: Counsel Square II, Conference Room 150, 7601 Little Road, New Port Richey, FL

PURPOSE: To discuss implementation of community-based care in District 5.

Community-Based Care Pinellas Task Force

DATE AND TIME: July 28, 1999, 9:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: To discuss implementation of community-based care in District 5.

Agendas can be obtained seven days in advance of each meeting: Mary Grizzle State Office Building, Suite 414, 11351 Ulmerton Road, Largo, FL.

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting, (727)588-7071 or TDD (727)588-6662 to arrange accommodations.

The Florida **Department of Children and Family Services**, Health and Human Services Board, District 4, announces the following public meetings to which all persons are invited.

DATE AND TIME: July 8, 1999, 2:00 p.m.

PLACE: District 4 Headquarters, Roberts Building, Auditorium, 5920 Arlington Expressway, Jacksonville, FL

PURPOSE: Regular Meeting of the Board

The Health and Human Services Board Committees will meet as follows:

Children's Committee

DATE AND TIME: July 8, 1999, 12:30 p.m.

PLACE: Conference Room 1

Adult Committee

DATE AND TIME: July 8, 1999, 12:30 p.m.

PLACE: Conference Room 1

Planning & Budget

DATE AND TIME: July 1, 1999, 12:00 p.m.

PLACE: Conference Room 1

Health Committee

DATE AND TIME: July 20, 1999, 3:00 p.m.

PLACE: Conference Room 1

A copy of the agenda may be obtained by writing: Department of Children and Family Services, P. O. Box 2417, Jacksonville, FL 32231-0083, Attention: Harry Smith.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Harry Smith, (904)723-2151, at least 48 hours in advance of the meeting. Hearing impaired please call (904)646-2859 (TDD).

The **Department of Children and Family Services**, Refugee Programs, Administration Office, announces the following public meetings to which all interested persons are invited.

District 4/Duval County Refugee Task Force

DATE AND TIME: Thursday, July 22, 1999, 2:00 p.m. – 4:00 p.m.

PLACE: Lutheran Social Services, 421 West Church Street, Suite 322, Jacksonville, Florida 32202. Contact person: Russell Bloom, Phone (904)632-0022

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to refugee resettlement in the Duval County/Children and Family Services, District 4 area.

A copy of the agenda may be obtained by writing: Cheraka Thomas, Refugee Programs, Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

Districts 5, 6 and 14 – Tampa Bay Area Refugee Task Force

DATE AND TIME: Thursday, July 29, 1999, 9:30 a.m. – 11:30 a.m.

PLACE: Pasco County Health Department, 10841 Little Road, Library Conference Room, Administration Building, Contact person: Kim MacDonald, (727)869-3900, Ext. 246.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Tampa Area/Children and Family Services, District(s) 5, 6 and 14.

A copy of the agenda may be obtained by writing: Taddese Fessehaye, Refugee Programs, Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

District 9/Palm Beach County Refugee Task Force

DATE AND TIME: Wednesday, July 21, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: Naval and Marine Corps Reserve Center, 1227 Marine Drive, West Palm Beach, Florida, Phone: (561)687-3954. Contact person is George Lewis or Susan Sullivan, Phone (850)488-3791

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Palm Beach County/Children and Family Services, District 9 area.

A copy of the agenda may be obtained by writing: Susan Sullivan, Refugee Programs, Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

District 10/Broward County Refugee Task Force

DATE AND TIME: Tuesday, July 27, 1999, 9:00 a.m. – 12:00 noon

PLACE: First Evangelical Lutheran Church, 441 N. E. Third Avenue, Ft. Lauderdale, Florida 33301, Phone (954)764-3418, Contact person Osman Uzun, (850)413-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Broward County/Children and Family Services, District 10 area.

A copy of the agenda may be obtained by writing: Osman Uzun, Refugee Programs, Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

District 11/Miami Area Refugee Task Force

DATE AND TIME: Friday, July 9, 1999, 10:00 a.m. – 12:00 noon

PLACE: Radisson Mart Plaza Hotel, 711 N. W. 72 Ave., Miami, Florida 33126, Phone (305)261-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Miami Area/Children and Family Services, District 11.

A copy of the agenda may be obtained by writing: Juel Kamke, Refugee Programs, Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

Pursuant to the Provisions of the American's 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 at the Refugee Programs, Administration Office, (850)488-3791 or Fax (850)487-4272. If you are hearing or speech impaired, please contact the agency by calling TDD Number (850)922-4449 and reference the specific Refugee Task Force Meeting by location and date.

FLORIDA HOUSING FINANCE CORPORATION

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: July 7, 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 amount listed below for all three properties.

Olive Tree Apartments (formerly Villas of Lauderhill), 86 units located at 2051 N. W. 43 Terrace, Lauderhill, Broward County, Florida 33313; Sunset Place Apartments, 138 units, located at 7533 38 Avenue, North, St. Petersburg, Pinellas County, Florida 33710; and Cimarron Apartments, 400 units, located at 7314 Jackson Springs Road, Tampa, Hillsborough County, Florida 33634. The owner of the residential properties is: Coastal Affordable Housing, Inc., 1090 Vermont Ave., N. W., Suite 400, Washington, DC 20005, or such successor in interest in which Coastal Affordable Housing, Inc. is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$20,000,000.

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 by Florida Housing on or before July 2, 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 records 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, 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.

Notice is hereby given that the **Florida Housing Finance Corporation** (the "Corporation") will conduct a rule development workshop, to which all persons interested in the 1999 Rule and Application for the HOME Home Ownership Construction Loan Program are invited:

DATE AND TIME: Wednesday, July 7, 1999, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, Sixth Floor, Seltzer Room, 227 North Bronough Street, Tallahassee, FL 32301

PURPOSE: To receive comments and suggestions from interested persons relative to the development of the 1999 Application and program requirements for the HOME Home Ownership Program, as specified in Rule Chapter 67-47, Florida Administrative Code (FAC), prior to the formal Rule Hearing.

The HOME Home Ownership Program distributes HOME funds through a competitive application cycle. These funds are used to provide HOME Construction Loans to eligible housing providers for rehabilitation or new construction of single family units, and down payment closing costs assistance to homebuyers under the HOME Home Ownership Program.

All interested parties are invited to submit written comments and/or to present oral comments at the workshop. Written comments must be received by the Corporation no later than 5:00 p.m. (EST) on August 16, 1999. Comments may be delivered by Facsimile and should be addressed to Robin Grantham. Any person desiring to present oral comments should appear at the workshop.

There is no charge for this workshop. However, because of space limitations, pre-registration of participants is requested by 5:00 p.m. on Friday, June 28, 1999. For reservations or further information, contact: Robin Grantham, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, Facsimile (850)414-5479.

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Linda Hawthorne at the above address. If you are hearing or speech impaired, please contact the Florida Dual Party Relay system which can be reached, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

FLORIDA TELECOMMUNICATIONS RELAY

The **Florida Telecommunications Relay, Inc.** announces a regular meeting of the Board of Directors.

DATE AND TIME: Monday, June 21, 1999, 1:00 p.m.
PLACE: 1311A Paul Russell Road, Tallahassee, Florida
PURPOSE: Regular meeting of the Board of Directors
A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1311B Paul Russell Road, Suite 101B, Tallahassee, FL 32301-4860.
The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

The Florida Comprehensive Health Association created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, June 25, 1999, 2:00 p.m.
PLACE: Pennington Law Firm, 201 South Monroe Street, Second Floor, Tallahassee, Florida 32301
PURPOSE: Board of Directors' Meeting
A copy of the proposed agenda may be obtained by writing: Mr. Ryland B. Musick, Executive Director, Florida Comprehensive Health Association, 175 Salem Court, Tallahassee, Florida 32301, (850)309-1200 or by Facsimile (850)309-1222.
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, and for such purpose, they 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.

WAGES BOARD

The State of Florida, **WAGES Board** announces a Board of Directors Meeting to which all persons are invited:
DATE AND TIME: Thursday, July 22, 1999, 10:00 a.m. – 4:00 p.m.
PLACE: Tampa Airport Marriott Hotel, Tampa International Airport, Tampa, Florida 33607
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.
A copy of the Board Agenda will be available by July 15, 1999. Please contact: Elma Williams, State of Florida, WAGES Office, for a copy of the Agenda, by calling (813)233-2261.

The State of Florida, **WAGES Board** announces a Conference Call Meeting to which all persons are invited:
DATE AND TIME: Wednesday, June 30, 1999, 4:00 p.m.
PLACE: State of Florida, WAGES Board Office, 102 West Whiting Street, Suite 502, Tampa, Florida 33602
PLACE: Meet-Me-Statewide Conference Call (850)487-8587 or SunCom 277-8587

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will discuss Legislative Issues.
A copy of the Board Agenda for the Conference Call will be available by June 21, 1999, by contacting Elma Williams, (813)233-2261 or by writing: State WAGES Office, 102 West Whiting Street, Suite 502, Tampa, FL 33602.
If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL REHABILITATION

The **Able Trust** (Florida Endowment Foundation for Vocational Rehabilitation) will hold a board Teleconference on:
DATE AND TIME: Friday, June 25, 1999, 9:30 a.m.
PLACE: The Able Trust Office, 106 E. College Avenue, Suite 820, Tallahassee, Florida
PURPOSE: The agenda will include approval of recommended grants to assist citizens with disabilities in achieving employment and routine committee reports.
For more information, special accommodations or alternative format request, please call: The Able Trust, (850)224-4493 or 1(888)838-2253.

ENTERPRISE FLORIDA

NOTICE OF CORRECTION – **Enterprise Florida, Inc.**, announces the change in location of the public meeting to which all persons are invited:
DATE AND TIME: Thursday, June 24, 1999, 3:30 p.m. – 5:00 p.m.
PLACE: New Location: Hyatt Hotel, Orly Room, Orlando International Airport, Orlando, Florida
For those who are unable to attend in person, please join via Teleconference: Call-In Number: (712)271-3622, Leader's Name: John Anderson; Pass Code: Enterprise; Meeting: Enterprise Florida, Inc. Board of Directors
PURPOSE: Board of Directors Meeting
If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:
DATE AND TIME: June 30, 1999, 8:00 a.m.
PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida

PURPOSE: General Business Meeting

LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Development Review Committee of the **Leon County Research and Development Authority** announces a public meeting to which all persons are invited:

DATES AND TIME: Every second Tuesday of each month through December 1999, 8:30 a.m.

PLACE: Innovation Park Administrative Centre, 1673 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The development and operation of Innovation Park and related matters.

Any person who desires to appeal a decision of the Leon County Research and Development Authority will need a record of the proceedings of the Authority conducted at such meetings.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance. For information regarding the proposed agenda, interested persons may contact: Ms. Hoko Glenn, (850)575 0031.

The Board of Governors of the **Leon County Research and Development Authority** announces a public meeting to which all persons are invited:

DATES AND TIME: Every third Tuesday of each month, 8:30 a.m. through December 1999

PLACE: Innovation Park Administrative Centre, 1673 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The development and operation of Innovation Park and related matters.

Any person who desires to appeal a decision of the Leon County Research and Development Authority will need a record of the proceedings of the Authority conducted at such meetings.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance.

For information regarding the proposed agenda, interested persons may contact: Ms. Hoko Glenn, (850)575-0031.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Insurance, received a Request for Declaratory Statement by Larry Franklin on May 21, 1999, in which the

petitioner requests a Declaratory Statement interpreting section 626.471, F.S. (1999), as to the effective date of termination of a health agent's appointment.

A copy of the Petition for Declaratory Statement may be obtained by writing: Luke S. Brown, Division of Legal Services, Department of Insurance, 612 Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0333.

DEPARTMENT OF REVENUE

Notice is hereby given that the Florida Department of Revenue has received a Petition for Declaratory Statement from the Florida Municipal Power Agency and Florida Municipal Electric Association, Inc. The petition inquires as to whether municipalities must pay sales tax on materials purchased to repair, replace or refurbish electric transmission or distribution systems.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Judy Langston, Agency Clerk, Office of General Counsel, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)488-0712.

DEPARTMENT OF CORRECTIONS

Notice is hereby given that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on May 6, 1999, from James Quigley. Petitioner is an inmate seeking an amendment of Chapter 33-3.002(9)(a), Florida Administrative Code. Specifically, petitioner has requested a provision requiring that all facilities be required to issue winter clothing and extra blankets on various dates dependent upon the region that the facility is located in. Petitioner has further outlined the dates that the facilities should collect these items.

A copy of the Petition may be obtained by writing: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Notice is hereby given that the State of Florida, Department of Corrections, received three petitions to initiate rulemaking on May 17, 1999, from Douglas Jackson. Petitioner is an inmate seeking the following amendments to Florida Administrative Code Chapter 33:

Petitioner seeks an amendment to Rule 33-3.0025 that would allow all inmates to possess non-walkman type radios. Additionally, Petitioner seeks an amendment to Rule 33-3.0051(4) that would provide free copying services for inmates rather than the current 15 cents/page. Lastly, Petitioner seeks an amendment to Rule 33-3.0051(1) that would require that the Department provide copying services for those inmates submitting legal documents to attorneys.

A copy of the petitions may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Notice is hereby given that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on May 18, 1999, from William McDaniel. Petitioner is an inmate seeking several amendments to Chapter 33, Florida Administrative Code. Specifically, petitioner requests an amendment to Rule 33-11.015(2) that would change each reference to an outstanding rating to one of above satisfactory. Additionally, Petitioner seeks an amendment to Rule 33-9.023(5)(b) that he claims would replace an incorrect statutory reference to an escape conviction. Lastly, Petitioner seeks the repeal of Rule 33-6.0045(2)(d)-(k) because he believes the rule represents an invalid exercise of authority.

A copy of the Petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

CALL FOR BIDS

Made by the University of Central Florida, on behalf of the State of Florida, Board of Regents.

PROJECT NAME, NUMBER AND LOCATION: Baseball Stadium, BR-432, Orlando, 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: July 20, 1999, until 10:00 a.m., local time

PLACE: University of Central Florida, Physical Plant Conference Room, 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, DLR Group, 601 W. Swann Avenue, Tampa, Florida 33606, (813)254-9811.

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: July 1, 1999, 10:00 a.m., local time

PLACE: University of Central Florida, Physical Plant Conference Room

DEPOSIT: \$150.00 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 \$135.00 per set for the printing and handling cost. Partial sets may be purchased at \$2.50 per sheet of the drawings and \$.25 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**Request for Proposal #99S-016
Student Housing Project (Phase II)**

Sealed proposals will be received until July 19, 1999, 3:00 p.m. (ET), Florida Gulf Coast University, Purchasing Department, 10501 FGCU Blvd., South, Fort Myers, FL 33965-6565. A mandatory pre-proposal meeting will be held on July 7, 1999 on the university campus; you must attend this meeting in order to submit a proposal.

Interested parties may contact: Purchasing Department, (941)590-1134, Monday through Friday, 8:00 a.m. – 5:00 p.m., to receive information and obtain a copy of the proposal.

**RFBP No. 99007066
Small Equipment Items**

The Putnam County District School Board, Palatka, Florida is soliciting sealed bids from responsible vendors to supply small equipment items to the Food Service Department. Bid proposals will be received in the Purchasing Office, 1207 Washington St., Palatka, FL 32177, until 1:00 p.m., local time, Tuesday, June 22, 1999. Interested vendors may obtain a copy of the RFBP from the: Purchasing Department, Putnam County School District, 1207 Washington St., Palatka, FL 32177, Phone (904)329-0525.

INVITATION TO BID

The School Board of Broward County, Florida
Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-111B

BID TITLE: Can Liners for Cafeterias

DUE DATE AND TIME: June 30, 1999, on or before 2:00 p.m.

LOCATION OF BID OPENING: Purchasing Department, 7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351-6704

CONTRACT TERM: Date of Award through October 31, 2000

ESTIMATED DOLLAR VALUE OF THE BID: \$100,000.00

CONTACT PERSON: Charles V. High, C.P.M., A.P.P.

TELEPHONE NUMBER: (954)765-6107

FAX NUMBER: (954)768-8911

E-MAIL: chigh@browardschools.com

WEBSITE: http://www.browardschools.com

METROPOLITAN PLANNING ORGANIZATION

NOTICE OF CONSULTANT SELECTIONS

Project: Pinellas County MPO General Planning Consultant Services

Please be advised that the following consultant firms have been ranked as follows:

1. Science Applications International Corporation
2. Tindale-Oliver and Associates, Inc.
3. Post, Buckley, Schuh and Jernigan, Inc.
4. King Engineering Associates, Inc.
5. Dyer, Riddle, Mills, and Precourt, Inc.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 98201040

PROJECT: Reroofing of Building #68, G. Pierce Wood Memorial Hospital, Arcadia, Florida

PREQUALIFICATION: The Owner accepts bids from those firms which are prequalified with the Department of Management Services, Division of Building Construction. After bid opening, the low bidder must qualify in accordance with Rule 60D-5.004.

A copy of the rule requirements is included in the Instructions to Bidders under Article B-2 "Bidder Qualification Requirements and Procedures."

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A Performance Bond and Labor and Material Payment Bond are required.

PRE-BID MEETING: A mandatory pre-bid meeting will be held at the site on June 30, 1999, 11:00 a.m. to review the documents with the architect. Only those prospective bidders in attendance at this meeting will be allowed to bid.

BID DATE AND TIME: Sealed bids will be received on July 14, 1999, until 1:00 p.m., local time, at the site at which time they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained from the Architect/Engineer: Gora/McGahey Associates in Architecture, 43 Barkley Circle, Suite 202, Ft. Myers, Florida 33907, Telephone (941)275-0225

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted, 1:00 p.m., local time, on July 15, 1999, at the site. 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. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in s. 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "notice and Protest Procedures:, the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

INVITATION TO BID

Sealed bids are being received from qualified contractors, by the State of Florida, Department of Children and Family Services, for the following project:

PROJECT NUMBER: DCF-95201050

SAMAS CODE: 60-10-1-000302-60400200-80-080751-99

PROJECT NAME: Fire Sprinklers, Bldgs. 1051, 1052, 1053, Florida State Hospital, Chattahoochee, FL.

BID DATE AND TIME: July 16, 1999, until 10:00 a.m. Eastern Standard Time

PLACE: Conference Room, Tilden Lobnitz Cooper, 325 John Knox Road, Building T, Tallahassee, FL 32303, Telephone (850)298-4448

BID REQUIREMENTS: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be obtained from: Tilden Lobnitz Cooper, 325 John Knox Road, Building T, Tallahassee, FL 32303, Telephone (850)298-4448.

PREQUALIFICATIONS: Bids may be rejected from firms which have not been certified by the state fire marshal in accordance with Chapter 633, Florida Statutes, as a Contractor I or Contractor II. Bids may also be rejected from firms not able to prove certification of their fire alarm installer in accordance with Chapter 489, Florida Statutes, as a Fire Alarm I Contractor (Type EF) or unlimited Electrical Contractor (Type EC). Bidders are encouraged to submit proof of state certifications with their sealed bid.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at 4:00 p.m. on July 16, 1999 at the location where the bids are opened. In the event that the the Bid Tabulation and Notice of Award cannot be posted in the above manner, then all bidders will be notified by certified U.S. mail, return receipt requested. Should the award recommendation be accepted by the Department, a contract will be awarded by the DCF Office of General Services. The Department of Children and Family Services reserves the right to reject any and all bids in the best interest of the State of Florida.

FLORIDA HOUSING FINANCE CORPORATION

**RFQ for Environmental Engineering Service Providers
99-03**

The Florida Housing Finance Corporation invites all qualified and interested firms wishing to serve as to submit proposals for consideration. Written, sealed proposals shall be accepted until 5:00 p.m., July 22, 1999, to the attention: Gwen Lightfoot, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact: Gwen Lightfoot or Don Stuart, Multifamily Bond Administrator, (850)488-4197.

To obtain a copy of the Request for Proposal, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention: Don Stuart, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 or Fax your request to same, (850)488-9809.

**RFQ for Bond Counsel
99-06**

The Florida Housing Finance Corporation invites all qualified and interested firms wishing to serve as to submit proposals for consideration. Written, sealed proposals shall be accepted until 5:00 p.m., July 22, 1999, to the attention: Gwen Lightfoot, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact: Gwen Lightfoot or Don Stuart, Multifamily Bond Administrator, (850)488-4197.

To obtain a copy of the Request for Proposal, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention: Don Stuart, at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 or Fax your request to same, (850)488-9809.

DEPARTMENT OF MILITARY AFFAIRS

INVITATION TO BID

Proposals are requested from qualified Florida licensed general contractors by the Department of Military Affairs, hereinafter referred to as Owner.

PROJECT NAME AND NUMBER: CSMS Paint Booth Extension, Camp Blanding Training Site, Florida, project number 980135.

PERFORMANCE BOND AND LABOR AND MATERIAL PAY BOND: If the construction contract award is \$100,000 or less, a performance bond and a labor and material payment bond are not required.

Sealed bids will be received and publicly opened and read aloud on July 16, 1999, 2:00 p.m. local time, in Room 439, Robert F. Ensslin Armory, 2305 State Road 207, St. Augustine, Florida.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be obtained from: Pitman, Hartenstein & Associates, Inc., 7820 Arlington Expressway, Suite 640, Jacksonville, Florida 32211, (904)724-3546, on or after June 18, 1999. Point of contact is Jim Wood.

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted: 3:00 p.m., local time, on July 16, 1999 at the bid opening location. Award of contract is contingent upon the availability of funds.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

COMPUTER SUPPORT SERVICES

TRDA seeks computer support company to provide on-site comprehensive network maintenance and support services. This will include single server, approximately 15 workstations, and LAN maintenance, as well as related print services and WAN support services. The selected company will ensure all necessary elements of the TRDA network hardware, software, and configuration is in good electrical, mechanical and operational condition, and provide training to TRDA staff as requested.

Selected provider will be expected to provide a qualified technician on-site at the offices of the TRDA on a regular schedule for one hour each day. TRDA will enter into a six-month contract for the services mentioned above.

In order to be considered, interested companies should forward a package/statement of qualifications and experience, along with a proposed hourly rate to be charged prior to July 9, 1999. TRDA reserves the right to reject any and all submittals.

WORKSHOP COORDINATION ASSISTANCE

TRDA is seeking a qualified firm to assist in the coordination and implementation of a technology-training workshop. The workshop, titled "Instructional Technology for Educational Policymakers (ITEP)", is the second in a series of semi-annual workshops whose purpose is to train Florida school board members and other key policy makers in the area of technology.

Interested firms should submit statements of applicable qualifications and details of related experience prior to July 2, 1999 in order to be considered. TRDA will select one of the best qualified applicant firms to negotiate a contract with. TRDA reserves the right to reject any and all submittals.

PUBLIC RELATIONS SERVICES

TRDA seeks a qualified firm to handle all aspects of agency public relations, to include planning, development and dissemination of PR materials, and media relations.

In order to be considered, interested firms should submit statements of applicable qualifications, related experience, samples of work and references prior to July 9, 1999. TRDA will select one of the best qualified applicant firms with whom to negotiate a contract. TRDA reserves the right to reject any and all submittals.

TECHNOLOGY TRAINING PROGRAM SURVEY

TRDA seeks a qualified firm to assist in conducting a thorough inventory of technology training programs in Florida. TRDA plans to compile an accurate and up-to-date roster of the technology training programs available throughout the state, along with pertinent information about each program.

Interested firms should submit statements of applicable qualifications as well as detailing relevant and related experience prior to July 9, 1999 in order to be considered. Submittals should also include a description of the methodology proposed to undertake such a task, and a description of the proposed deliverable to be provided to TRDA upon completion. TRDA will select one of the best qualified applicant firms with whom to negotiate a contract. TRDA reserves the right to reject any and all submittals.

Parties interested in any of the above announcements should forward the information requested to: TRDA, 6750 S. Highway US1, Titusville, FL 32780, Attn: Matthew La Vigne, no later than the date indicated.

Section XII
Miscellaneous

Correspondent and Telephone Number: Valorie Grant,
Marketing Director, (305)592-7733

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., July 9, 1999):

APPLICATION TO MERGE

Constituent Institutions: United Employees Credit Union, Leesburg, Florida and Bell-Tel Federal Credit Union, Orlando, Florida

Resulting Institution: United Employees Credit Union, Leesburg, Florida

Received: May 28, 1999

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Alliance Bank, Orlando, Florida

Persons Acquiring Control: Alliance Bancshares, Inc., Orlando, Florida

Received: June 7, 1999

**APPLICATIONS FOR INTERNATIONAL
BANK AGENCY OFFICE**

Application and Location: Banca Sella S.P.A., 13900 Biella, Italy

Proposed Florida Location: Miami, Dade County, Florida

Received: June 2, 1999

Application and Location: ABN AMRO Bank N.V., The Netherlands

Proposed Florida Location: 5301 Blue Lagoon Drive, Suite 390, Miami, Florida 33126

Received: June 7, 1999

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Miami Postal Service Credit Union, Post Office Box 520622, General Mail Facility, Miami, Florida 33152-0622

Expansion Includes: Office Systems of Florida, Inc., 5150 N. W. 167 Street, Miami, Florida 33014-4910

Received: June 4, 1999

**NOTICE OF CONSIDERATION OF
CEMETERY BYLAWS**

The Florida Board of Funeral and Cemetery Services, will address approval of the authority of Cemetery Management, Inc. to acquire control of the following cemetery at the meeting to be held on July 14, 1999, in Coral Gables, Florida:

White City Cemetery Association
Fort Pierce, Florida

A file pertaining to the above is available for public inspection and copying by any person at the: Fletcher Building, 101 East Gaines Street, 6th Floor, Tallahassee, Florida 32399-0350.

Comments may be submitted at the above address without requesting a hearing. Those persons whose substantial interests may be determined by these proceedings, including settlements, grants and denials, are advised that they may request a hearing concerning the notice of intent to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petitions for hearing should comply with Rule 3-7.002, Florida Administrative Code, and must be filed within twenty-one (21) days of publication of this notice. Petitions shall be filed with: Clerk, Division of Finance, Bureau of Funeral and Cemetery Services, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

In deference to the rights of substantially affected persons, a hearing on these matters will be held at the meeting of the Board of Funeral and Cemetery Services to be held as outlined above. All written comments and requests to address the Board must be received by the Department within seven (7) days prior to the meeting.

DEPARTMENT OF INSURANCE

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 98-3962**

In Re: The Receivership of THE FLORIDA WORKERS COMPENSATION FUND, a Florida self-insurance fund.

**NOTICE TO ALL POLICYHOLDERS, CREDITORS AND
CLAIMANTS HAVING BUSINESS WITH FLORIDA
WORKERS' COMPENSATION FUND.**

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 13 day of May, 1999, the Department of Insurance of the State of Florida was appointed as Receiver of FLORIDA WORKERS' COMPENSATION FUND, and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of FLORIDA WORKERS' COMPENSATION FUND, shall present such claims to the Receiver on or before 11:59 p.m., November 15, 1999, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Insurance, Receiver for FLORIDA WORKERS' COMPENSATION FUND, Post Office Box 110, Tallahassee, Florida 32302-0110.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF APPROVAL FOR PRESERVATION 2000 FUNDS

The Florida Communities Trust ("Trust") reviewed and approved the project plan for a land acquisition project submitted under the Trust Preservation 2000 Program, Series P56, P7A and P8A funding cycles. The project plan was reviewed in accordance with Rule 9K-4.011, FAC, at its June 11, 1999, meeting by the Trust governing body, which authorized that the project plan be approved, that the Chair execute the agreements for acquisition of the project sites and all other documents necessary to close the project and that funds be released as follows:

- Project: 95-014-P56/Jones Swamp Wetlands Preserve
Grantee: Escambia County
Amount of Approved Funds: the lesser of 50% of the final total project costs or \$606,900
- Project: 96-059-P7A/Turkey Creek Blueway
Grantee: City of Palm Bay
Amount of Approved Funds: the lesser of 100% of the final total project costs or \$595,630, contingent on FCT staff approval of the management plan.
- Project: 98-028-P8A/Spring Garden Point Park on the Miami River
Grantee: Miami-Dade County – City of Miami
Amount of Approved Funds: the lesser of 50% of the final total project costs or \$300,000, contingent on FCT staff approval of the management plan.
- Project: 98-067-P8A/Unit 11 Tract of the Bee Line Corridor Natural Area
Grantee: Palm Beach County
Amount of Approved Funds: the lesser of 50% of the final total project costs or \$514,900, contingent on FCT staff approval of the management plan.

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal

proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 9K-1.008, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Eagle Motorcycle Co., Inc., intends to allow the establishment of Dallas Motorcycles d/b/a Phantom Motorcycles, as a dealership for the sale of American Eagle motorcycle lines; BMC-S Chopper, STM-C, STM-S Maverick-S, STM Maverick-RS, Mirage, at 1751 W. Copan Road, Pompano Beach, (County), Florida 33064, on or after January 5, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Dallas Motorcycles d/b/a Phantom Motorcycles is Mr. Ray Anthony, 2 Allegheny County Airport, West Mifflin, PA 15122.

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: Ms. Julie Hunsaker, Marketing/Public Relations, American Eagle Motorcycle Company, Inc., 2350 Technology Parkway, Hollister, CA 95023.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Eagle Motorcycle Co., intends to allow the establishment of American Legend Cycles Sales, Inc., as a dealership for the sale of American Eagle motorcycle lines; BMC-S Chopper, STM-C Chopper, STM-S Maverick-S, STM Maverick-RS, Mirage, at 1120 N. Washington Boulevard, Sarasota (Sarasota County), Florida 34236, on or after January 5, 1999.

The name and address of the dealer operator(s) and principal investor(s) of American Legend Cycles Sales, Inc. is Mr. Ray Williams, Jr., 3740 Bayou Louise Lane, Sarasota, Florida 34236.

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: Ms. Julie Hunsaker, Marketing/Public Relations, American Eagle Motorcycle Company Inc.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Nissan Diesel America, Inc., intends to allow the establishment of Conley Buick, Inc., as a dealership for the sale of "UD" Diesel Trucks, at 800 Cortez Road, West, Bradenton (Manatee County), Florida 34207, on or after July 6, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Conley Buick, Inc. are: dealer operator: Jeffrey A. Conley, 408 51st Street, N. W., Bradenton, Florida 34209; principal investor(s): Jeffrey A. Conley, 408 51st Street, N. W., Bradenton, Florida 34209; Roger Conley, 1024 85 Street Ct., N. W., Bradenton, Florida 34209. Bertha Conley, 1615 71 Street, N. W., Bradenton, Florida 34209.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Gregory A. Kramer, Franchise Manager, Nissan Diesel America Inc., P. O. Box 152034, Irving, Texas 75015-2034.

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.

EXECUTIVE OFFICE OF THE GOVERNOR

NOTICE OF PUBLIC OPPORTUNITY TO INSPECT AND COMMENT ON A SUPPLEMENTAL DEVELOPMENT OPERATIONS COORDINATION DOCUMENT IN THE EASTERN GULF OF MEXICO

Interested persons are hereby given notice that a Supplemental Development Operations Coordination Document and accompanying information for natural gas development submitted by OEDC Exploration & Production, L.P. (OEDC) and Chevron U.S.A., Inc. (Chevron), as the designated operators of blocks number 1 and 2 in the Destin Dome Area of the Eastern Gulf of Mexico, off Mobile, Alabama, has been received by the State of Florida.

This document is available for inspection at the: Office of the Governor, Environmental Policy Unit, The Capitol, Suite 1501, Tallahassee, Florida 32399-0001, Telephone (850)488-5551.

Written comments regarding this document and its consistency with the Florida Coastal Management Program are being solicited and will be accepted if submitted by July 9, 1999. This public notice fulfills the requirements of 15 CFR 930.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF BATCHED APPLICATION RECEIPT AND NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of need applications for review in the batched nursing home review cycle with an application due date of June 2, 1999.

County: Bay Service District: 2
CON#: 9196 Application Receipt Date: June 2, 1999
Facility/Project: Bay Crest Nursing Center
Applicant: Baycrest Healthcare, Inc.
Project Description: The addition of up to 44 skilled nursing home beds

County: Leon Service District: 2
CON#: 9197 Application Receipt Date: June 2, 1999
Facility/Project: NHC Healthcare, Tallahassee
Applicant: National Healthcare Corp.
Project Description: Construct a new community nursing home of up to 93 beds

County: Leon Service District: 2
CON#: 9199 Application Receipt Date: June 2, 1999
Facility/Project: Tandem Health Care, Inc.
Applicant: Tandem Health Care, Inc.
Project Description: Construct up to a 93 bed skilled nursing facility

County: Leon Service District: 2
CON#: 9198 Application Receipt Date: June 2, 1999
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: St. Johns Service District: 4
CON#: 9200 Application Receipt Date: June 2, 1999
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 Service District: 5
CON#: 9201 Application Receipt Date: June 2, 1999
Facility/Project: Suncoast Manor
Applicant: St. Petersburg Epis. Comm., Inc.
Project Description: Replacement and relocation of the facility's 161 licensed community nursing home beds

County: Brevard Service District: 7
CON#: 9202 Application Receipt Date: June 2, 1999
Facility/Project: NHC HealthCare, Melbourne
Applicant: National Healthcare Corporation
Project Description: Add up to five community nursing home beds

County: Orange Service District: 7
CON#: 9203 Application Receipt Date: June 2, 1999
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 Service District: 7
CON#: 9205 Application Receipt Date: June 2, 1999
Facility/Project: Vantage Healthcare Corporation
Applicant: Vantage Healthcare Corporation
Project Description: Construct up to a 110 bed community nursing home

County: Orange Service District: 7
CON#: 9206 Application Receipt Date: June 2, 1999
Facility/Project: Tandem Health Care, Inc.
Applicant: Tandem Health Care, Inc.
Project Description: Construct up to a 110 bed skilled nursing facility

County: Orange Service District: 7
CON#: 9204 Application Receipt Date: June 2, 1999
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: Collier Service District: 8

CON#: 9209 Application Receipt Date: June 2, 1999
 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: Collier Service District: 8
 CON#: 9207 Application Receipt Date: June 2, 1999
 Facility/Project: Heritage Healthcare & Rehab. Center
 Applicant: Beverly En-FL d/b/a Bev. Gulf Cst-FL
 Project Description: Add up to 14 community nursing home beds
 County: Collier Service District: 8
 CON#: 9208 Application Receipt Date: June 2, 1999
 Facility/Project: Bentley Care Center
 Applicant: CC-Naples, Inc.
 Project Description: Addition of up to 14 community nursing home beds
 County: Palm Beach Service District: 9
 CON#: 9210 Application Receipt Date: June 2, 1999
 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: Dade Service District: 11
 CON#: 9211 Application Receipt Date: June 2, 1999
 Facility/Project: Victoria Nursing & Rehab. Center
 Applicant: Victoria Nursing & Rehab. Ctr., 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
 County: Dade Service District: 11
 CON#: 9212 Application Receipt Date: June 2, 1999
 Facility/Project: Hebrew Hm for the Aged of Miami Bch.
 Applicant: Hebrew Hm for the Aged of Miami Bch
 Project Description: Establish a 119 bed SNF, through delicensure of 54 beds at Jackson N & R Ctr., 27 beds at El Ponce de Leon N & R Ctr. & 38 beds at Arch Creek N & R Ctr.

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: DISTRICT 2
 DATE/TIME: July 14, 1999, 11:00 a.m. CST
 PLACE: Big Bend Health Council
 431 Oak Avenue
 Panama City, Florida 32401
 PROPOSALS: DISTRICT 4
 DATE/TIME: July 15, 1999, 10:00 a.m. EST
 PLACE: The 900 Building
 900 University Blvd., Suite 210
 Jacksonville, Florida 32211
 PROPOSALS: DISTRICT 5
 DATE/TIME: July 14, 1999, 2:00 p.m. EST
 PLACE: Baker Building Conference Room
 888 Executive Center Drive, North
 St. Petersburg, Florida 33702
 PROPOSALS: DISTRICT 7
 DATE/TIME: July 13, 1999, 9:00 a.m. EST
 PLACE: Local Health Council of East Central Florida
 1155 South Semoran Blvd., Number 1111
 Winter Park, Florida 32792
 PROPOSALS: DISTRICT 8
 DATE/TIME: July 13, 1999, 10:00 a.m. EST
 PLACE: Health Planning Council of SW Florida
 9250 College Parkway, Suite 3
 Ft. Myers, Florida 33919
 PROPOSALS: DISTRICT 9
 DATE/TIME: July 15, 1999, 9:00 a.m. EST
 PLACE: Palm Beach Regional Service Center
 Department of Management Services
 111 South Spadilla Avenue, Meeting Room B
 West Palm Beach, Florida 33401
 PROPOSALS: District 11
 DATE/TIME: Health Council of South Florida
 5757 Blue Lagoon Drive, Suite 170
 Miami, Florida 33126

Public hearing requests must be in writing and be received: Agency for Health Care Administration, 2727 Mahan Drive, Room 331, Tallahassee, Florida 32308 by 5:00 p.m., July 2, 1999. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to 59C-1.010(6), FAC, written comments must be received by 5:00 p.m., July 7, 1999. AHCA Purchase Order Number S5900E0099.

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to section 408.036(3), Florida Statutes.

County: Pasco	District: 5
ID #: 9900205	Issue Date: 5/29/99
Facility/Project: Community Hospital of New Port Richey	
Applicant: New Port Richey Hospital, Inc.	
Project Description: Add an outpatient psychiatric partial hospitalization program	
Proposed Project Cost:	Equipment Cost:
County: Palm Beach	District: 9
ID #: 9900212	Issue Date: 5/27/99
Facility/Project: Wellington Regional Medical Center	
Applicant: Wellington Regional Medical Center, Inc.	
Project Description: Relocation of seven acute care beds	
Proposed Project Cost: \$50,000	Equipment Cost:
County: Dade	District: 11
ID #: 9900213	Issue Date: 5/27/99
Facility/Project: Mount Sinai Medical Center	
Applicant: Mount Sinai Medical Center of Florida, Inc.	
Project Description: Renovation of the cardiac catheterization laboratory on the ground floor of the deHirsch Meyer Tower	
Proposed Project Cost: \$4,200,000	Equipment Cost:
County: Escambia	District: 1
ID #: 9900215	Issue Date: 5/27/99
Facility/Project: Sacred Heart Hospital	
Applicant: Sacred Heart Hospital of Pensacola, Inc.	
Project Description: Expansion of the ER/Surgery Tower	
Proposed Project Cost: \$4,000,000	Equipment Cost:

AHCA Purchase Order Number S5900E0099.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF DRAFT PERMIT AND PUBLIC MEETING

The Department of Environmental Protection (Department) gives notice of its preparation of draft Everglades Forever Act (EFA) and National Pollution Discharge Elimination System (NPDES) permits, DEP EFA File No. 0131842-001-GL and NPDES File No. FL0177954, draft administrative orders, No. AO-003-EV (EFA) and AO-004-EV (NPDES), and schedule to conduct a public meeting regarding the permit application of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33416, to construct, operate, and maintain the Stormwater Treatment Area 5 (STA-5) Project, a treatment wetland system mandated to be constructed by the Everglades Forever Act, Chapter 373.4592, Florida Statutes, as part of the massive program to restore the Everglades.

The proposed work is to take place within the following property descriptions in Palm Beach, Broward and Hendry Counties:

STA-5 works:

Sections 25, 26, 27, 28, 33, 34, 35 and 36, Township 46, South, Range 34, East in Hendry County, Florida.

STA 5 discharge canal:

A parcel of land ranging from 370 feet to 400 feet wide and situated in Sections 21, 22, 28, 29 and 30, Township 46, South, Range 35, East, Palm Beach County, Florida.

Structure G-409:

A parcel of land located within Section 12, Township 48, South, Range 34, East, Hendry County, Florida.

G-357 structure modifications:

A parcel of land located within Section 7, Township 48, South, Range 36, East, Broward County, Florida.

Structure G-404:

A parcel of land located within Section 7, Township 48, South, Range 36, East, Broward County, Florida.

L-4 levee breach:

A parcel of land located within Section 9, Township 48, South, Range 35, East, Broward County, Florida.

A public meeting will be held at the date, time and place stated below:

NOTICE OF PUBLIC MEETING

DATE AND TIME: July 14, 1999, 7:00 p.m. – 10:00 p.m.

PLACE: The Florida Department of Environmental Protection – Southeast District Office, 400 North Congress Avenue, 2nd Floor Main Conference Room, West Palm Beach, Florida 33401

PURPOSE: To describe the project and accept comment from interested parties.

If an accommodation is needed for a disability in order to participate in this activity, please notify: Rich Bray, Telephone number (850)921-5214, at least seven days prior to the event.

This public meeting is free and no registration is required. The public comment period is extended until the close of the public meeting. Any person may submit oral or written statements and data at the public meeting on the proposed action of the Department.

A copy of the agenda may be obtained by writing: Department of Environmental Protection, Attention: Rich Bray, Everglades Technical Support Section, 2600 Blair Stone Road, Mail Station #3560, Tallahassee, Florida 32399.

The Department intends to issue the permits and the associated administrative orders as presently drafted, unless, as a result of public comment appropriate changes are made. The public will also have the right to petition for administrative hearing during the Notice of Intent to Issue Permits process subsequently to be published in due course, pursuant to Chapter 120, Florida Statutes.

Any interested person may submit written comments on the proposed permitting decision of the Department to the attention of Rich Bray, at the above address, in accordance with Rule 62-620.555 of the Florida Administrative Code. Failure to submit comments within the specified time periods shall constitute a waiver of any right such person may have to submit comments, pursuant to Rule 62-620.555, F.A.C.

The comments must contain the following information:

- a) The commenter's name, address, and telephone number, the applicant's name and address, the Department Permit File Number, and the county in which the project is proposed;
- b) A statement of how and when notice of the Department's action or proposed action was received;
- c) A statement of the facts the Department should consider in making the final decision; and,
- d) A statement of which rules or statutes apply to reversal or modification of the Department's draft permit and/or administrative order.

All data submitted by the applicant is available as part of the administrative record. The application, draft permits, and draft administrative orders are available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Division of Water Facilities, Bureau of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, Telephone (850)921-5213.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN June 1, 1999
and June 7, 1999**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

5E-9.021	6/7/99	6/27/99	25/12	
5E-9.024	6/7/99	6/27/99	25/12	
5E-9.029	6/7/99	6/27/99	25/12	

DEPARTMENT OF EDUCATION

University of Florida

6C1-1.008	6/4/99	6/24/99	Newspaper	
6C1-2.004	6/4/99	6/24/99	Newspaper	
6C1-2.005	6/4/99	6/24/99	Newspaper	
6C1-2.012	6/4/99	6/24/99	Newspaper	
6C1-2.0162	6/4/99	6/24/99	Newspaper	
6C1-3.0372	6/4/99	6/24/99	Newspaper	
6C1-4.032	6/4/99	6/24/99	Newspaper	
6C1-7.051	6/4/99	6/24/99	Newspaper	

University of Central Florida

6C7-5.0022	6/3/99	6/23/99	Newspaper	
6C7-5.0031	6/3/99	6/23/99	Newspaper	
6C7-5.0032	6/3/99	6/23/99	Newspaper	
6C7-5.0033	6/3/99	6/23/99	Newspaper	
6C7-5.0043	6/3/99	6/23/99	Newspaper	
6C7-5.005	6/3/99	6/23/99	Newspaper	
6C7-5.0051	6/3/99	6/23/99	Newspaper	
6C7-5.006	6/3/99	6/23/99	Newspaper	
6C7-5.008	6/3/99	6/23/99	Newspaper	
6C7-5.009	6/3/99	6/23/99	Newspaper	
6C7-5.011	6/3/99	6/23/99	Newspaper	
6C7-5.012	6/3/99	6/23/99	Newspaper	

DEPARTMENT OF TRANSPORTATION

14-15.0081	6/1/99	6/21/99	25/13	
14-63.011	6/4/99	6/24/99	25/7	25/18
14-96.0011	6/4/99	6/24/99	25/7	
14-96.007	6/4/99	6/24/99	25/7	25/16
14-96.011	6/4/99	6/24/99	25/7	25/16
14-96.012	6/4/99	6/24/99	25/7	25/16

PUBLIC SERVICE COMMISSION

25-24.835	6/4/99	6/24/99	25/17	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

31-10.005	6/2/99	6/22/99	25/17	
31-10.007	6/2/99	6/22/99	25/17	

GAME AND FRESH WATER FISH COMMISSION

39-1.004	6/3/99	6/23/99	25/15	
39-4.007	6/3/99	6/23/99	25/15	
39-5.005	6/3/99	6/23/99	25/15	
39-12.010	6/3/99	6/23/99	25/15	
39-13.003	6/3/99	6/23/99	25/15	
39-14.001	6/3/99	6/30/99	25/15	
39-14.002	6/3/99	6/23/99	25/15	
39-14.003	6/3/99	6/23/99	25/15	
39-14.004	6/3/99	6/23/99	25/15	
39-14.005	6/3/99	6/23/99	25/15	
39-14.006	6/3/99	6/23/99	25/15	
39-14.007	6/3/99	6/23/99	25/15	
39-14.008	6/3/99	6/23/99	25/15	
39-14.009	6/3/99	6/23/99	25/15	
39-15.063	6/3/99	7/1/99	25/15	
39-15.065	6/3/99	7/1/99	25/15	
39-25.002	6/3/99	7/1/99	25/15	
39-27.001	6/3/99	6/23/99	25/15	
39-27.002	6/3/99	6/23/99	25/15	
39-27.0021	6/3/99	6/23/99	25/15	
39-27.003	6/3/99	6/23/99	25/15	
39-27.004	6/3/99	6/23/99	25/15	
39-27.005	6/3/99	6/23/99	25/15	

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-1.706	6/2/99	6/22/99	24/52	
40B-1.901	6/2/99	6/22/99	24/52	
40B-3.011	6/2/99	6/22/99	24/52	25/8
40B-3.021	6/2/99	6/22/99	24/52	25/8
40B-3.032	6/2/99	6/22/99	24/52	25/8
40B-3.035	6/2/99	6/22/99	24/52	25/8
40B-3.037	6/2/99	6/22/99	24/52	25/8
40B-3.038	6/2/99	6/22/99	24/52	25/8
40B-3.039	6/2/99	6/22/99	24/52	25/8
40B-3.0391	6/2/99	6/22/99	24/52	25/8
40B-3.040	6/2/99	6/22/99	24/52	25/8
40B-3.041	6/2/99	6/22/99	24/52	25/8
40B-3.051	6/2/99	6/22/99	24/52	25/8
40B-3.0511	6/2/99	6/22/99	24/52	25/8
40B-3.101	6/2/99	6/22/99	24/52	25/8
40B-3.201	6/2/99	6/22/99	24/52	25/8
40B-3.301	6/2/99	6/22/99	24/52	25/8
40B-3.321	6/2/99	6/22/99	24/52	25/8
40B-3.341	6/2/99	6/22/99	24/52	25/8

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40B-3.411	6/2/99	6/22/99	24/52	25/8
40B-3.451	6/2/99	6/22/99	24/52	25/8
40B-3.461	6/2/99	6/22/99	24/52	25/8
40B-3.492	6/2/99	6/22/99	24/52	25/8
40B-3.500	6/2/99	6/22/99	24/52	25/8
40B-3.502	6/2/99	6/22/99	24/52	25/8
40B-3.504	6/2/99	6/22/99	24/52	25/8
40B-3.507	6/2/99	6/22/99	24/52	25/8
40B-3.512	6/2/99	6/22/99	24/52	25/8
40B-3.517	6/2/99	6/22/99	24/52	25/8
40B-3.521	6/2/99	6/22/99	24/52	25/8
40B-3.525	6/2/99	6/22/99	24/52	25/8
40B-3.531	6/2/99	6/22/99	24/52	25/8
40B-3.902	6/2/99	6/22/99	24/52	25/8

DEPARTMENT OF LOTTERY

53-28.006	6/1/99	6/21/99	25/12	
53-28.007	6/1/99	6/21/99	25/12	
53-29.002	6/1/99	6/21/99	25/12	

**AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need**

59C-1.031	6/2/99	6/22/99	25/14	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

61G7-10.0011	6/3/99	6/23/99	25/9	25/18
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Board of Professional Engineers

61G15-22.001	6/2/99	6/22/99	25/16	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
Florida Real Estate Commission				
61J2-3.008	6/1/99	9/1/99	25/15	

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Marine Resources**

62R-7.001	6/3/99	6/23/99	25/5	
62R-7.003	6/3/99	6/23/99	25/5	25/18
62R-7.004	6/3/99	7/1/99	25/16	
62R-7.007	6/3/99	6/23/99	25/5	25/18
62R-7.010	6/3/99	7/1/99	25/16	
62R-7.011	6/3/99	6/23/99	25/5	
62R-7.015	6/3/99	6/23/99	25/5	
62R-7.016	6/3/99	6/23/99	25/5	25/12

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-7.006	6/2/99	6/22/99	25/14	
64B3-7.007	6/2/99	6/22/99	25/14	

Board of Massage

64B7-25.004	6/2/99	6/22/99	25/11	25/18
64B7-25.006	6/2/99	6/22/99	25/14	

Board of Medicine

64B8-41.001	6/2/99	6/22/99	25/16	
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Board of Orthotists and Prosthetists

64B14-4.0035	6/2/99	6/22/99	25/14	
64B14-4.200	6/2/99	6/22/99	25/14	
64B23-4.001	6/1/99	6/21/99	25/5	25/15
64B23-4.002	6/1/99	6/21/99	25/5	25/15