

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

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**PURPOSE AND EFFECT:** The purpose of the proposed amendments is to incorporate changes made by Chapter 99-213, Laws of Florida, to adopt new application, renewal, and reactivation forms, and to make other technical and grammatical changes to Chapter 3D-40, FAC.

**SUBJECT AREA TO BE ADDRESSED:** Application, renewal, and reactivation procedures for mortgage brokers, mortgage lenders, mortgage brokerage businesses, savings clause mortgage lenders, and branch offices.

**SPECIFIC AUTHORITY:** 494.0011(2) FS.

**LAW IMPLEMENTED:** 494.0031, 494.0032, 494.0033, 494.0034, 494.0036, 494.0037, 494.0038, 494.0041, 494.0061, 494.0062, 494.0064, 494.00065, 494.0066, 494.0068, 494.0072 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., September 7, 1999

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Bob Tedcastle or Robert Pursell, Division of Finance, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

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

3D-40.001 Definitions.

The definitions provided in Section ~~§~~ 494.001, F.S., and the following defined terms, shall apply to this rule chapter and shall serve as the Department's interpretation unless the language of the rule indicates to the contrary:

(1) through (5) No change.

(5) For the purposes of Section ~~§~~ 494.001(26)(20), F.S., "receive" means obtaining possession of money or a negotiable instrument prior to receipt by the lender or investor.

(6) For the purposes of Section ~~§~~ 494.0043(1)(a), F.S., when providing an opinion of value of security property for brokering or selling a mortgage loan to a noninstitutional investor, "appraiser" means any person who is licensed, registered or certified in the State of Florida pursuant to the provisions of Chapter 475, F.S.

(7) For purposes of licensing and enforcement actions under Chapter 494, F.S., the phrase "Having a license, or the equivalent, to practice any profession or occupation revoked, suspended, or otherwise acted against..." as utilized in Section ~~§~~ 494.0041(2)(i) and Section ~~§~~ 494.0072(2)(i), F.S., is deemed to include state or federal enforcement actions for orders of prohibition or removal of an officer, director, or employee of a state or federal financial institution, or any orders of prohibition or orders of removal, or any combination thereof, entered against or stipulated to by officers, directors, and employees of state or federal financial institutions.

(8) For the purpose of Section ~~§~~ 494.006(2)(a), F.S., "employed" or "employee" means a natural person engaged in the service of another for a salary or wages. Such person is subject to withholding, FICA, and other lawful deductions by the employer as a condition of employment and ~~or~~ is subjected to the right of the employer to direct and control the actions of the employee.

(9) No change.

(10) "Notice of non-compliance" means a notification by the Department that a person has violated an administrative rule which is classified as a minor offense as set forth in Section ~~§~~ 120.695, F.S. The mandatory fine that is associated with the administrative rule is waived for the first offense.

(11) No change.

Specific Authority 494.0011(2) FS. Law Implemented 120.695, 494.001, 494.004(1), 494.0041(2)(a)(i), 494.0043, 494.0061(2), 494.0062(2), 494.0067(5), 494.0072(2)(i) FS. History—Revised 9-23-65, Renumbered from 3-3.01 to 3D-40.01 on 9-8-75, Formerly 3D-40.01, Amended 12-7-89, 6-23-91, 8-24-92, 2-11-93, 11-17-93, 4-14-94, 9-7-94, 5-14-95, 7-25-96, \_\_\_\_\_.

3D-40.020 Changes of Address.

All licensees shall notify the Department of any change of address in writing to the Department of Banking and Finance, Division of Finance, Attention: Licensing Section, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

Specific Authority 494.0011(2) FS. Law Implemented 494.0031, 494.0032, 494.0033, 494.0034, 494.0036, 494.0039, 494.0061, 494.0062, 494.0064, 494.0065, 494.0066, 494.0067 FS. History—New 10-1-91, Amended 8-24-93, 7-25-96, \_\_\_\_\_.

3D-40.031 Application Procedure for Mortgage Broker License.

Each person desiring to obtain licensure as a mortgage broker shall apply to the Department by submitting the following:

(a) ~~A~~ completed Application for Licensure as a Mortgage Broker, Form DBF-MB-101, revised 10/99 9-3-95, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. The application must be completed and signed within thirty (30) days prior to receipt by the Department;

(b) The statutory, ~~a~~ non-refundable application fee required by Section 494.0033, F.S., of \$200 which shall be the fee for the biennial period beginning September 1 of each odd-numbered year or any part thereof; ~~and~~

(c) ~~A~~ completed fingerprint card accompanied by a \$15 non-refundable processing fee; and

(d) Evidence that the applicant has completed the mortgage broker education requirements of Section 494.0033(3), F.S.

(2) through (6) No change.

(7) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the mortgage industry, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction is directly related to the mortgage industry, the applicant shall provide evidence of restoration of civil rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 494.0011(2), 494.0033, 215.405 FS. Law Implemented 494.0033(2)(d) FS. History—New 10-30-86, Amended 1-30-89, 5-23-89, 11-28-89, 10-1-91, 6-8-92, 6-3-93, 6-6-93, 4-25-94, 5-14-95, 9-3-95, 11-24-97, \_\_\_\_\_.

3D-40.043 Mortgage Broker License Renewal and Reactivation.

(1) Each active mortgage broker license shall be renewed for the biennial period beginning September 1 of each odd-numbered year upon submission of the statutory renewal fee required by Section 494.0034, F.S., of \$150 and a completed renewal form. Form DBF-F-103, Mortgage Broker License Renewal and Reactivation Form, revised 10/99 9-3-95, is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) ~~A mortgage broker license that is not renewed Failure to submit the fee and form~~ as required in Subsection (1) prior to September 1 of the renewal year shall revert from active to inactive status automatically result in the license becoming inactive. An inactive ~~The~~ license may be reactivated within two (2) years after becoming inactive the end of the biennial period upon payment of the statutory renewal fee and a reactivation fees required by Section 494.0034, F.S., of \$100 and submission of a completed reactivation renewal form.

(3) A mortgage broker license that is not renewed within two (2) years after becoming inactive shall expire.

Specific Authority 494.0011(2), 494.0034(2) FS. Law Implemented ~~494.00171~~, 494.0034 FS. History—New 11-2-86, Amended 6-23-91, 11-12-91, 9-3-95, \_\_\_\_\_.

3D-40.051 Application Procedure for Mortgage Brokerage Business License.

(1) Each person desiring to obtain licensure as a mortgage brokerage business shall apply to the Department by submitting the following:

(a) A completed Application for Licensure as a Mortgage Brokerage Business, Form DBF-MB-201, revised 10/99 5-14-95, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350;

(b) The statutory, ~~A~~ non-refundable application fee required by Section 494.0031, F.S., of \$350 which shall be the fee for the biennial period beginning September 1 of each even-numbered year or any part thereof.

(2) Each ultimate equitable owner of 10% or greater interest, the chief executive officer and each director of an entity applying for licensure as a mortgage brokerage business, shall submit a completed fingerprint card and Biographical Summary, Form MBB-96-1 (revised 10/99 effective 6/96), to the Department along with a \$15 nonrefundable processing fee. Form MBB-96-1 is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, FL 32399-0350.

(a) through (7) No change.

(8) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the mortgage industry, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction is directly related to the mortgage industry, the applicant shall provide evidence of restoration of civil rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 494.0011(2), 494.031(2), 215.405 FS. Law Implemented 494.0031(2) FS. History--New 10-30-86, Amended 1-30-89, 11-28-89, 10-1-91, 6-6-93, 5-14-95, 7-14-96, 11-25-97,\_\_\_\_\_.

3D-40.053 Mortgage Brokerage Business License and Branch Office License Permit Renewal and Reactivation.

(1) Each active mortgage brokerage business license shall be renewed for the biennial period beginning September 1 of each even-numbered year upon submission of the statutory renewal fee required by Section 494.0032, F.S., of \$300 and a completed renewal form. Form DBF-MB-707, Mortgage Brokerage Business License Renewal and Reactivation Form, Form DBF-MB-707, revised 10/99 effective 10-1-91, is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) ~~A mortgage brokerage business license that is not renewed~~ Failure to submit the fee and form as required in Subsection (1) prior to September 1 of the renewal year shall revert from active to inactive status automatically result in a late renewal fee of \$100 being assessed. An inactive The license may be renewed within six (6) months after becoming inactive the end of the biennial period upon payment of the statutory renewal fee and reactivation late fees required by Section 494.0032, F.S., and submission of a completed reactivation renewal form.

(3) Each active mortgage brokerage business branch office license permit shall be renewed in conjunction with the mortgage brokerage business license renewal upon submission of the statutory permit renewal fee required by Section 494.0032, F.S., of \$150 and a completed renewal form. Form DBF-MB-708, Mortgage Brokerage Business Branch Office License Permit Renewal and Reactivation Form, Form DBF-MB-708, revised 10/99 effective 10-1-91, is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(4) ~~A mortgage brokerage business branch office license that is not renewed~~ Failure to submit the fee and form as required in Subsection (3) prior to September 1 of the renewal year shall revert from active to inactive status automatically result in a late renewal fee of \$100 being assessed. An inactive branch office license The permit may be renewed within six (6) months after becoming inactive the end of the biennial period upon renewal of the business license, payment of the statutory renewal fee and reactivation late fees required by Section 494.0032, F.S., and submission of a completed reactivation renewal form.

(5) A mortgage brokerage business license and branch office license that is permit not renewed within six (6) months after the end of the biennial period automatically expires.

Specific Authority 494.0011(2), 494.0032(2),(3), 494.0036(2) FS. Law Implemented 494.0032, 494.0036 FS. History--New 11-2-86, Amended 2-8-90, 10-1-91,\_\_\_\_\_.

3D-40.058 Application Procedure for Mortgage Brokerage Business Branch Office License Permit.

(1) Every mortgage brokerage business which conducts mortgage brokerage business in this state from a branch office shall apply to the Department for a license permit to operate a branch office by submitting the following:

(a) ~~A~~ completed Application for Mortgage Brokerage Business Branch Office License Permit, Form DBF-MB-301, revised 10/99 5-14-95, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350;

(b) ~~The statutory, a non-refundable license permit fee required by Section 494.0036, F.S., of \$150 which shall be the fee for the biennial period beginning September 1 of each even-numbered year or any part thereof.~~

(2) ~~Any office or location shall be deemed to be a branch office if it meets the definition in Section 494.001(7), F.S. the name or advertising of a mortgage brokerage business shall be displayed in such a manner as to reasonably lead the public to believe that such mortgage brokerage business may be conducted at such office, location or advertised address.~~

(3) No change.

(4) Amendment of Application. If the information contained in an Application for Mortgage Brokerage Business Branch Office License Permit becomes inaccurate for any reason before the applicant becomes licensed, the applicant shall be responsible for correcting the inaccurate information within ten (10) days of the change occurring by following the procedures set forth in this subsection. An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days from its receipt for filing. Otherwise the application may be amended only with prior written permission from the Department. Requests to make changes which are material to the application or to the Department's evaluation of the application filed at any time after the application has been received may be deemed by the Department to be grounds for denial, and a new application, accompanied by the appropriate filing fee, may be required.

(5) No change.

(6) Refunds. If the application is withdrawn or denied, the license permit fee is non-refundable.

(7) Upon approval of an application, a license permit will be issued for the remainder of the biennial licensure period.

Specific Authority 494.0011(2), ~~494.0036(2)~~ FS. Law Implemented 494.0036 FS. History--New 10-1-91, Amended 6-6-93, 5-14-95, \_\_\_\_\_.

3D-40.099 Change of Name, Change of Entity and Change in Control or Ownership.

(1) Each person licensed as a mortgage broker, mortgage brokerage business, mortgage lender, or correspondent mortgage lender which changes his name of record, as filed with the initial application for licensure, or any subsequent change on file and acknowledged by the Department thereafter, shall notify the Department, in writing, of the name change and shall provide documentation authorizing such name change within thirty days of the date effecting such change. Any licensee pursuant to Sections ~~ss.~~ 494.0061 or 494.0062, F.S., shall additionally provide a completed surety bond, on Form DBF-ML-444, Mortgage Brokerage and Mortgage Lending Act Surety Bond (effective 10/91), executed in the new name of the licensee as documented by the requirements of this subsection ~~herein. The effective date of Form DBF-ML-444 is 10-1-91.~~ The form is available by mail from the Department of

Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, FL 32399-0350.

(2) Each licensed mortgage brokerage business, mortgage lender, or correspondent mortgage lender which proposes to change the entity licensed with the Department shall file a new application for licensure pursuant to Sections ~~ss.~~ 494.0031, 494.0061, or 494.0062, F.S. Application forms are available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, Florida 32399-0350.

(3) Any person or persons who, directly or indirectly, seek to own, control, or hold with power to vote, or hold proxies representing 50 percent or greater of any class of equity securities or ultimate equitable ownership of a mortgage brokerage business, mortgage lender, or correspondent mortgage lender shall file a new application for licensure pursuant to Sections ~~ss.~~ 494.0031, 494.0061, or 494.0062, F.S., prior to the effective date of the change in ownership or control interest.

(4) Any person who is subjected to the requirements of subsections (2) or (3) herein, and who seeks to own, control, or hold power to vote of a mortgage lender licensed pursuant to the Saving Clause, Section ~~s.~~ 494.0065, F.S., is subjected to the net worth requirements as specified in Section ~~s.~~ 494.0065(1)(a)2., F.S., when reapplying for licensure as required in subsections (2) and (3) above. An application for licensure under this subsection shall be submitted in accordance with Rule 3D-40.100, F.A.C. on Form DBF-MLST, Change in Ownership or Control of Saving Clause Mortgage Lender, revised 9-3-95, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, Capitol Building, Tallahassee, Florida 32399-0350.

(5) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the mortgage industry, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction is directly related to the mortgage industry, the applicant shall provide evidence of restoration of civil rights and rehabilitation. Evidence of rehabilitation should include but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 494.0011(2) FS. Law Implemented ~~494.00171,~~ 494.0031, 494.0061, 494.0062, 494.0065 FS. History--New 1-10-93, Amended 5-24-95, 9-3-95, \_\_\_\_\_.

3D-40.100 Application Procedure for Change in Ownership or Control of Saving Clause Mortgage Lender.

(1) Each person who seeks to obtain a controlling ownership or voting interest in a mortgage lender licensed pursuant to the saving clause shall apply to the Department by submitting the following:

(a) ~~A~~ completed application for Change in Ownership or Control of Saving Clause Mortgage Lender, Form DBF-MLST, revised 10/99 ~~9-3-95~~, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350;

(b) ~~A~~ non-refundable application fee of \$500, which shall be the fee for the biennial period beginning September 1 of each even numbered year or any part thereof;

(c) Audited ~~audited~~ financial statements documenting a minimum net worth of \$25,000 as of the applicant's most recent fiscal year end. If the application is submitted within three (3) months of the most recent fiscal year end and an audited statement from the most recent fiscal year is not available, then an audited statement from the previous fiscal year end is acceptable.

(2) through (6) No change.

Specific Authority 494.0011(2) FS. Law Implemented ~~494.00171~~, 494.0061(1), 494.0065 FS. History--New 8-24-93, Amended 9-3-95, \_\_\_\_\_.

3D-40.105 Branch Office License Permit for Change in Ownership or Control of Saving Clause Mortgage Lender.

(1) Each person applying for a change in ownership or control of a saving clause mortgage lender, who also wishes to operate branch offices of that saving clause mortgage lender shall apply to the Department for a license permit to operate each branch office by submitting the following:

(a) ~~A~~ completed Application for Mortgage Lender Branch Office or Correspondent Mortgage Lender Branch Office License Permit. Form DBF-ML-222B, revised 10/99 ~~9-3-95~~, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350;

(b) The statutory, ~~a~~ non-refundable license permit fee required by Section 494.0066, F.S., ~~of \$250~~ which shall be the fee for the biennial period beginning September 1 of each even-numbered year or any part thereof.

(2) Any office or location shall be deemed to be a branch office if it meets the definition in Section 494.001(7), F.S. the name or advertising of a mortgage lender licensed pursuant to the saving clause shall be displayed in such a manner as to reasonably lead the public to believe that such mortgage lending business may be conducted at such office, location or advertised address.

(3) through (6) No change.

(7) Upon approval of an application, a license permit will be issued for the remainder of the biennial period.

Specific Authority 494.0011(2) FS. Law Implemented ~~494.00171~~, 494.0065, 494.0066 FS. History--New 8-24-93, Amended 9-3-95, \_\_\_\_\_.

3D-40.156 Third-Party Fee Accounts.

(1) All third-party fees and refundable application fees received by a mortgage brokerage business shall immediately be deposited in a segregated account in a federally insured financial institution located in Florida. The account shall be in the name of the mortgage brokerage business and shall provide for withdrawal of funds without notice. The account shall be used exclusively for third-party fees and refundable application fees. The licensee shall maintain an updated and accurate record of account activity on Form DBF-MX-999 (effective 12/91), which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350, or on a format which is substantially similar to Form DBF-MX-999.

(2) through (4) No change.

(5) For purposes of Section ~~§~~ 120.695, F.S., a violation of the above rule shall not be considered a minor violation.

Specific Authority 494.0011(2), 494.0016(4), 494.0037(4) FS. Law Implemented 120.695, 494.0037(4), 494.0038(5), 494.0041(2)(e), 494.0068(3), 494.0072(2)(e) FS. History--New 12-3-91, Amended 7-25-96, \_\_\_\_\_.

3D-40.160 Principal Brokers.

(1) Each mortgage brokerage business shall designate a licensed mortgage broker as the principal broker and the individual designated shall accept responsibility by completing the Principal Broker Designation, Form DBF-MB-PB, effective October 7, 1991, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) Upon any change of principal broker, the licensee and the newly designated principal broker shall complete the Principal Broker Designation, Form DBF-MB-PB, (effective 10/91). Form DBF-MB-PB shall be maintained at the principal office ~~in Florida~~ of the mortgage brokerage business, and a copy mailed to the Department within thirty (30) days of said designation or change in designation.

(3) No change.

(4) Each principal broker shall notify the Department of Banking and Finance, Division of Finance, Attention: Licensing Section, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, FL 32399-0350 in writing, within thirty (30) days, of termination of principal broker status.

Specific Authority 494.0011(2), 494.0035 FS. Law Implemented 120.695, 494.0016, 494.0035, 494.0037 FS. History--New 10-7-91, Amended 7-25-96, \_\_\_\_\_.

3D-40.165 Branch Brokers.

(1) Each mortgage brokerage business shall designate a licensed mortgage broker as the branch broker of the branch office, and the individual shall accept such responsibility by completing the Branch Broker Designation, Form

DBF-MB-BB, ~~(effective 10/91) effective October 7, 1991,~~ which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, FL 32399-0350.

(2) through (4) No change.

Specific Authority 494.0011(2), 494.0035(2) FS. Law Implemented 120.695, 494.0016, 494.0035(2), 494.0037 FS. History--New 10-7-91, Amended 7-25-96, \_\_\_\_\_.

3D-40.170 Books and Records.

(1)(a) A licensee may maintain required books, accounts, and records at a location other than the principal place of business. The licensee must notify the Department in writing prior to said books, accounts, and records being maintained in any place other than the designated principal place of business. Such notification shall be submitted to the Department of Banking and Finance, Division of Finance, Attention: Regulatory Support, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, Florida 32399-0350.

(b) The notification shall include confirmation by the licensee that the proposed storage facilities are buildings of stationary construction wherein the books, accounts, and records will be kept in a secured location under conditions which will not lead to the damage or destruction of the records.

(2) Books, accounts, and records ~~maintained at a location other than the principal place of business~~ shall be made available to the Department within three (3) business days from the date of written request by the Department and at a reasonable and convenient location in this State designated by the Department.

~~(3) "Principal place of business" means the location designated in writing by the licensee on the initial application for licensure or as amended thereafter in writing to the Department.~~

~~(3)(4)~~ All books, accounts, and records must be maintained for three (3) years from the date of "original entry." For the purpose of this rule, "original entry" means the date the documentation was originated by the licensee or received by the licensee.

~~(4)(5)(a)~~ The penalty for maintaining books, accounts, and records at a location other than the principal place of business without written notification to the Department, shall be the issuance of a "notice of noncompliance" for a first offense. Any subsequent finding of a violation of this rule during an examination or investigation shall be a \$500 fine.

(b) The penalty for refusal to permit an investigation or examination of books, accounts, and records, after a reasonable request by the Department, shall be revocation of the license. This paragraph shall not apply to a proceeding governed by the rules of civil procedure of any state or federal court.

Specific Authority 494.0011(2), 494.0016(2), 494.0037(2) FS. Law Implemented 120.695, 494.0016, 494.0037, 494.0041(1) FS. History--New 2-16-92, Amended 7-25-96, \_\_\_\_\_.

3D-40.177 Mortgage Brokerage and Lending Transaction Journal.

(1) Each mortgage brokerage business and lender acting in the capacity of a mortgage brokerage business shall maintain a journal of mortgage brokerage transactions, which shall include, at least, the following information:

- (a) Name of Applicant;
- (b) Date applicant applied for the mortgage loan;
- (c) Disposition of the mortgage loan application. The Mortgage Brokerage and Lending Transaction Journal shall indicate the result of the brokerage transaction. The disposition of the case shall be categorized as one of the following: loan funded, loan denied, application withdrawn, or other (with explanation);
- (d) Name of lender, if applicable.

(2) The journal shall be maintained in a format which is substantially similar to form DBF-MX-888, Mortgage Brokerage and Lending Transaction Journal, ~~revised 7-25-96,~~ which is hereby incorporated by reference and is available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, Florida 32399-0350.

(3) through (4) No change.

Specific Authority 494.0011(2), 494.0016, 494.0037(4) FS. Law Implemented 120.695, 494.0016, 494.0037, 494.0041 FS. History--New 2-16-92, Amended 7-25-96, \_\_\_\_\_.

3D-40.200 Application Procedure for Mortgage Lender License.

(1) Each corporation, general partnership, limited liability company or other lawful entity desiring to obtain licensure as a mortgage lender shall apply to the Department by submitting the following:

(a) ~~A~~ completed Application for Licensure as a Mortgage Lender, Form DBF-ML-222B, ~~revised 10/99 11-5-95,~~ which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, Florida 32399-0350;

(b) ~~The statutory, a non-refundable fee required by Section 494.0061, F.S., of \$500~~ which shall be the fee for the biennial period beginning September 1 of each even-numbered year or any part thereof;

(c) ~~Audited~~ ~~audited~~ financial statements documenting a minimum net worth of \$250,000 as of the applicant's most recent fiscal year end. If the application is submitted within three (3) months of the most recent fiscal year end and an audited statement from the most recent fiscal year is not available, an audited statement from the previous fiscal year end is acceptable;

(d) ~~A~~ surety bond, issued by a bonding company or insurance company authorized to do business in this State, in the amount of \$10,000; and submitted on Form DBF-ML-444,

Mortgage Brokerage and Mortgage Lending Act Surety Bond, effective 10-1-91, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) Each ultimate equitable owner of 10% or greater interest, chief executive officer and each director of an entity applying for licensure as a mortgage lender, shall submit a completed fingerprint card and Biographical Summary, Form ML-BIO-1 (revised 10/99) ML-96-1 (effective 7-14-96), to the Department along with a \$15 nonrefundable processing fee. Form ML-BIO-1 ML-96-1 is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, FL 32399-0350.

(a) through (7) No change.

(8) Restoration of Civil Rights

(a) If one's civil rights have been restored and the conviction did not directly relate to the mortgage industry, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction is directly related to the mortgage industry, the applicant shall provide evidence of restoration of civil rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 494.0011(2), 494.0061(3), 215.405 FS. Law Implemented 494.0061(3) FS. History—New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, 11-5-95, 7-14-96, 11-25-97, \_\_\_\_\_.

3D-40.205 Mortgage Lender License, Mortgage Lender License Pursuant to Savings Clause, and Branch Office License Permit Renewal and Reactivation.

(1) Each active mortgage lender license and mortgage lender license pursuant to the savings clause shall be renewed for the biennial period beginning September 1 of each even-numbered year upon submission of the statutory renewal fee required by Section 494.0064, F.S., of \$500, a completed renewal form, and a copy of the lender's most recent audited financial statements. Form DBF-ML-R, Mortgage Lender License Renewal and Reactivation Form, Form DBF-ML-R, revised 10/99, and Form DBF-ML-RS, Mortgage Lender License Pursuant to Saving Clause Renewal and Reactivation Form, Form DBF-ML-RS, revised 10/99 9-3-95, are hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) A license that is not renewed ~~Failure to submit the fee and form~~ as required in Subsection (1) prior to September 1 of the renewal year shall revert to inactive status automatically ~~result in a late renewal fee of \$100 being assessed. An inactive~~ The license may be reactivated renewed within 6 months after becoming inactive ~~the end of the biennial period~~ upon payment

of the statutory renewal fee and reactivation late fees required by Section 494.0064, F.S., and submission of a completed reactivation renewal form.

(3) Each active mortgage lender branch office license permit shall be renewed in conjunction with the mortgage lender license renewal upon submission of the statutory permit renewal fee required by Section 494.0064, F.S., of \$250 and a completed branch office license permit renewal form. Form DBF-ML-RB, Mortgage Lender and Correspondent Mortgage Lender Branch Office License Permit Renewal and Reactivation Form, Form DBF-ML-RB, revised 10-1-99 9-3-95, is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(4) A mortgage lender branch office license that is not renewed ~~Failure to submit the permit renewal fee and form~~ as required in Subsection (3) prior to September 1 of the renewal year shall revert to inactive status automatically ~~result in a late renewal fee of \$100 being assessed. An inactive license~~ The permit may be reactivated renewed within six (6) months after becoming inactive ~~the end of the biennial period~~ upon renewal of the lender license, payment of the statutory renewal fee and reactivation late fees required by Section 494.0064, F.S., and submission of a completed license reactivation permit renewal form.

(5) A mortgage lender license and branch office license that is permit not renewed within six months after the end of the biennial period automatically expires.

Specific Authority 494.0011(2) FS. Law Implemented ~~494.00171~~, 494.0064 FS. History—New 10-1-91, Amended 9-3-95, 7-25-96, 8-5-96, \_\_\_\_\_.

3D-40.220 Application Procedure for Correspondent Mortgage Lender License.

(1) Each corporation, general partnership, limited liability company, or other lawful entity desiring to obtain licensure as a correspondent mortgage lender shall apply to the Department by submitting the following:

(a) A ~~a~~ completed Application for Licensure as a Correspondent Mortgage Lender, Form DBF-CL-333, revised 10/99 11-5-95, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350;

(b) The statutory, a non-refundable fee required by Section 494.0062, F.S., of \$400 which shall be the fee for the biennial period beginning September 1 of each even-numbered year or any part thereof;

(c) Audited financial statements documenting a minimum net worth of \$25,000 as of the applicant's most recent fiscal year end. If the application is submitted within three (3) months of the most recent fiscal year end and an audited

statement from the most recent fiscal year is not available, an audited statement from the previous fiscal year end is acceptable;

(d) ~~A~~ surety bond, issued by a bonding company or insurance company authorized to do business in this State, in the amount of \$10,000; and submitted on Form DBF-ML-444, Mortgage Brokerage and Mortgage Lending Act Surety Bond, effective 10-1-91, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, FL 32399-0350.

(2) Each ultimate equitable owner of 10% or greater interest, chief executive officer and each director of an entity applying for licensure as a correspondent mortgage lender, shall submit a completed fingerprint card and Biographical Summary, Form ~~CL-BIO-1 (revised 10/99) (CL-96-1 (effective 6/96),~~ to the Department along with a \$15 nonrefundable processing fee. Form ~~CL-BIO-1 MBB-96-1~~ is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, FL 32399-0350.

(a) through (7) No change.

(8) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the mortgage industry, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction is directly related to the mortgage industry, the applicant shall provide evidence of restoration of civil rights and rehabilitation. Evidence of rehabilitation should include but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 494.0011(2), 494.0062(3), 215.405 FS. Law Implemented 494.0062(3) FS. History--New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, 11-5-95, 7-14-96, 11-25-97, \_\_\_\_\_.

3D-40.225 Correspondent Mortgage Lender License and Branch Office License Permit Renewal and Reactivation.

(1) Each active correspondent mortgage lender license shall be renewed for the biennial period beginning September 1 of each even-numbered year upon submission of the statutory renewal fee required by Section 494.0064, F.S., of \$400, a completed renewal form, and a copy of the lender's current audited financial statements. Form DBF-CL-R, Correspondent Mortgage Lender License Renewal and Reactivation Form, Form DBF-CL-R, revised ~~10/99 9-3-95,~~ is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, Florida 32399-0350.

(2) A correspondent mortgage lender license that is not renewed ~~Failure to submit the fee and form~~ as required in Subsection (1) prior to September 1 of the renewal year shall

~~revert to inactive status automatically result in a late renewal fee of \$100 being assessed. An inactive~~ The license may be reactivated ~~renewed~~ within 6 months after becoming inactive ~~the end of the biennial period~~ upon payment of the statutory renewal fee and reactivation late fees required by Section 494.0064, F.S., and submission of a completed reactivation renewal form.

(3) Each active correspondent mortgage lender branch office license permit shall be renewed in conjunction with the correspondent mortgage lender license renewal upon submission of the statutory permit renewal fee required by Section 494.0064, F.S., of \$250 and a completed branch office license permit renewal form. Form DBF-ML-RB, Mortgage Lender and Correspondent Mortgage Lender Branch Office License Permit Renewal and Reactivation Form, Form DBF-ML-RB, revised ~~10/99 9-3-95,~~ is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, Florida 32399-0350.

(4) A correspondent mortgage lender branch office license that is not renewed ~~Failure to submit the license renewal fee and form~~ as required in Subsection (3) prior to September 1 of the renewal year shall revert to inactive status automatically result in a late renewal fee of \$100 being assessed. An inactive license ~~The permit~~ may be renewed within six (6) months after becoming inactive ~~the end of the biennial period~~ upon renewal of the correspondent mortgage lender license, payment of the statutory renewal fee and reactivation late fees required by Section 494.0064, F.S., and submission of a completed license reactivation permit renewal form.

(5) A correspondent mortgage lender license and branch office license that is permit not renewed within six (6) months after the end of the biennial period automatically expires.

Specific Authority 494.0011(2) FS. Law Implemented ~~494.00171,~~ 494.0064 FS. History--New 10-1-91, Amended 9-3-95, 7-25-96, \_\_\_\_\_.

3D-40.240 Application Procedure for Mortgage Lender or Correspondent Mortgage Lender Branch Office License Permit.

(1) Every mortgage lender or correspondent mortgage lender which conducts mortgage lending business in this state from a branch office shall apply to the Department for a license permit to operate a branch office by submitting the following:

(a) A completed Application for Mortgage Lender Branch Office or Correspondent Mortgage Lender Branch Office License Permit, Form DBF-ML-222B, revised ~~10/99 9-3-95,~~ which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building,~~ Tallahassee, Florida 32399-0350;



(b) ~~The statutory, a non-refundable license permit fee required by Section 494.0064, F.S., of \$250~~ which shall be the fee for the biennial period beginning September 1 of each even-numbered year or any part thereof.

(2) Any office or location shall be deemed to be a branch office if ~~it meets the definition in Section 494.001(7), F.S., the name or advertising of a mortgage lender or correspondent mortgage lender shall be displayed in such a manner as to reasonably lead the public to believe that such mortgage lending business may be conducted at such office, location, or advertised address.~~

(3) No change.

(4) Amendment of Application. If the information contained in an Application for Mortgage Lender Branch Office or Correspondent Mortgage Lender Branch Office License Permit becomes inaccurate for any reason before the applicant becomes licensed, the applicant shall be responsible for correcting the inaccurate information within ten (10) days of the change occurring by following the procedures set forth in this subsection. An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days from its receipt for filing. Otherwise the application may be amended only with prior written permission from the Department. Requests to make changes which are material to the application or to the Department's evaluation of the application filed at any time after the application has been received may be deemed by the Department to be grounds for denial, and a new application, accompanied by the appropriate filing fee, may be required.

(5) No change.

(6) Refunds. If the application is withdrawn or denied, the license permit fee is non-refundable.

(7) Upon approval of an application, a license permit will be issued for the remainder of the biennial period.

Specific Authority 494.0011(2) FS. Law Implemented ~~494.00171~~, 494.0066 FS. History--New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, \_\_\_\_\_.

3D-40.245 Independent Contractors.

A natural person is not exempt from the licensure requirements of Section 494.0033 ~~ss 494.003-.0043~~, F.S., when acting as an independent contractor as defined in Rule 3D-40.001(9), F.A.C., for licensees pursuant to Sections ~~ss.~~ 494.006-.0077, F.S.

Specific Authority 494.0011(2) FS. Law Implemented 120.695, 494.001, 494.0025, 494.0041 FS. History--New 7-25-96, Amended \_\_\_\_\_.

3D-40.265 Mortgage Brokerage and Lending Transaction Journal.

(1) Each mortgage lender or correspondent mortgage lender shall maintain a Mortgage Brokerage and Lending Transaction Journal, which shall include, at least, the following information:

- (a) Name of applicant;
- (b) Date applicant applied for the mortgage loan;
- (c) Disposition of the mortgage loan application. The journal shall indicate the result of the lending transaction. The disposition of the transaction shall be categorized as one of the following: loan funded, loan denied, or application withdrawn.
- (d) Name of lender, if applicable.

(2) The journal shall be maintained on Form DBF-MX-888, Mortgage Brokerage and Lending Transaction Journal or a form substantially similar. Form DBF-MX-888 (revised 7-25-96) is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, FL 32399-0350.

(3) through (5) No change.

Specific Authority 494.0011(2), 494.0016(1),(4) FS. Law Implemented 120.695, 494.0016, 494.0072(1) FS. History--New 1-10-93, Amended 7-25-96, \_\_\_\_\_.

3D-40.270 Financial Guaranty in Lieu of Uniform Single Audit.

(1) A mortgage lender which services an aggregate value of less than \$7.5 million in outstanding mortgage loans and elects to provide a fidelity bond, financial guaranty bond, fidelity insurance, or other financial guaranty providing protection against theft, loss or other illegal diversion of funds in lieu of the single line audit required shall have such financial guaranty in full force and effect by the lender's first fiscal year end ~~after January 1, 1992~~. The financial guaranty shall designate the Department of Banking and Finance as the recipient of the amount of the financial guaranty.

(2) A mortgage lender electing to provide a financial guaranty in lieu of the single line audit shall document (monthly) the aggregate value of mortgage loans serviced on Form DBF-MX-887, or a form substantially the same. Form DBF-MX-887, Calculation of Aggregate Value of Mortgage Loans Serviced, effective 2-16-92, is incorporated by reference and available by writing, Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, FL 32399-0350. The lender shall maintain work-papers substantiating the aggregate value documented.

(3) through (4) No change.

(5) For the purposes of Section ~~s-~~ 120.695, F.S. a violation of the above rule shall not be considered a minor violation.

Specific Authority 494.0011(2), 494.0076(2)(b) FS. Law Implemented 120.695, 494.0072, 494.0076 FS. History--New 2-16-92, Amended 7-25-96, \_\_\_\_\_.

3D-40.285 Noninstitutional Investor Funds Account.

(1) All money received by a mortgage lender or correspondent mortgage lender from a noninstitutional investor for disbursement at a mortgage loan closing shall be deposited in a trust account in a federally insured financial institution

within seven business days of receipt of the funds unless otherwise directed, in writing, by the noninstitutional investor. Such trust account may be used for more than one noninstitutional investor's funds. Noninstitutional funds may not be commingled with the licensee's operating account or funds. The account shall be in the name of the mortgage lender or correspondent mortgage lender and shall provide for withdrawal of funds without notice. The licensee shall maintain an updated and accurate record of account activity on Form DBF-MX-555 (effective 8/92), which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350, or on a format which is substantially similar to Form DBF-MX-555. ~~The effective date of the form is 8-24-92.~~

(2) through (3) No change.

(4) For purposes of ~~Section~~ s. 120.695, F.S., a violation of the above rule shall not be considered a minor violation.

Specific Authority 494.0011(2) FS. Law Implemented 120.695, 494.0043, 494.0073 FS. History--New 8-24-92, Amended 7-25-96, \_\_\_\_\_.

3D-40.290 Acts Requiring Licensure as a Mortgage Broker, Mortgage Brokerage Business, Mortgage Lender or Correspondent Mortgage Lender.

(1) A person shall not be deemed to be acting as a mortgage broker pursuant to ~~Section~~ s. 494.001(3)(2), F.S., or to be acting as a correspondent mortgage lender pursuant to ~~Section~~ 494.001(1), F.S., or a mortgage lender pursuant to ~~Section~~ s. 494.001(4)(1)-(3), F.S., for:

(a) Purchasing or offering to purchase a mortgage loan from a member of the general public.

(b) Selling or offering to sell a mortgage loan to an institutional investor.

(c) Negotiating or offering to negotiate the purchase or sale of a mortgage loan to an institutional investor.

(2) The phrase "holds himself out to the public in any manner" in ~~Section~~ s. 494.006(1)(h) and (i) means that any person who does any of the following, but not limited to, is not exempt from mortgage lender or correspondent mortgage lender license requirements:

(a) Is a business entity which makes, sells, or offers to sell, mortgage loans to noninstitutional investors;

(b) Is employed or associated with a business where mortgage lending or mortgage brokering services may be received;

(c) Has placed himself in a position where he is likely to come into contact with borrowers or investors or buyers or sellers of mortgage loans;

(d) Advertises, related to mortgage loans, by soliciting for borrowers, lenders or purchasers in a telephone directory;

(e) Advertises in newspapers, magazines, or the like in a manner which would lead the reader to believe the person was in the business of buying, making or selling mortgage loans. For example, placing an advertisement which states "I buy and sell mortgages" would lead the public to believe the person was in the mortgage lending business; or

(f) Solicits in a manner which would lead the reader to believe the person was in the business of buying, making or selling mortgage loans.

Specific Authority 494.0011(2) FS. Law Implemented 494.001(1),(2),(3), 494.006(1)(h)(i) FS. History--New 1-10-93, Amended \_\_\_\_\_.

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

|   |            |
|---|------------|
| RULE TITLES:  | RULE NOS.: |
| Miscellaneous Charges   | 3D-50.001  |
| Application Procedure for Motor Vehicle Retail Installment Seller License   | 3D-50.055  |
| Motor Vehicle Retail Installment Seller Branch Office License   | 3D-50.058  |
| Motor Vehicle Retail Installment and Motor Vehicle Retail Installment Seller Branch Office License Renewal and Reactivation | 3D-50.070  |

PURPOSE AND EFFECT: The purpose of the proposed amendments is to incorporate changes made by Chapter 99-164, Laws of Florida; to incorporate changes to the application, renewal and reactivation forms; and to make other technical or grammatical changes to Chapter 3D-50, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Application, renewal, and reactivation procedures for motor vehicle retail installment seller licenses and branch office licenses.

SPECIFIC AUTHORITY: 520.03(2), 520.995(5) FS.

LAW IMPLEMENTED: 520.03(2),(3) 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: 1:00 p.m., September 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Tedcastle or Robert Pursell, Division of Finance, Suite 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-50.001 Miscellaneous Charges.

(1) Other than the items and charges properly included as part of the cash price as defined in ~~Section~~ s. 520.02(2)(4), F.S., the following are the only charges permitted to be made by the

retail installment seller. All authorized charges are permitted only to the extent they are actually paid, used, or disbursed for the purposes stated.

(a) Charges for taxes, prescribed by law, to the extent same are not included as part of the cash price.

(b) Charges for official fees as defined in Section ~~s.~~ 520.02(9)(8), F.S., and charges for licenses and other fees prescribed by law.

1. In order to support motor vehicle license charges and liens for perfecting any security interest in the collateral, the registration form provided by the Department of Motor Vehicles shall be maintained. In addition, the month of birth of the retail buyer must be shown on the face of the contract and the trade-in amount must be clearly described.

2. Charges for documentary excise tax must be supported by attaching documentary stamps to the appropriate document and canceling or by paying the appropriate amount of tax directly to the Department of Revenue and maintaining documentation necessary to determine compliance.

(c) Charges for insurance purchased by the retail buyer to the extent such charges are not included as part of the finance charge as defined in Section ~~s.~~ 520.02(5)(4), F.S. The type of such insurance shall be specifically noted on the contract. Vendors Single Interest Insurance (V.S.I.) coverage issued to a contract holder on a blanket form may also be written in addition to the buyer's physical damage coverage, and a charge made to the buyer provided the contract contains a provision authorizing the contract holder to purchase the V.S.I. coverage. Should the contract holder purchase V.S.I. coverage at the time the contract is signed, the contract holder shall deliver or cause to be delivered to the buyer evidence of insurance at the time the contract is signed and the buyer shall receive a copy of the policy within thirty (30) days from the date the contract was signed.

(d) No change.

Specific Authority 17.29, 520.994(5) FS. Law Implemented 520.02, 520.07 FS. History--Renumbered from 3-6.01 to 3D-50.01 on 8-26-75, Amended 11-1-77, 4-22-84, Formerly 3D-50.01, Amended 7-10-96,\_\_\_\_\_.

3D-50.055 Application Procedure for Motor Vehicle Retail Installment Seller License.

(1) Each person desiring to obtain licensure as a motor vehicle retail installment seller shall apply to the Department by submitting:

(a) ~~A~~ completed Application for Motor Vehicle Retail Installment Seller License, Form DBF-HV-1, revised 10/99 ~~8-9-95~~, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350; and

(b) The statutory, ~~the~~ non-refundable application fee required by Section 520.03, F.S., of \$50.00 ~~which shall be the fee for the annual period beginning January 1, 1996 until December 31, 1996 or any part thereof. Effective January 1,~~

~~1997, the non-refundable application fee shall be \$100 which shall be the fee for the biennial period beginning January 1 of each odd-numbered year or any part thereof.~~

(2) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) calendar days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) calendar days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to s. 120.60(1)(2), F.S.

(3) through (4) No change.

(5) Upon approval of an application, a license will be issued for the remainder of the ~~annual~~ or biennial licensure period.

(6) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the operation of ~~operating~~ a retail installment business, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction is directly related to the operation of ~~operating~~ a retail installment business, the applicant shall provide evidence of restoration of rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 520.03(2), 520.994(5) FS. Law Implemented 120.60(1)(2) 520.03(2) FS. History--New 11-5-87, Amended 5-9-90, 11-11-90, 9-28-94, 8-9-95, 7-10-96, 9-29-96,\_\_\_\_\_.

3D-50.058 Motor Vehicle Retail Installment Seller Branch Office License.

(1) Every motor vehicle retail installment seller which conducts business in a branch office shall apply for a license to operate a branch office on Form DBF-HV-2, Application for Motor Vehicle Retail Installment Seller Branch Office License, revised 10/99 ~~8-9-95~~, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. Any office or location shall be deemed to be a branch office if the name or advertising of a motor vehicle retail installment seller shall be displayed in such a manner as to reasonably lead the public to believe that such business may be conducted at such office, location, or advertised address. If a motor vehicle retail installment seller has more than one location in the same county, only one license is required for that county.

(2) The statutory, non-refundable application fee for an initial branch office license required by Section 520.03, F.S., shall be the fee ~~\$50.00 which shall be the fee for the annual period beginning January 1, 1996 through December 31, 1996 or any part thereof. Effective January 1, 1997, the~~

~~non-refundable application fee shall be \$100 for the biennial period beginning January 1 of each odd-numbered year or any part thereof.~~

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) calendar days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) calendar days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section 120.60(1)(2), F.S.

(4) through (5) No change.

(6) Upon approval of an application, a license will be issued for the remainder of the ~~annual or~~ biennial licensure period.

Specific Authority 520.03(2), 520.994(5) FS. Law Implemented 120.60(1)(2), 520.03(2) FS. History--New 11-11-90, Amended 8-9-95, 7-10-96, 9-29-96, \_\_\_\_\_.

3D-50.070 Motor Vehicle Retail Installment Seller and Motor Vehicle Retail Installment Seller Branch Office License Renewal and Reactivation.

(1) Each active motor vehicle retail installment seller and motor vehicle retail installment seller branch office license shall be renewed for the biennial period beginning January 1 of each odd-numbered year annual period beginning January 1, 1996 and ending December 31, 1996, upon receipt of the statutory renewal fee required by Section 520.03, F.S., ~~of \$50.00~~ and the renewal/reactivation notice, Form DBF-MV-3, revised 10/99 effective 12-18-93, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. ~~Effective January 1, 1997, each active motor vehicle retail installment seller and motor vehicle retail installment seller branch office license shall be renewed for the biennial period beginning January 1 of each odd year upon receipt of the renewal fee of \$100 and verifiable evidence of the existing license or renewal notice, Form DBF-MV-3.~~

(2) If the Department has not received the renewal notice and renewal fee prior to January 1 of the renewal year, the license shall revert from active to automatically become inactive status. The inactive license may be reactivated within six (6) months after becoming inactive upon submission of the statutory renewal fee, a reactivation fee equal to the renewal fee, and the reactivation renewal notice. A license that is not reactivated within six (6) months after becoming inactive automatically expires.

(3) A renewal notice and fee shall be considered submitted when received in the Department's cashier's office in Tallahassee, Florida.

(4) ~~The r~~Received date shall be the date stamped on the notice when received by the Department's cashier's office in Tallahassee, Florida.

(5) Engaging in a retail installment transaction as defined in Section subsection 520.02(15)(13), F.S., with an inactive or expired license is a violation of Chapter 520, F.S., and subjects the person ~~license~~ to disciplinary action.

(6) If December 31 of the year is on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., Florida Statutes, then the renewals received on the next business day will be considered timely received.

Specific Authority 520.03(2),(3), 520.994(5) FS. Law Implemented 520.03(2),(3) FS. History--New 11-5-87, Amended 11-11-90, 12-18-93, 8-9-95, 9-29-96, \_\_\_\_\_.

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

| RULE TITLES:   | RULE NOS.: |
|--|------------|
| Application Procedure for Retail Installment Seller License  | 3D-60.060  |
| Retail Installment Seller Branch Office License  | 3D-60.065  |
| Retail Installment Seller and Retail Installment Seller Branch Office License Renewal and Reactivation | 3D-60.070  |

PURPOSE AND EFFECT: The purpose of the proposed amendments is to incorporate changes made by Chapter 99-164, Laws of Florida; to incorporate changes to the application, renewal and reactivation forms; and to make other technical and grammatical changes to Chapter 3D-60, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Application, renewal, and reactivation procedures for retail installment seller licenses and branch office licenses.

SPECIFIC AUTHORITY: 520.32(2), 520.994(5) FS.

LAW IMPLEMENTED: 520.32, 520.331 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: 1:00 p.m., September 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Tedcastle or Robert Pursell, Division of Finance, Suite 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-60.060 Application Procedure for Retail Installment Seller License.

(1) Each person desiring to obtain licensure as a retail installment seller shall apply to the Department by submitting the following:

(a) ~~A~~ completed Application for Retail Installment Seller License, Form DBF-HR-1, revised 10/99 ~~8-9-95~~, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350; and

(b) ~~The statutory~~ the non-refundable application fee required by Section 520.32, F.S., of \$50.00 which shall be the fee for the ~~annual period beginning January 1, 1996 until December 31, 1996 or any part thereof. Effective January 1, 1997, the non-refundable application fee shall be \$100, which shall be the fee for the~~ biennial period beginning January 1 of each odd-numbered year or any part thereof.

(2) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) calendar days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) calendar days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section ~~§~~ 120.60(1)(~~2~~), F.S.

(3) through (4) No change.

(5) Upon approval of an application, a license will be issued for the remainder of the ~~annual or~~ biennial licensure period.

(6) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the operation of operating a retail installment business, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction directly related to the operation of operating a retail installment business, the applicant shall provide evidence of restoration of rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 520.32(2), 520.994(5) FS. Law Implemented 520.32(2) FS. History--New 11-5-87, Amended 5-9-90, 11-11-90, 9-28-94, 8-9-95, 7-10-96, 9-29-96, \_\_\_\_\_.

3D-60.065 Retail Installment Seller Branch Office License.

(1) Every retail installment seller which conducts business in a branch office shall apply for a license to operate a branch office on Form DBF-HR-2, Application for Retail Installment Seller Branch Office License, revised 10-1-99 ~~8-9-95~~, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. Any office or location shall be deemed to be a branch office if the name or advertising of a retail installment seller shall be displayed in such a manner as to reasonably lead the public to believe that such business may be conducted at such office, location, or advertised address.

(2) The ~~statutory~~ non-refundable application fee required by Section 520.32, F.S., for an initial branch office license shall be ~~\$50.00 which shall be the fee for the annual period beginning January 1, 1996 through December 31, 1996 or any part thereof. Effective January 1, 1997, the non-refundable application fee shall be \$100 for the biennial period beginning January 1 of each odd-numbered year or any part thereof.~~

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section ~~§~~ 120.60(1)(~~2~~), F.S.

(4) through (5) No change.

(6) Upon approval of an application, a license will be issued for the remainder of the ~~annual or~~ biennial licensure period.

Specific Authority 520.32(2), 520.994(5) FS. Law Implemented 520.32(2) FS. History--New 11-11-90, Amended 8-9-95, 7-10-96, 9-29-96, \_\_\_\_\_.

3D-60.070 Retail Installment Seller and Retail Installment Seller Branch Office License Renewal and Reactivation.

(1) Each active retail installment seller and retail installment seller branch office license shall be renewed for the for the biennial period beginning January 1 of each odd-numbered year annual period beginning January 1, 1996 and ending December 31, 1996, upon receipt of the statutory renewal fee required by Section 520.32, F.S., of \$50.00 and the renewal/reactivation notice, Form DBF-RS-3, revised 10/99 ~~effective 12-18-93~~, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. ~~Effective January 1, 1997, each active retail installment seller and retail installment seller branch office shall be renewed for the biennial period beginning January 1 of each odd-numbered~~

year upon receipt of the renewal fee of \$100 and verifiable evidence of the existing license or the renewal notice, Form DBF-RS-3.

(2) If the Department has not received the renewal notice and renewal fee prior to January 1 of the renewal year, the license shall revert from active to automatically become inactive status. The inactive license may be reactivated within six (6) months after becoming inactive upon submission of the statutory renewal fee, a reactivation fee equal to the renewal fee, and the reactivation renewal notice. A license that is not reactivated within six (6) months after becoming inactive automatically expires.

(3) A renewal notice and fee shall be considered submitted when received in the Department's cashier's office in Tallahassee, Florida.

(4) ~~The r~~Received date shall be the date stamped on the notice when received by the Department's cashier's office in Tallahassee, Florida.

(5) Engaging in a retail installment transaction as defined in Section subsection 520.31(13)(4), F.S., with an inactive or expired license is a violation of Chapter 520, F.S., and subjects the person license to disciplinary action.

(6) If December 31 of the year is on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., Florida Statutes, then the renewals received on the next business day will be considered timely received.

Specific Authority 520.32(2),(3), 520.994(5) FS. Law Implemented 520.32(2),(3) FS. History--New 11-5-87, Amended 11-11-90, 12-18-93, 8-9-95, 9-24-96,\_\_\_\_\_.

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

|  |            |
|--|------------|
| RULE TITLES:   | RULE NOS.: |
| Application Procedure for Sales Finance Company License  | 3D-70.050  |
| Sales Finance Company Branch Office License  | 3D-70.055  |
| Sales Finance Company and Sales Finance Company Branch Office License Renewal and Reactivation | 3D-70.060  |

PURPOSE AND EFFECT: The purpose of the proposed amendments is to incorporate changes made by Chapter 99-164, Laws of Florida; to incorporate changes to the application, renewal, and reactivation forms; and to make other technical or grammatical changes to Chapter 3D-70, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Application, renewal, and reactivation procedures for sales finance company licenses and branch office licenses.

SPECIFIC AUTHORITY: 520.52(2), 520.994(5) FS.

LAW IMPLEMENTED: 520.52 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: 1:00 p.m., September 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Tedcastle or Robert Pursell, Division of Finance, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-70.050 Application Procedure for Sales Finance Company License.

(1) Each person desiring to obtain licensure as a sales finance company shall apply to the Department by submitting the following:

(a) ~~A~~ completed Application for Sales Finance Company License, Form DBF-HI-1, revised 10/99 8-9-95, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350; and

(b) ~~The statutory~~ the non-refundable application fee required by Section 520.52, F.S., of \$50.00 which shall be the fee for the ~~annual period beginning January 1, 1996 until December 31, 1996 or any part thereof. Effective January 1, 1997, the non-refundable application fee shall be \$100 which shall be the fee for the~~ biennial period beginning January 1 of each odd-numbered year or any part thereof.

(2) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) calendar days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) calendar days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section 120.60(1)(2), F.S.

(3) through (4) No change.

(5) Upon approval of an application, a license will be issued for the remainder of the ~~annual~~ or biennial licensure period.

(6) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the operation of operating a retail installment business, the applicant shall provide evidence of restoration of civil rights.

(b) If one's civil rights have been restored and the conviction directly related to the operation of operating a retail installment business, the applicant shall provide evidence of

restoration of civil rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 520.52(2), 520.994(5) FS. Law Implemented 520.52(2) FS. History--New 11-5-87, Amended 5-9-90, 11-11-90, 9-28-94, 8-9-95, 7-10-96, 9-29-96,\_\_\_\_\_.

3D-70.055 Sales Finance Company Branch Office License.

(1) Every sales finance company which conducts business in a branch office shall apply for a license to operate a branch office on Form DBF-HI-2, Application for Sales Finance Company Branch Office License, revised 10/99 8-9-95, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. Any office or location shall be deemed to be a branch if the name or advertising of a sales finance company shall be displayed in such a manner as to reasonably lead the public to believe that such business may be conducted at such office, location, or advertised address.

(2) The statutory non-refundable application fee for an initial branch office license required by Section 520.52, F.S., shall be \$50.00 which shall be the fee for the annual period beginning January 1, 1996 through December 31, 1996 or any part thereof. Effective January 1, 1997, the non-refundable application fee shall be \$100 for the biennial period beginning January 1 of each odd-numbered year or any part thereof.

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) calendar days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) calendar days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section 120.60(1)(2), F.S.

(4) through (5) No change.

(6) Upon approval of an application, a license will be issued for the remainder of the ~~annual~~ or biennial licensure period.

Specific Authority 520.52(2), 520.994(5) FS. Law Implemented 520.52(2) FS. History--New 11-11-90, Amended 8-9-95, 7-10-96, 9-29-96,\_\_\_\_\_.

3D-70.060 Sales Finance Company and Sales Finance Company Branch Office License Renewal and Reactivation.

(1) Each active sales finance company and sales finance company branch office license shall be renewed for the biennial period beginning January 1 of each odd-numbered year annual period beginning January 1, 1996 and ending December 31, 1996, upon receipt of the statutory renewal fee required by Section 520.52, F.S., of \$50.00 and the renewal/reactivation notice, Form DBF-SF-3, revised 10/99

~~effective 12-18-93~~, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. Effective January 1, 1997, each active sales finance company and sales finance company branch office license shall be renewed for the biennial period beginning January 1 of each odd year upon receipt of the renewal fee of \$100 and verifiable evidence of the existing license or the renewal notice, Form DBF-SF-3.

(2) If the Department has not received the renewal notice and renewal fee prior to January 1 of the renewal year, the license shall revert from active to automatically become inactive status. The inactive license may be reactivated within six (6) months after becoming inactive upon submission of the statutory renewal fee, a reactivation fee equal to the renewal fee, and the reactivation renewal notice. A license that is not reactivated within six (6) months after becoming inactive automatically expires.

(3) A renewal notice and fee shall be considered submitted when received in the Department's cashier's office in Tallahassee, Florida.

(4) ~~The received~~ Received date shall be the date stamped on the notice when received by the Department's cashier's office in Tallahassee, Florida.

(5) Engaging in a business as a sales finance company as defined in Section subsection 520.31(16)(14), F.S., with an inactive or expired license is a violation of Chapter 520, F.S., and subjects the person license to disciplinary action.

(6) If December 31 of the year is on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S. Florida Statutes, then the renewals received on the next business day will be considered timely received.

Specific Authority 520.52(2),(3), 520.994(5) FS. Law Implemented 520.52(2),(3) FS. History--New 11-5-87, Amended 11-11-90, 12-18-93, 9-29-96,\_\_\_\_\_.

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

| RULE TITLES:   | RULE NOS.: |
|--|------------|
| Application Procedure for Home Improvement Finance Seller License  | 3D-80.015  |
| Home Improvement Finance Seller and Home Improvement Seller Finance Branch Office License Renewal and Reactivation | 3D-80.050  |
| Home Improvement Finance Seller Branch Office License  | 3D-80.060  |

PURPOSE AND EFFECT: The purpose of the proposed amendments is to incorporate changes made by Chapter 99-164, Laws of Florida; to incorporate changes to the application, renewal, and reactivation forms; and to make other technical or grammatical changes to Chapter 3D-80, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Application, renewal, and reactivation procedures for home improvement finance seller licenses and branch office licenses.

SPECIFIC AUTHORITY: 520.63(2), 520.994(5) FS.

LAW IMPLEMENTED: 520.63 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: 1:00 p.m., September 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Tedcastle or Robert Pursell, Division of Finance, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-80.015 Application Procedure for Home Improvement Finance Seller License.

(1) Each person desiring to obtain licensure as a home improvement finance seller shall apply to the Department by submitting the following:

(a) ~~A~~ completed Application for Home Improvement Finance Seller License, Form DBF-HC-1, revised 10/99 8-9-95, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street LL 22, The Capitol, Tallahassee, Florida 32399-0350; and

(b) The statutory the non-refundable application fee required by Section 520.63, F.S., of \$50.00 which shall be the fee for the annual period beginning January 1, 1996 until December 31, 1996 or any part thereof. Effective January 1, 1997, the non refundable application fee shall be \$100 which shall be the fee for the biennial period beginning January 1 of each odd-numbered year or any part thereof.

(2) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) calendar days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) calendar days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section s: 120.60(1)(2), F.S.

(3) through (4) No change.

(5) Upon approval of an application, a license will be issued for the remainder of the ~~annual or~~ biennial licensure period.

(6) Restoration of Civil Rights.

(a) If one's civil rights have been restored and the conviction did not directly relate to the operation of operating a retail installment business, the applicant shall provide evidence of restoration of rights.

(b) If one's civil rights have been restored and the conviction directly related to the operation of operating a retail installment business, the applicant shall provide evidence of restoration of rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 520.63(2),(3), 520.994(5) FS. Law Implemented 520.63(2) FS. History--New 4-13-88, Amended 5-9-90, 11-11-90, 9-28-94, 8-9-95, 7-10-96, 9-29-96,\_\_\_\_\_.

3D-80.050 Home Improvement Finance Seller and Home Improvement Finance Seller Branch Office License Renewal and Reactivation.

(1) Each active home improvement finance seller and home improvement finance seller branch office license shall be renewed for the biennial period beginning January 1 of each odd-numbered year ~~annual period beginning January 1, 1996 and ending December 31, 1996~~, upon the receipt of the statutory renewal fee required by Section 520.63, F.S., of \$50.00 and the renewal/reactivation notice, Form DBF-HI-3, revised 10/99 effective 12-18-93, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, 101 East Gaines Street Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350. ~~Effective January 1, 1997 each active home improvement seller and home improvement seller branch office license shall be renewed for the biennial period beginning January 1 of each odd numbered year upon receipt of the renewal fee of \$100 and verifiable evidence of the existing license or the renewal form notice, Form DBF HI 3.~~

(2) If the Department has not received the renewal notice and renewal fee prior to January 1 of the renewal year, the license shall revert from active to automatically become inactive status. The inactive license may be reactivated within six (6) months after becoming inactive upon submission of the statutory renewal fee, a reactivation fee equal to the renewal fee, and the reactivation renewal notice. A license that is not reactivated within six (6) months after becoming inactive automatically expires.

(3) A renewal notice and fee shall be considered submitted when received in the Department's cashier's office in Tallahassee, Florida.



(4) ~~The received~~ Received date shall be the date stamped on the notice when received by the Department's cashier's office in Tallahassee, Florida.

(5) Acting as "home improvement finance seller" as defined in ~~Section subsection~~ 520.61(13)(42), F.S., with an inactive or expired license is a violation of Chapter 520, F.S., and subjects the person ~~license~~ to disciplinary action.

(6) If December 31 of the year is on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, ~~F.S. Florida~~ Statutes, then the renewals received on the next business day will be considered timely received.

Specific Authority 520.63(2),(3), 520.994(5) FS. Law Implemented 520.63(2),(3) FS. History--New 4-13-88, Amended 11-11-90, 12-18-93, 9-29-96,\_\_\_\_\_.

3D-80.060 Home Improvement Finance Seller Branch Office License.

(1) Every home improvement finance seller which conducts home improvement business in a branch office shall apply for a license to operate a branch office on Form DBF-HC-2, Application for Home Improvement Finance Seller Branch Office License, revised ~~10/99~~ 8-9-95, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building~~, Tallahassee, Florida 32399-0350. Any office or location shall be deemed to be a branch office if the name or advertising of a home improvement finance seller shall be displayed in such a manner as to reasonably lead the public to believe that such business may be conducted at such office, location, or advertised address.

(2) The statutory, non-refundable application fee for an initial branch office license required by Section 520.63, F.S., shall be ~~\$50.00 which shall be the fee for the biennial period beginning January 1, 1996 through December 31, 1996 or any part thereof. Effective January 1, 1997, the non-refundable application fee shall be \$100~~ for the biennial period beginning January 1 of each odd-numbered year or any part thereof.

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) calendar days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) calendar days from the date of the request. Failure to respond to the request within forty-five (45) calendar days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to ~~Section~~ 120.60(1)(2), F.S.

(4) through (5) No change.

(6) Upon approval of an application, a license will be issued for the remainder of the ~~annual~~ or biennial licensure period.

Specific Authority 520.63(2), 520.994(5) FS. Law Implemented 520.63(2) FS. History--New 4-13-88, Amended 5-9-90, 11-11-90, 8-9-95, 7-10-96, 9-29-96,\_\_\_\_\_.

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

|  |            |
|--|------------|
| RULE TITLES:                                       | RULE NOS.: |
| Application Procedure for Consumer Finance License | 3D-160.030 |
| Consumer Finance License Renewal and Reactivation  | 3D-160.031 |

PURPOSE AND EFFECT: The purpose of the proposed amendments is to incorporate changes made by Chapter 99-164, Laws of Florida; to incorporate changes to the application, renewal, and reactivation forms; and to make other technical or grammatical changes to Chapter 3D-160, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Application, renewal, and reactivation procedures for consumer finance licenses.

SPECIFIC AUTHORITY: 516.22(1), 516.23(3) FS.

LAW IMPLEMENTED: 516.03, 516.05, 516.07 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: 1:00 p.m., September 7, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Tedcastle or Robert Pursell, Division of Finance, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-160.030 Application Procedure for Consumer Finance License.

(1) Each person desiring to apply for licensure as a consumer finance company shall submit the following to the Department:

(a) A completed Application for Consumer Finance License, Form DBF-CF-301, revised ~~10/99~~ 10-1-95, which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, ~~101 East Gaines Street Suite 550, Fletcher Building~~, Tallahassee, Florida 32399-0350;

(b) The statutory, non-refundable investigation fee required by Section 516.03, F.S., ~~of \$200.00;~~

(c) The statutory, biennial license fee required by Section 516.03, F.S., ~~of \$550.00,~~ which is refundable upon denial of licensure; and

(d) Documentation that the applicant has liquid assets of at least \$25,000.00 for the operation of the consumer finance company.

(2) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section 120.60(1)(2), ~~F.S. Florida Statutes.~~

(3) through (4) No change.

(5) If one's civil rights have been restored and the conviction did not directly relate to the consumer finance industry, the applicant shall provide evidence of restoration of civil rights. If one's civil rights have been restored and the conviction is directly related to the consumer finance industry, the applicant shall provide evidence of restoration of civil rights and rehabilitation. Evidence of rehabilitation should include, but is not limited to, employment history and letters from probation officers and employers.

Specific Authority 516.22(1), 516.23(3) FS. Law Implemented 516.03(1), 516.05(1), 516.07 FS. History--New 12-18-88, Amended 5-9-90, 10-1-95,\_\_\_\_\_.

**3D-160.031 Consumer Finance License Renewal and Reactivation Revocation.**

~~(1) All active consumer finance licenses in effect during the period ending December 31, 1988, shall automatically become inactive on January 1, 1989, unless timely renewed.~~

~~(1)(2) Each active consumer finance license will be renewed for the biennial period beginning January 1 of the renewal year, which is every odd-numbered year beginning January 1, 1989, and ending December 31 of the biennium period, which is every even-numbered year beginning December 31, 1990, upon submission of the renewal fee of \$550.00 and return of the renewal notice to the Department.~~

~~(2)(3) Failure to return the renewal notice and fee prior to January 1 of the renewal year shall automatically result in the license becoming inactive. The inactive license may be reactivated within six (6) months after becoming inactive upon payment of the biennial license fee; and payment of the reactivation fee which is a fee equal to the biennial license fee; and return of the reactivation renewal notice.~~

Specific Authority ~~20.05(5),~~ 516.22(1), 516.23(3) FS. Law Implemented 516.05(1), ~~516.05(2)~~ FS. History--New 12-13-88, Amended \_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE:

RULE NO.:

Contract Types

19B-5.001

PURPOSE AND EFFECT: To provide that local fee plan contracts sold after July 1, 1999, provide coverage for the technology fee. The 1999 Legislature authorized community colleges to impose a technology fee.

SUBJECT AREA TO BE ADDRESSED: The inclusion of the technology fee in the coverage of the local fee plan contracts.

SPECIFIC AUTHORITY: 240.551(5) FS.

LAW IMPLEMENTED: 240.551(5),(7)(a) FS.

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

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

PLACE: Suite 210, Hermitage Building, Tallahassee, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-5.001 Contract Types.

The program offers purchasers three different types of tuition and local fee plan contracts, respectively, with an addendum dormitory plan to the university contract. All types of tuition plans cover the matriculation fee, the building fee, the capital improvement fee and the financial aid fee. Local fee contracts cover the activity and service, health, and athletics fees imposed by the state universities and the student activity fee imposed by the community colleges. Local fee contracts purchased after July 1, 1999 also cover the technology fee imposed by the community colleges.

(1) Tuition plans consist of three separate plans:

(a) University Plan – The university plan specifies that 120 credit hours at a state university are purchased for the benefit of the qualified beneficiary.

(b) Community College Plan – The community college plan specifies that 60 credit hours at a state community college are purchased for the benefit of the qualified beneficiary. For community college plans purchased prior to the 1996-97 application period, the number of credit hours purchased through the community college plan shall be the number specified in the advance payment contract.

(c) Community College Plus University Plan – The community college plus university plan specifies that 60 credit hours at a state community college and 60 upper division level credit hours at a state university are purchased for the benefit of the qualified beneficiary. For community college plus university plans purchased prior to the 1996-97 application period, the number of credit hours purchased through the community college plus university plan shall be the number specified in the advance payment contract.

Tuition plans do not cover institutionally-imposed fees such as health, athletic, activity and service, technology or student activity fees.

(2) Local fee plans consist of three separate plans:

(a) University Local Fee Plan – The university local fee plan specifies that local fees for 120 credit hours at a state university are purchased for the benefit of the qualified beneficiary.

(b) Community College Local Fee Plan – The community college plan specifies that local fees for 60 credit hours at a state community college are purchased for the benefit of the qualified beneficiary.

(c) Community College Plus University Local Fee Plan – The community college plus university plan specifies that local fees for 60 credit hours at a state community college and 60 upper division level credit hours at a state university are purchased for the benefit of the qualified beneficiary.

(3) Dormitory Plan – The dormitory plan may be purchased only for those contract beneficiaries four (4) or more years away from their anticipated matriculation date at the time that the contract application is filed. Effective for enrollment periods beginning after July 1, 1997, the dormitory plan is not available unless the sale of dormitory contracts is specifically authorized by the Board prior to the enrollment period for that year and the sale of dormitory plan contracts will not adversely affect the status of the program as a “qualified state tuition program” under s. 529 of the Internal Revenue Code.

(4) The contracts do not cover fees and costs related to books, meals, transportation, graduate school, and institutionally-imposed fees such laboratory fees.

Specific Authority 240.551(5) FS. Law Implemented 240.551(5),(7)(a) FS. History—New 3-29-89, Amended 5-17-92, 8-23-92, Formerly 4G-5.001, Amended 5-31-95, 6-20-96, 10-20-96, 8-18-97, 2-18-99,\_\_\_\_\_.

**COMMISSION ON ETHICS**

RULE TITLE: List of Forms and Instructions

RULE NO.: 34-7.010

PURPOSE AND EFFECT: The Commission is amending its various forms to reflect the current filing year and to clarify instructions.

SUBJECT AREA TO BE ADDRESSED: The forms promulgated by the Commission and adopted by reference in Rule 34-7.010, specifically: CE Form 1; CE Form 2; CE Form

6; CE Form 50; Guide to the Sunshine Amendment and Code of Ethics for Public Officers, Candidates, and Employees; and CE Form 10.

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS.

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

TIME AND DATE: 9:00 a.m., September 2, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julia Cobb Costas, Staff Attorney

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Section 112.3145(2) and (3), Florida Statutes. Effective 1/2000 ~~1/99~~.

(b) Form 2, Quarterly Client Disclosure. To be utilized by elected constitutional officers, state officers, local officers and specified employees for compliance with Section 112.3145(4), Florida Statutes. Effective 1/2000 ~~1/98~~.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8 of these rules. Effective 1/2000 ~~1/99~~.

(d) Form 50, Complaint. To be utilized by persons wishing to file a complaint against any public officer, public employee or candidate for public office alleging a violation of any provision of Part III, Chapter 112, Florida Statutes, or to be utilized by persons wishing to file a complaint which alleges any other breach of public trust on the part of a public officer or employee who is not within the jurisdiction of the Judicial Qualifications Commission. Effective 1/2000 ~~2/95~~.

(e) A Guide to the Sunshine Amendment and Code of Ethics for Public Officers, Candidates, and Employees. Instructions to be utilized by public officers, public employees, candidates for public office, and other interested persons in

complying with the Sunshine Amendment and the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes. Effective 1/2000 ~~4/99~~.

(f) through (m) No change.

(n) Form 10, Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses. To be utilized by persons who are required to file Form 1 or Form 6 and by State procurement employees for compliance with the gift disclosure requirements of Section 112.3148(6), Florida Statutes, and the honorarium disclosure requirements of Section 112.3149(6), Florida Statutes. Effective 1/2000 ~~4/99~~.

(o) No change.

(2) No change.

**PROPOSED EFFECTIVE DATE: January 1, 2000**

Specific Authority Art. II, Sec. 8(f), (h), Fla. Const., 112.3147, 112.3215(13), 112.322(7), (10), 112.324 FS. Law Implemented Art. II, Sec. 8(a), (f), (h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS. History--New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 11-19-98, ~~1-1-00~~.

**DEPARTMENT OF THE LOTTERY**

**RULE TITLE:** FLORIDA LOTTO Prize Divisions **RULE NO.:** 53-28.003

**PURPOSE AND EFFECT:** The purpose of the rule is to amend the allocation of funding for rounding differences in second, third, and fourth FLORIDA LOTTO prizes.

**SUBJECT AREA TO BE ADDRESSED:** Rounding differences in second, third, and fourth FLORIDA LOTTO prizes.

**SPECIFIC AUTHORITY:** 24.105(10)(c), 24.115(1) FS.

**LAW IMPLEMENTED:** 24.115(10)(c), 24.115(1) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Diane D. Schmidt, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

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

53-28.003 FLORIDA LOTTO Prize Divisions.

(1) through (5) No change.

(6) Except for the Jackpot Prize which will pay the exact amount, the second, third and fourth prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the fourth prize shall be no less than \$3.50. All rounding

differences in the second, third and fourth prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions prizes for the Florida Lottery's Flamingo Fortune game show.

Specific Authority 24.105(10)(c), 24.115(1) FS. Law Implemented 24.105(10)(c), 24.115(1) FS. History--New 11-22-93, Amended 7-31-95, \_\_\_\_\_.

**DEPARTMENT OF THE LOTTERY**

**RULE TITLE:** FANTASY 5 Prize Divisions **RULE NO.:** 53-29.003

**PURPOSE AND EFFECT:** The purpose of the rule is to amend the allocation of funding for rounding differences in second and third FANTASY 5 prizes.

**SUBJECT AREA TO BE ADDRESSED:** Rounding differences in second and third FANATASY 5 prizes.

**SPECIFIC AUTHORITY:** 24.105(10)(c), 24.115(1) FS.

**LAW IMPLEMENTED:** 24.105(10)(c), 24.115(1) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Diane D. Schmidt, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

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

53-29.003 FANTASY 5 Prize Divisions.

(1) through (4) No change.

(5) Except for the Grand Prize which will pay the exact amount, the second and third prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the third prize shall be no less than \$3.50. All rounding differences in the second and third prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions prizes for the Florida Lottery's Flamingo Fortune game show.

Specific Authority 24.105(10)(c), 24.115(1) FS. Law Implemented 24.105(10)(c), 24.115(1) FS. History--New 11-22-93, Amended 8-27-95, \_\_\_\_\_.

**DEPARTMENT OF THE LOTTERY**

**RULE TITLES:** How to Play MEGA MONEY **RULE NOS.:** 53-32.001

MEGA MONEY Drawings 53-32.002

MEGA MONEY Prize Divisions 53-32.003

Determination of Prize Winners 53-32.004

MEGA MONEY Odds of Winning 53-32.005

MEGA MONEY Rules and Prohibitions 53-32.006

PURPOSE AND EFFECT: The purpose of the proposed rule is to set forth the specifications of the on-line game, MEGA MONEY.

SUBJECT AREA TO BE ADDRESSED: MEGA MONEY.

SPECIFIC AUTHORITY: 24.105(10)(a)(b)(c)(d) FS.

LAW IMPLEMENTED: 24.105(10)(a)(b)(c)(d), 24.115(1),(2), 24.117(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diane D. Schmidt, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-32.001 How To Play MEGA MONEY.

(1) Players select four numbers from a field of one through thirty-two and one Mega Ball number from a separate field of one through thirty-two.

(2) There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played must contain five number selections: four in the upper play area and one in the lower play area. Each panel played will cost one dollar per draw.

(3) Players must use only blue or black ballpoint pen or pencil for making selections.

(4) Play slips must be processed by an on-line retailer in order to obtain a ticket.

(5) Players can select their numbers by using a play slip, or may mark the "quick pick" box and the computer will randomly select any or all of the numbers from either or both play areas.

(6) Retailers can manually enter numbers selected by a player.

Specific Authority 24.105(10)(a)(b) FS. Law Implemented 24.105(10)(a)(b) FS. History--New

53-32.002 MEGA MONEY Drawings.

(1) MEGA MONEY drawings shall be conducted two times per week, on Tuesday and Friday.

(2) The drawing machine used for each drawing shall be determined by random selection. An employee of the Lottery's Security Division (the "Draw Manager") shall select two (2) cards from a number of cards equal to the number of available drawing machines. Each card shall contain one number which shall correspond to the number assigned to one numbered drawing machine. The two cards shall be drawn individually and handed individually to an accountant employed by an

independent certified public accounting firm. The machine corresponding to the number contained on the first card drawn shall be designated the primary drawing machine and the machine corresponding to the number contained on the second card drawn shall be designated the backup drawing machine. The backup drawing machine shall be used only when necessitated by equipment failure.

(3) The ball set to be used in a drawing will be determined by random selection. The Draw Manager will select two cards from a number of cards equal to the number of available ball sets. Each card will contain one number which will correspond to the number assigned to one numbered ball set. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated the primary ball set and the ball set corresponding to the number contained on the second card drawn shall be designated the backup ball set. The backup ball set shall be used only when there is question as to the reliability of the primary ball set. Each set contains sixty-four balls comprised of one set of balls numbered one through thirty-two and the MEGABALL set numbered one through thirty-two.

(4) The primary ball set is weighed and the weight is recorded. A primary ball set which does not fall within the manufacturer's weight tolerances shall be rejected and the backup ball set is weighed using the procedures herein.

(5) The primary ball set is placed in the primary drawing machine and six test drawings are conducted, using the following testing criteria. If the same numbered ball is drawn four times in the six test drawings, four additional test drawings are conducted. If the same numbered ball is drawn two times in the four additional test drawings, the primary ball set is rejected. The backup ball set is weighed, and if it falls within the manufacturer's weight tolerance, is placed in the primary drawing machine and tested using the testing criteria. If both the primary and backup ball sets fail the test drawings, the backup drawing machine will be used with the backup ball set and additional tests will be conducted. If the backup ball set fails the additional tests, another ball set will be selected and procedures will be followed as set forth in paragraphs (c), (d), and (e) until a ball set passes all required tests and procedures.

(6) Once a ball set has satisfactorily passed the required testing, the selected drawing machine is loaded by the Draw Manager, who randomly inserts the balls into the loading tubes.

(7) The two units of thirty-two balls each, located in the loading tubes of the MEGA MONEY machine are dropped into their respective mixing chambers and mixed by the action of an air blower.

(8) Four balls from the first unit of thirty-two balls and one MEGABALL from the second unit of thirty-two balls are drawn by vacuum action into the display tubes. The numbers shown on the four balls from the first unit and the number

shown on the one MEGABALL from the second unit are the official winning numbers for the drawing after certification by the Lottery Draw Manager and the accountant employed by the independent certified public accounting firm.

(9) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(10) Equipment used in each drawing is tested and inspected before and after each drawing and then secured. Ball sets used in each drawing are weighed and recorded before and after each drawing and then secured.

(11) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in paragraph (i). In using such substitute procedures, the Lottery shall strive to maintain the highest level of public confidence and integrity in MEGA MONEY drawings.

(12) The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

Specific Authority 24.105(10)(d)(f) FS. Law Implemented 24.105(10)(d)(f) FS. History—New \_\_\_\_\_.

#### 53-32.003 MEGA MONEY Prize Divisions.

(1) MEGA MONEY is a pari-mutuel game. For each draw, fifty percent of the net sales after cancels and promotional plays shall be allocated as the winning pool for the payment of the Grand Prize, second prize, third prize, fourth prize, fifth prize and sixth prize.

(2) The Grand Prize shall consist of thirty-five percent of the winning pool plus any money carried forward from previous draws. Prize money allocated to the Grand Prize pool shall be divided equally among the Grand Prize winners for that drawing. If there is not a Grand Prize winner in a drawing, the Grand Prize pool shall be carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(3) Second prize shall consist of three percent of the winning pool for the drawing. The second prize shall be divided equally among the second prize winners for that drawing. If there is not a winner in the second prize category for a drawing, the second prize pool shall be carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(4) Third prize shall consist of seven percent of the winning pool for the drawing. The third prize shall be divided equally among the third prize winners for that drawing. If there is not a winner in the third prize category for a drawing, the third prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(5) Fourth prize shall consist of thirty percent of the winning pool for the drawing. The fourth prize shall be divided equally among the fourth prize winners for that drawing. If there is not a winner in the fourth prize category for a drawing, the fourth prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(6) Fifth prize shall consist of ten percent of the winning pool for the drawing. The fifth prize shall be divided equally among the fifth prize winners for that drawing. If there is not a winner in the fifth prize category for a drawing, the fifth prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(7) The sixth prize shall consist of fifteen percent of the winning pool for the drawing. The sixth prize shall be divided equally among the sixth prize winners. If there is not a winner in the sixth prize category for a drawing, the sixth prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(8) Except for the Grand Prize, which will pay the exact amount, all prizes will be rounded down to the nearest fifty cents; provided, however, that the sixth prize shall be no less than \$1.00. All rounding differences will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

Specific Authority 24.105(10)(c), 24.115(1) FS. Law Implemented 24.105(10)(c), 24.115(1) FS. History—New \_\_\_\_\_.

#### 53-32.004 Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E) must match the official winning MEGA MONEY numbers for the draw date for which the ticket was purchased, in one of the following combinations:

(1) Grand Prize: Four numbers selected from the first draw unit plus the MEGABALL number selected from the second draw unit.

(2) Second Prize: Four numbers selected from the first draw unit excluding the MEGABALL number selected from the second draw unit.

(3) Third Prize: Three numbers selected from the first draw unit plus the MEGABALL number selected from the second draw unit.

(4) Fourth Prize: Three numbers selected from the first draw unit excluding the MEGABALL number selected from the second draw unit.

(5) Fifth Prize: Two numbers selected from the first draw unit plus the MEGABALL number selected from the second draw unit.

(6) Sixth Prize: Two numbers selected from the first draw unit excluding the MEGABALL number selected from the second draw unit.

Specific Authority 24.105(10)(c) FS. Law Implemented 24.105(10)(c) FS. History—New \_\_\_\_\_.

53-32.005 MEGA MONEY Odds of Winning.

(1) The odds of winning the prizes described in section 53-32.004, F.A.C., are as follows:

- (a) Grand Prize – 1:1,150,720
- (b) Second Prize – 1:37,120
- (c) Third Prize – 1:10,274
- (d) Fourth Prize – 1:331
- (e) Fifth Prize – 1:507
- (f) Sixth Prize – 1:16

(2) The overall odds of winning a prize in a MEGA MONEY drawing are 1:15.

Specific Authority 24.105(10)(c) FS. Law Implemented 24.105(10)(c) FS. History–New

53-32.006 MEGA MONEY Rules and Prohibitions.

(1) When purchasing a ticket to play the MEGA MONEY game, the player agrees to comply with and abide by all rules and regulations of the Lottery.

(2) The play slip is not a valid receipt.

(3) Tickets shall not be sold to persons under the age of eighteen.

(4) A MEGA MONEY ticket can be cancelled by the retailer which sold the ticket within twenty minutes after printing, except that no MEGA MONEY ticket shall be cancelled after game close for that drawing. No MEGA MONEY ticket may be cancelled except through the optical mark reader.

(5) A MEGA MONEY ticket cannot be purchased after game close for that drawing.

(6) It is the responsibility of the player to determine the accuracy of selected panels of numbers on ticket(s). In the event that ticket(s) sold to the player by the retailer contain selections which are not consistent with the player's selections, the player should immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel a ticket. A retailer is not required to cancel a ticket which is produced upon request of the player by the "quick pick" method of number selection.

Specific Authority 24.105(2)(a) FS. Law Implemented 24.105(2)(a), 24.117(2) FS. History–New

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE CHAPTER TITLE: Minimum Standards for Nursing Homes

RULE CHAPTER NO.: 59A-4

PURPOSE AND EFFECT: Conduct workshop for the development of minimum standards for nursing home transfer and discharge requirements and related issues in accordance with the provisions of HB 1971 passed during the 1999 Legislative Session.

SUBJECT TO BE ADDRESSED: Develop minimum standards for the purposes of notifying nursing home residents of transfer requirements, discharge requirements, and fair hearing entitlement in accordance with the provisions of HB 1971 passed during the 1999 Legislative Session.

SPECIFIC AUTHORITY: 400.23 FS.

LAW IMPLEMENTED: 400.011, 400.022, 400.141, 400.23 FS.

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

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

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room E, Tallahassee, FL 32303

TIME AND DATE: 10:00 a.m., September 17, 1999

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room E, Tallahassee, FL 32303

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Land Sales, Condominiums and Mobile Homes**

RULE TITLE: Time-Share Plans

RULE NO.: 61B-37

PURPOSE AND EFFECT: The purpose of this rule chapter 61B-37 amendment is to allow advertising filings by facsimile and electronic filings; to delete some of the vacation certificate filing requirements; and to amend and renumber BPR Form 518 to reflect the amendments to the rule. The effect of this rule, consistent with sections 721.11 and 721.111, Florida Statutes, is to give effect to rules that implement the statute in the regulation of the advertisement of timeshare periods.

SUBJECT AREA TO BE ADDRESSED: The rule addresses timeshare advertising and prize and gift promotional offers used to promote the sale of timeshare periods.

SPECIFIC AUTHORITY: 721.026 FS.

LAW IMPLEMENTED: 721.11, 721.111 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., September 10, 1999

PLACE: Fuller Warren Building, Conference Room, #B03, 202 Blount Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise

the agency at least 48 hours before the workshop by contacting Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THOSE PERSONS WHO CANNOT ATTEND IN PERSON MAY SUBMIT THEIR COMMENTS IN WRITING TO: Mary Denise O'Brien, Department of Business and Professional Regulation, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-1007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Laura Glenn, Chief, Bureau of Timeshare, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, or Mary Denise O'Brien, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1007

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: Certification of Registered Contractors  
 RULE NO.: 61G6-5.0035

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule which will provide language for a registered contractor to become certified and set forth the qualifications which must be met.

SUBJECT AREA TO BE ADDRESSED: Certification of Registered Contractors.

SPECIFIC AUTHORITY: 489.507, 489.514 FS.

LAW IMPLEMENTED: 489.514 FS.

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

TIME AND DATE: 2:30 p.m., or shortly thereafter on September 15, 1999

PLACE: The Radisson Hotel, Sabal Park, 10221 Princess Palm Avenue, Tampa, Florida 33610

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, Northwood Centre, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-5.0035 Certification of Registered Contractors.

(1) Any registered contractor who wishes to become a certified contractor in the appropriate category pursuant to the "grandfathering" provisions of Section 489.514, F.S., shall submit a completed "Application for Change of Status from Registered Contractor to Certified Contractor" on Form BPR/ECLB. \_\_\_\_\_, which is hereby incorporated by reference, effective \_\_\_\_\_, copy of which may be obtained from the Board office. The Board, upon receipt of such application, shall issue a certificate in the appropriate category provided that the applicant can show that he or she meets each of the following requirements:

(a) Currently holds a valid registered license in one of the contractor categories defined in Section 489.513(3), F.S.;

(b) Has passed a written, proctored examination for the appropriate category as a registered contractor which the Board has determined to be substantially similar to the examination required to be licensed as a certified contractor in the same category as the registered license. For purposes only of the "grandfathering" provisions of Section 489.514, F.S., a written, proctored examination such as those produced by the National Assessment Institute, Block and Associates, or NAI/Block would be considered acceptable by the Board;

(c) Has at least five years of experience as a contractor in the license category sought. Additionally, only that time when the registered license is active and the registered contractor is not on probation shall count towards the five years required for this provision;

(d) Building code administrators and inspectors who hold a registered license or licenses may also apply for certification under the "grandfathering" provisions of Section 489.514, F.S. In order to be eligible such inspector or administrator must have five years experience as an inspector in the category sought, or, if an administrator, must have five years experience with oversight in the category sought, at the time of application;

(e) Has not had his or her contractor's license revoked at any time, or had his or her contractor's license suspended within the last five years, or has been assessed a fine of more than five hundred dollars (\$500.00) within the last five years prior to application;

(f) Is in compliance with the insurance and financial responsibility requirements of Section 489.115(5), F.S.

(g) Has submitted proof of continuing education pursuant to Rule 61G6-9.0105, F.A.C.

(2) Documentation of the successful passage of a written, proctored examination such as those produced by the National Assessment Institute, Block and Associates, or NAI/Block must be submitted to complete the application. This shall be supplied on the verification of examination form compiled by the local building official in the county of registration.



Specific Authority 489.507, 489.514 FS. Law Implemented 489.514 FS. History—New

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Division of Resource Assessment and Management**

DOCKET NO.: 98-62R

RULE CHAPTER TITLE:   RULE CHAPTER NO.:

Regulation of Oil & Gas Resources:   62C-30  
Wetlands and Submerged Lands

RULE TITLE:   RULE NO.:  
Operations Within Coastal Waters   62C-30.007

PURPOSE AND EFFECT: The purpose of the workshop is to develop the final draft of a new rule which will set forth the requirements necessary and sufficient for engaging in oil and gas exploration activities in Florida’s coastal waters. The effect will be to better regulate exploration and production operations in Florida, onshore and offshore.

SUBJECT AREA TO BE ADDRESSED: Offshore exploration.

SPECIFIC AUTHORITY: 377.22, 377.24 FS.

LAW IMPLEMENTED: 377.21, 377.22, 377.241, 377.2425, 377.243, 377.371(1) FS.

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

TIME AND DATE: 9:30 a.m., September 13, 1999

PLACE: Conference Room 170, Carr Building, 3800 Commonwealth Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carolyn Stringer, Florida Geological Survey, 903 West Tennessee Street, Tallahassee, Florida 32304-7700, (850)487-2219

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel, (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62C-30.007 Operations Within Coastal Waters.

Operations within coastal waters shall mean all drilling and producing operations conducted on Lake Okeechobee or upon sovereign submerged lands below the mean high water line within the Atlantic Ocean or the Gulf of Mexico. All rules contained in Chapters 62C-25 through 30, FAC, shall also apply to operations within coastal waters unless clearly not applicable or unless superseded by this rule.

(1) Each Drilling Permit Application shall include an Organization Report, Application Fee, Surety Proposal, and 25 copies of the following items: Application to Drill, Vicinity Map, Well Location and Site Construction Plat, Site Characterization Report, Hurricane Plan, Well Design and Construction Plan, H<sub>2</sub>S Contingency Plan, Well Testing Plan,

Oil Spill Contingency Plan, Environmental Impact Report, and an Economic Impact Report. Applicants may use any of these items for more than one well by stating, under the appropriate item rubric in the current application, that a previously submitted item (identified by Item Name and Application under which it was submitted) will be used in lieu of a new item. Items substantially similar but not identical to the original item may be used by referencing the original item and attaching an addendum so as to update or make the referenced item fully applicable. Each of these items must be current at the time drilling operations begin but may be updated by addendum anytime prior to spudding.

(a) Organization Report (Form 1): File in accordance with 62C-25.008, FAC.

(b) Application Fee: File in accordance with 62C-26.003(8), FAC.

(c) Surety: File a proposal for a bond and/or other form of legal surety or financial responsibility as required under Section 377.2425(1)(c), F.S., together with an explanation of how the proposed surety amount was derived. The Department shall submit the proposed surety to the Administration Commission for its approval and shall treat the application as if complete with respect to the surety requirement. Should the Administration Commission not act within the time allotted under Chapter 120, F.S., the Department shall condition any permit granted upon the Commission’s approval of the surety prior to drilling. The proposed surety shall be sufficient to cover all potential costs based on the following criteria:

1. Maximum Oil Spill. Calculate the maximum potential oil spill by assuming a maximum possible blowout rate based on the following criteria:

a. duration of 120 days;  
b. the producing zone is completely penetrated by the well bore;

c. zero skin damage;  
d. maximum potential porosity, permeability, and formation pressure and;

e. expected degree API oil.

2. Adverse Hydrographic/Atmospheric Conditions. Assume average winds for the entire 120 day period resulting in maximum adverse impact to adjacent environments along the coast.

3. Natural Resource Damages. Use the procedure described in Section 376.121, F.S., to calculate potential natural resource damages. Estimates of habitat acreage used in the calculation shall be submitted together with references. Assume damage to all habitats coming in contact with oil at or above a threshold thickness of one millimeter and submerged habitats overlain by less than 2 feet of water at mean low tide.

4. Projected Cleanup Costs. Prepare and submit a professional estimate of the Projected Cleanup Costs based upon the above assumptions. Include every cost that would result from such a spill, including on the water recovery,

shoreline recovery, waste disposal, personnel and equipment, land-based support of any kind for each phase of cleanup activity, and direct cleanup costs borne by third parties (e.g. USCG, FDEP). Describe the entire cleanup process and explain the rationale for any assumptions used in the estimate and include references.

5. Surety Total. All types of provided surety (bonds, letters of credit, cash, proofs of financial responsibility, etc.) shall be counted toward the total amount of required surety. Should an applicant enter into a partnership that obligates each partner full responsibility for well abandonment and site restoration under Chapter 377, Part I, F.S., and these rules, then each partner may contribute a portion of the total required surety. However, proof of such partnership and various sureties shall be provided by the applicant(s) and submitted by the Department to the Administration Commission for approval.

(d) Application to Drill (Form 3). File in accordance with 62C-25.008, FAC.

(e) Vicinity Map. Provide a navigational chart or other area map of sufficient scale to show the general location of the well and surrounding area, including all important physical features which help fix the location relative to Florida's coastline and offsetting political subdivisions. This map shall include barrier islands, military zones, shipping lanes, navigational markers and hazards, disposal areas, artificial reefs, coastal towns, county lines, river mouths, drilling unit boundaries, proposed support vessel and helicopter routes, shore facilities, area well locations, parks, nature preserves, and other known major natural features. The surface hole shall be plotted and labeled with well name, latitude-longitude coordinates, and proposed vertical depth.

(f) Well Location and Site Construction Plat. File a well location and site construction plat prepared by a registered surveyor or engineer and drawn to a scale sufficiently large, commonly 1:1000, to show the information described below. The Plat may be based on LORAN, GPS, or any other equally accurate and appropriate method of measurement.

1. Elevation, surface and bottom hole location of the proposed well.

2. Drilling unit boundaries of the proposed well.

3. Bearings and distances to adjacent wells, proposed locations, and unleased acreage.

4. Rig orientation; location of rig feet; pilings; anchors; landings for support vessels, barges, and helicopters.

5. A written description of the process or plan of moving in and rigging up, including any construction necessary prior to spudding, especially with respect to potential impacts on the seafloor. Include any drawings, illustrations, specifications, or other information necessary to fully clarify the Plan.

(g) Site Characterization Report. File a complete, site specific, professional, biological-ecological-geological survey of the drilling pad and all seabottom within 1,000 yards of the proposed wellbore. The Report shall include a detailed

photodocumentation survey together with a complete written report of all findings. Should ambient conditions prevent clear photodocumentation, sidescan sonar, subbottom profiling, biological sampling and analysis or other similar methods shall be used as necessary to fully characterize the study area.

1. Photodocumentation. Each photodocumentation survey shall be conducted along at least 12 transects, each 1,000 yards long and 30 degrees from adjacent transects, radiating away from the proposed wellbore. Both television and still color photos of sufficient quality to accurately characterize the seabottom shall be taken. Still photos, encompassing a standard surface area of approximately .25 m<sup>2</sup>, shall be taken along each transect at intervals of no more than 200 yards. Should a biological community (encrusting growth, sea grass bed, etc.) be encountered along any transect, representative still photographs and continuous, narrated, video documentation of the entire community, regardless of distance from the transect, shall be taken. In addition, complete video documentation with explanatory audio track shall be provided for the full length of each transect.

2. Written Report. The written report shall explain the scientific rationale upon which the report is based and shall completely describe all ambient conditions in the study area. The Report shall include an introduction; a description of each piece of equipment used; a fully indexed diagram of each photodocumentation transect and each photo taken; a large scale map of the study area showing relative locations of transects, photos, biological communities and other findings; and a full discussion of all findings and conclusions, including descriptions of the substrate, habitats, fauna, flora, samples taken, geological hazards found, and potential environmental impacts at the rig site.

(h) Hurricane Plan. File a Hurricane Plan fully describing the rigs ability to withstand category five hurricanes and listing procedures to be employed at the drill site in the event of such a hurricane. Should the applicant wish to use the same Plan for subsequent wells, he/she may include the Plan by reference in the manner described in (1) above.

(i) Well Design and Construction Plan. Submit a Well Design and Construction Plan fully explaining how the well will be drilled and equipped or plugged and abandoned and the site restored. A copy of the Drilling Prognosis provided to the rig superintendent may be provided for this purpose, otherwise submit complete Casing and Cementing, Drilling, Drilling Mud, Blowout Prevention and Well Control, Well Completion, and Plugging and Site Restoration Programs, all with sufficient detail to demonstrate that all components meet petroleum industry and Department standards. Applicants wishing to use the same Plan or component(s) in subsequent applications may do so by referencing as described in (1) above.

(j) H<sub>2</sub>S Contingency Plan. Submit a complete H<sub>2</sub>S Contingency Plan for controlling H<sub>2</sub>S should it be encountered. Treat all aspects of H<sub>2</sub>S control in accordance with industry

standards. In addition, the plan must model H<sub>2</sub>S dispersion in sufficient detail to determine with reasonable certainty the minimum safe distance (breathable concentration of H<sub>2</sub>S) from the rig in the event of a worst case release. For modeling purposes, use an H<sub>2</sub>S concentration of 26% and a contour interval of 5 ppm. When conditions warrant, the applicant may use a previously filed H<sub>2</sub>S Contingency Plan by referencing as described in (1) above.

(k) Well Testing Plan. Explain how the well will be tested and what will be done with produced fluids. Describe the flare system, transport mode and route, landfalls and shore facilities with construction details, etc. Applicants may use previously filed WTP's by appropriate referencing as above. At the applicant's request, this requirement may be waived if the applicant wishes to apply for a drilling permit only and return at a later date for an Operating Permit to transport test fluids. Previously used plans may be included by reference or updated by addendum as described in (1) above.

(l) Oil Spill Contingency Plan. Submit an Oil Spill and Contingency Plan for the prevention, control, and removal of a 42,000 gallon model spill and designate the person responsible for implementing the plan. This plan must include Quality Control, Zero Discharge, Spill Trajectory, and Cleanup components as discussed below. The applicant may use a previously filed Plan by properly referencing it as defined above or may file an addendum to a previously filed substantially similar Plan so as to update or make it site specific, etc. Alternatively, the OSCP required by the MMS under 40 CFR Part 254 is sufficient to meet the requirements of this section and may be submitted in lieu of the Departments OSCP described herein.

1. Quality Control. Submit a monitoring plan sufficient to guarantee the earliest possible detection of any leaks or spills that may occur during drilling operations.

2. Zero Discharge. The prevention component shall include plans for the use of a Zero Discharge Rig complete with a plan of implementation to guarantee that the rig (and all associated activities) is employed to its full potential in preventing discharges of all kinds, including runoff, materials transported to or from the rig, and produced fluids.

3. Spill Trajectory. Submit an analytical model depicting anticipated movements of a 42,000 gallon model spill. Include trajectory analysis based on meteorological and oceanographic data and reference the models or standard analytical procedures used.

4. Control and Removal. Completely describe all aspects of the spill response capability with regard to both the restraint and cleanup of any spill that may occur. Address every contingency in all manageable wind and weather conditions, including notification list and procedures, locations and identities of response vessels and equipment, various transit times to spill area, personnel required, inventory of containment and cleanup materials and equipment maintained

on site, dispersants (if authorized), communications systems, and all other components necessary to complete a petroleum industry standards plan together with a complete discussion of the plan of operations which will be put into place in the event of such a spill.

(m) Environmental Impact Report. Submit a professional Environmental Impact Report addressing all known or likely environmental impacts that may result from drilling, testing, and either producing or abandoning the well and restoring the well site as planned may have assuming first, that there are no accidental discharges and second, a 42,000 gallon model spill. Explain the rationale underlying the report and describe each possible impact that could occur, including those on air quality, birds, marine communities, archaeological resources, coastal habitats, barrier islands, threatened or endangered species (e.g.: various sea turtles, plovers, manatees), water quality, and the seafloor. Previously filed Reports applicable to new applications may be included by reference as above. In instances where Reports are substantially similar but minor differences occur, addendums may be added to update or otherwise revise the original Report.

(n) Economic Impact Report. Submit a professional Economic Impact Report addressing all known or likely economic impacts drilling and testing the well as planned may have, again assuming no accidents of any kind and 2) assuming a 42,000 gallon model spill. Explain the rationale underlying the report and treat all known or suspected impacts to the various businesses and individuals who might be affected as well as to the area economy in general. Reports already on file with the Department may be included by reference and/or updated by addendum as above.

(2) Production Platforms. All requirements for drilling a well from a portable drilling rig apply equally to drilling additional wells from a production platform.

Specific Authority 377.22(2) FS. Law Implemented 377.21, 377.22, 377.241, 377.2425, 377.243, 377.371(1) FS. History--New

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: RULE NO.:  
 Renewal of Approval for 64B8-11.0015  
 Recognizing Agencies  
 PURPOSE AND EFFECT: The Board proposes the development of a rule to address the renewal procedure for approved recognizing agencies.  
 SUBJECT AREA TO BE ADDRESSED: Renewal of approval for recognizing agencies.  
 SPECIFIC AUTHORITY: 458.309, 458.3312 FS.  
 LAW IMPLEMENTED: 458.331(1)(d)(l)(n)(o), 458.3312 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: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-11.0015 Renewal of Approval for Recognizing Agencies.

Every recognizing agency approved by the Board pursuant to Rule 64B8-11.001 is required to renew such approval every three years.

(1) To facilitate Board review and renewal of approval each approved recognizing agency seeking to renew approval shall:

(a) Submit to the Board a written statement certifying that the recognizing agency's requirements continue to be as originally reviewed by the Board and that the recognizing agency continues to be in compliance with each of the requirements of Rule 64B8-11.001(2)(f)1.-7., Florida Administrative Code, or

(b) Submit to the Board a written statement stating any changes in the recognizing agency's requirements and providing a full description of such changes.

(2) Each written submission shall be filed with the Board at least three months prior to the third anniversary of the recognizing agency's initial approval and each subsequent renewal of approval by the Board. Upon review of the submission by the Board, written notice shall be provided to the recognizing agency indicating the Board's acceptance of the certification and the next date by which a renewal submission must be filed, or of the Board's decision that any identified changes are not acceptable and on that basis denial of renewal of approval as a recognizing agency.

(3) The recognizing agencies currently approved by the Board include:

(a) American Board of Facial Plastic & Reconstructive Surgery, Inc. (Approved February 1997).

(b) American Board of Pain Medicine. (Approved August 1999).

Any person interested in obtaining a complete list of approved recognizing agencies may contact the Board of Medicine or Department of Health.

Specific Authority 458.309, 458.3312 FS. Law Implemented 458.331(1)(d)(l)(n)(o), 458.3312 FS. History--New

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE TITLE: Examination Review Procedure  
 RULE NO.: 64B12-9.003

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the time frame for requesting an examination review.

SUBJECT AREA TO BE ADDRESSED: Examination review requests.

SPECIFIC AUTHORITY: 455.574(2) FS.

LAW IMPLEMENTED: 455.574(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Opticianry/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B12-9.003 Examination Review Procedure.

(1) No change.

(2) If, following the review of his examination, an applicant believes that an error was made in the grading of his examination, or in the evaluation of his answers, he may request that the Department review his examination. Requests for review must be in writing, state with specificity the reasons why review is requested, and be received by the Department within ~~twenty-one (21) thirty (30)~~ days after the applicant received notice that he failed the examination.

(3) No change.

Specific Authority 455.574(2) FS. Law Implemented 455.574(2) FS. History--New 12-6-79, Formerly 21P-9.03, Amended 4-22-90, Formerly 21P-9.003, 61G13-9.003, 59U-9.003, Amended

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE CHAPTER TITLE: Certification of Safe Drinking Water  
 RULE CHAPTER NO.: 64E-1

and Environmental Water Testing Laboratories

PURPOSE AND EFFECT: The department proposes to consolidate its environmental testing laboratory certification programs into one program operated according to consensus standards adopted at the National Environmental Laboratory Accreditation Conference. Accordingly, the scope of certification offered will be reorganized into accreditation tiers based on laboratory organizational function, scientific discipline, EPA regulatory program, test method, and analytes.

Because of the increased costs in operating the certification program, the certification fees assessed to laboratories need to change. Provisions to offer certification for the latest methods for air, drinking water, wastewater, hazardous waste, solid waste, and sludge testing need to be adopted into this rule.

SUBJECT AREAS TO BE ADDRESSED: Certification of Safe Drinking Water and Environmental testing laboratories and field sampling organizations, the scope of certification to be offered, fees charged to pending and certified laboratories, and criteria for laboratories to be certified.

SPECIFIC AUTHORITY: 403.0625(1), 403.863(1), 403.8635(3), 381.00591\* FS.

LAW IMPLEMENTED: 403.0625(1), 403.0625(2), 403.863(1), 403.863(4), 403.8635(1), 403.8635(3), 381.005918\* FS.

\*anticipated, currently at ch. 99-397, Section 54, General Laws of Florida.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 1:00 p.m., Tuesday, September 7, 1999

PLACE: Southwest County Regional Library, 20701 95th Avenue, South, Boca Raton, FL

TIME AND DATE: 9:00 a.m., Wednesday, September 8, 1999

PLACE: Lee County Agriculture Extension Service, Terry Park, 3410 Palm Beach Boulevard, Ft. Myers, FL

TIME AND DATE: 9:00 a.m., Thursday, September 9, 1999

PLACE: Tampa Bay Water, Board Room, 2535 Landmark Drive, Clearwater, FL

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

PLACE: Florida Department of Health, Emergency Medical Services, Conference Room, 2002 D Old St. Augustine Road, Tallahassee, FL

TIME AND DATE: 9:00 a.m., Tuesday, September 14, 1999

PLACE: Florida Department of Health, Bureau of Laboratories, Porter Auditorium, 1217 N. Pearl Street, Jacksonville, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Stephen A. Arms, Florida Department of Health, Bureau of Laboratories, P. O. Box 210, Jacksonville, FL 32231, (904)791-1502, SunCom 866-1502

**FLORIDA HOUSING FINANCE CORPORATION**

|                              |                   |
|------------------------------|-------------------|
| <b>RULE TITLES:</b>          | <b>RULE NOS.:</b> |
| Definitions                  | 67-45.001         |
| Notice of Fund Availability  | 67-45.002         |
| General Program Restrictions | 67-45.003         |
| Application Procedures       | 67-45.004         |
| Loan Processing              | 67-45.006         |

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-45, Florida Administrative Code (FAC), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement Home Ownership Assistance Program provisions authorized by Florida Statutes, Section 420.5088(4) and identify the definitions for terms when used in conjunction with the Single Family Revenue Bond Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Home Ownership Assistance Program funds and (2) ratification of universal terms, as well as, terms defined by the Florida Housing Finance Corporation when used in conjunction with the Single Family Mortgage Revenue Bond Program.

SPECIFIC AUTHORITY: 420.507(12),(23) FS.

LAW IMPLEMENTED: 420.507(23), 420.5088 FS.

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

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

PLACE: Florida Housing Finance Corporation, Sixth Floor Conference Room, 227 North Bronough Street, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Wallisa Cobb, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Linda Hawthorne, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-9770 (voice) or 1(800)988-8711 (TDD).

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

**FLORIDA HOUSING FINANCE CORPORATION**

|                              |                   |
|------------------------------|-------------------|
| <b>RULE TITLES:</b>          | <b>RULE NOS.:</b> |
| Definitions                  | 67-46.001         |
| Notice of Fund Availability  | 67-46.002         |
| General Program Restrictions | 67-46.003         |
| Loan Processing              | 67-46.006         |

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-46, Florida Administrative Code (FAC), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement Home Ownership Assistance

Program provisions authorized by Florida Statutes, Section 420.5088(4) and identify the definitions for terms when used in conjunction with the Single Family Revenue Bond Program.

**SUBJECT AREA TO BE ADDRESSED:** The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Home Ownership Assistance Program funds and (2) ratification of universal terms, as well as, terms defined by the Florida Housing Finance Corporation when used in conjunction with the Single Family Mortgage Revenue Bond Program.

**SPECIFIC AUTHORITY:** 420.507(12),(23) FS.

**LAW IMPLEMENTED:** 420.507(23), 420.5088 FS.

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

**TIME AND DATE:** 2:00 p.m., September 7, 1999

**PLACE:** Florida Housing Finance Corporation, Sixth Floor Conference Room, 227 North Bronough Street, Tallahassee, FL 32301

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Wallisa Cobb, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Linda Hawthorne, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-9770 (voice) or 1(800)988-8711 (TDD).

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

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

**SPECIFIC AUTHORITY:** 624.308(1) FS.

**LAW IMPLEMENTED:** 624.155 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., September 14, 1999

**PLACE:** Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Raleigh Close, Division of Consumer Services, Department of Insurance

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)922-3100, Ext. 4214.

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

4-123.002 Procedure.

(1) No change.

(2) As a condition precedent to bringing such action, the department and the insurer shall be given 60 days' written notice of the violation. The notice shall be submitted on Form DI4-363, "Civil Remedy Notice of Insurer Violation," rev. ~~11-98~~ ~~10-87~~, which is hereby adopted and incorporated by reference. The form may be obtained from and shall be submitted to the Department of Insurance, Bureau of Consumer Assistance, 200 East Gaines Street, Tallahassee, FL 32399-0300. No fee is required.

(3) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.155 FS. History--New 4-25-90, Formerly 4-103.002, Amended

## Section II Proposed Rules

### DEPARTMENT OF INSURANCE

**RULE TITLE:** Procedures **RULE NO.:** 4-123.002

**PURPOSE AND EFFECT:** To adopt and incorporate Form DI4-363 into rule by reference.

**SUMMARY:** The form DI4-363 was never incorporated in the rule.

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

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Raleigh Close, Department of Insurance

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Susanne Murphy, Division Director, Department of Insurance

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 23, 1999

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

**DEPARTMENT OF INSURANCE**

RULE TITLE: Mediation of Property Insurance Claims  
RULE NO.: 4-166.031

PURPOSE AND EFFECT: This rule is being amended to add language and adopt form DI4-1159 "Disposition of Property Insurance Mediation Conference and Company Remittance Form" and incorporate by reference.

SUMMARY: To add language and to adopt and incorporate by reference form DI4-1159 "Disposition of Property Insurance Mediation Conference and Company Remittance Form".

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

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

SPECIFIC AUTHORITY: 624.308(1), 627.7015(4) FS.

LAW IMPLEMENTED: 627.7015 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., September 21, 1999

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Raleigh Close, Senior Management Analysis II, Division of Consumer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0300

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)922-3110, Ext. 4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-166.031 Mediation of Property Insurance Claims.

(8)(a) through (b) No change.

(c) Disposition. Mediators and/or insurance companies shall report to the Department on the status of property insurance (other than commercial) mediation conferences by submitting Form DI4-1159, "Disposition of Property Insurance Mediation Conference and Company Remittance Form" (rev. 8/94), which is hereby adopted herein and incorporated by reference.

Specific Authority 624.308(1), 627.7015(4) FS. Law Implemented 627.7015 FS. History--New 8-18-94, Amended 5-1-96,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Raleigh Close, Division of Consumer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pam White, Insurance Administrator, Bureau of Consumer Assistance, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 1999

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

**DEPARTMENT OF INSURANCE**

RULE TITLE: Mediation of Bodily Injury and Property Damage Claims  
RULE NO.: 4-176.022

PURPOSE AND EFFECT: To adopt and incorporate by reference Form DI4-1121. "Invoice".

SUMMARY: Incorporation of form by reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 624.308(7), 627.745 FS.

LAW IMPLEMENTED: 627.745 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., September 16, 1999

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Raleigh Close, Division of Consumer Services, Department of Insurance

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)922-3100, Ext. 4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-176.022 Mediation of Bodily Injury and Property Damage Claims.

(5) Mediator

(a) through (g) No change.

(h) Invoice. Mediator shall bill the Department for their services associated with the automobile claim mediation conference by filing Form DI4-1121, "Invoice", which is hereby adopted herein and incorporated by reference. This form may be obtained from the Bureau of Consumer Services

Assistance, Division of Insurance, Consumer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0300.

Specific Authority 624.308(1), (7), 627.745(4) FS. Law Implemented 624.307(1), 626.171, 627.745 FS. History--New 3-14-93, Amended 8-6-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Raleigh Close, Department of Insurance  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Marta Arrington, Division Director, Department of Insurance  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 1999

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

|                                      |                   |
|--------------------------------------|-------------------|
| RULE CHAPTER TITLE:                  | RULE CHAPTER NO.: |
| Admission of Animals for Exhibition  | 5C-4              |
| RULE TITLES:                         | RULE NOS.:        |
| General Requirements and Limitations | 5C-4.001          |
| Cattle                               | 5C-4.002          |
| Swine                                | 5C-4.003          |
| Goats and Sheep                      | 5C-4.005          |

PURPOSE AND EFFECT: The purpose and effect of the rule changes are to modify Official Certificates of Veterinary Inspection (OCVI) exemptions of exhibition animals originating in and out of Florida.

SUMMARY: This rule modifies interstate and intrastate (OCVI) requirements.

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

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

SPECIFIC AUTHORITY: 585.002(4), 585.08(2), 585.08(2)(a), 585.145(1),(2) FS.

LAW IMPLEMENTED: 585.08(2)(a), 585.145(1),(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:

TIME AND DATE: 9:00 a.m., September 3, 1999  
PLACE: Department of Agriculture and Consumer Services, Conference Room, Room 316, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800

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

THE FULL TEXT OF THE PROPOSED RULES IS:

5C-4.001 General Requirements and Limitations.

(1) through (2) No change.

(3) Exemption to Required OCVI. An OCVI is not required for animals originating in the State of Florida as long as the following information is provided when the animal is presented for visual inspection at the exhibition to the attending veterinarian licensed in the state of Florida or to a representative of the department and entered in market classes provided that the animals are segregated from other animals and the pens are occupied only by the animals in a market class. Pens used for market classes must not be reused until after cleaning and disinfecting.

(a) The breed, name and registration number, and permanent identification such as tattoo, eartag number, microchip number, or brand.

(b) Results of a specific test requirement or herd certification or validation number for each animal with the date of the test or herd certification or validation.

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

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History--Amended 7-1-71, 8-7-77, 9-30-80, Formerly 5C-4.01, Amended 4-17-89, 1-19-95, 6-4-95, \_\_\_\_\_.

5C-4.002 Cattle.

(1) OCVI Required. Cattle except those exempted by 5C-4.001(3) for exhibition must be accompanied by an OCVI dated not more than 90 days prior to presentation and must be accompanied by evidence of completion of the test requirements or certifications listed in 5C-4.002(2).

(2) through (b)2. No change.

3. Exemption from Required Test.

a. Steers, ~~and~~ spayed heifers and cattle originating from a class free State or Area, are exempt from the brucellosis test requirement.

b. Cattle identified on the OCVI as originating from a Certified Brucellosis-Free Herd, as defined in rule 5C-6.002, Florida Administrative Code, or a Class Free Area, as defined in rule 5C-6.0031(4)(e)3., Florida Administrative Code, are exempt from the brucellosis test requirement. When certified, the herd certification number must be recorded on the OCVI.

c. through c. iv. No change.

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History--Amended 7-25-66, 11-15-67, 1-1-70, 7-1-71, 9-1-72, 8-7-77, 8-8-79, 9-30-80, 6-26-83, Formerly 5C-4.02, Amended 4-17-89, 1-19-95, \_\_\_\_\_.



5C-4.003 Swine.

(1) OCVI Required. All breeding swine for exhibition except those animals exempted from the OCVI requirements by 5C-4.001(3) must be accompanied by an OCVI dated not more than 90 days prior to presentation and must be accompanied by evidence of completion of the test requirements or certifications listed in 5C-4.003(2).

(2) through (3) No change.

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History—Amended 3-21-64, 6-20-68, 1-1-71, 3-1-72, Formerly 5C-4.03, Amended 4-17-89, 1-19-95,\_\_\_\_\_.

5C-4.005 Goats or Sheep.

(1) OCVI Required. Unless exempted by 5C-4.001(3) all Goats or sheep presented for exhibition in Florida must be accompanied by an OCVI dated not more than 90 days prior to presentation. Goats must be accompanied by evidence of completion of the test requirements or certifications listed in 5C-4.005(2).

(2) through (b) No change.

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History—New 11-4-76, Formerly 5C-4.05, Amended 4-17-89, 1-19-95, 6-4-95,\_\_\_\_\_.

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

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Continuing Education RULE NO.: 61-20.508

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the rule to include fees for the submission of a provider application and renewal of provider status for continuing education.

SUMMARY: The Board proposes to update the rule text to include an application fee of \$100.00 and \$100.00 renewal fee for continuing education providers seeking renewal of provider status.

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: 468.4315 FS.

LAW IMPLEMENTED: 468.4315(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: Ed Broyles, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61-20.508 Continuing Education.

(1) through (8) No change.

(9) Standards for Continuing Education Providers. Entities or individuals who wish to become approved providers of continuing professional education shall make application, on BPR form 33-011, COMMUNITY ASSOCIATION MANAGER'S CONTINUING EDUCATION PROVIDER APPROVAL APPLICATION, to the division.

(a) through (g) No change.

(h) Each provider application shall contain the following information, ~~and~~ shall be accompanied by the following documentation, a \$100.00 application fee, and other information required by BPR form 33-011, Community Association Manager's Continuing Education Provider Approval Application:

1. No change.

2. ~~a.~~ Type 1 providers shall submit their certification and qualification plan for adjunct and non-credit professors. In addition to this plan, the instructor shall have at least 4 years experience in the subject matter being taught.

~~3. b.~~ Type 2 providers shall submit the qualifications of all instructors who will be presenting courses during the period of providership. These qualifications at a minimum shall include instructional experience and:

~~a. (i)~~ A bachelor's degree and 2 years' experience in the subject matter being taught; or

~~b. (ii)~~ An associate's degree and 4 years' experience in the subject matter being taught; or

~~c. (iii)~~ Six years' experience in the subject matter being taught.

Should additional instructors be added during the period of providership, the providership application shall be supplemented with the instructor's qualifications at least 30 days prior to actually instructing the course.

4.3. Any additional information relating to the qualifications of the applicant or application and the appropriateness of approval upon request of the division.

(i) through (j) No change.

(k) Continuing education providers seeking renewal of provider status shall resubmit the materials and information requested in subsection (9)(h) along with a \$100.00 renewal fee.

Specific Authority ~~468.4315, 468.433~~ FS. Law Implemented ~~468.4315(2), 468.433~~ FS. History--New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55.008, 61B-55.008, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Professions, Asbestos Abatement**

RULE TITLE: Fees; License Renewal; Active, Inactive and Delinquent Licenses; Change of Status  
 RULE NO.: 61E1-3.001

PURPOSE AND EFFECT: The Department is amending the above referenced rule relating to the regulation of asbestos abatement. The purpose is to make changes to certain required fees and revise requirements for the renewal of business organization and qualifying agent licenses.

SUMMARY: Changes are being made to Rule 61E1-3.001 to provide a separate fee for the renewal of business organizations and change fee amounts for renewal and inactive status fees for asbestos consultants and contractors.

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: 469.008, 469.011 FS.

LAW IMPLEMENTED: 455.271, 469.006, 469.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Thomas, Chief Attorney, Office of General Counsel, 1940 N. Monroe St., Tallahassee, FL 32399-0792

THE FULL TEXT OF THE PROPOSED RULE IS:

61E1-3.001 Fees; License Renewal; Active, Inactive and Delinquent Licenses; Change of Status.

(1) The following fee schedule is adopted by the Department regarding the applications, initial licensure, examinations, delinquent licenses, reactivation, change of status, active and inactive licenses, renewals, late renewals, unlicensed activities, transfers, and changing a qualifying agent or financially responsible officer, for asbestos consultants and asbestos contractors, and for business organizations or qualified agents proposing to engage in consulting or contracting under a name other than the applicant's legal name, pursuant to Sections 455.203(1), 455.271, 455.2281, 469.006, 469.008, F.S.:

- (a) Application fee \$300.00
- (b) Initial License fee \$500.00
- (c) Delinquent fee \$250.00
- (d) Reactivation fee \$100.00
- (e) Biennial License Renewal fee for Asbestos Consultants and Asbestos Contractors, ~~Business Organizations, Qualifying Agents~~ \$300.00 ~~\$250.00~~
- (f) Biennial License Renewal fee for Business Organizations \$500.00
- (g)(~~f~~) Biennial Inactive License Renewal fee for Asbestos Consultants, Asbestos Contractors \$200.00 ~~\$250.00~~
- (h)(~~g~~) Examination fee \$400.00
- (i)(~~h~~) Reexamination fee \$400.00
- (j)(~~i~~) Change of Status fee \$100.00
- (k)(~~j~~) Unlicensed Activity fee \$5.00
- (l)(~~k~~) To add or change a Financial Officer \$100.00
- (m)(~~l~~) To change a Qualifying Agent \$100.00
- (n)(~~m~~) Transfer fee \$200.00

(2) All fees shall be made payable to: The Department of Business and Professional Regulation.

(3) An asbestos consultant, asbestos contractor, business organization or qualifying agent shall renew his or her license on or before November 30 of each biennial year. If an asbestos consultant, asbestos contractor, business organization or qualifying agent makes a written request to change a qualifier or financially responsible officer during the biennial period, the department shall charge the respective changing fee and a transfer fee.

(4) Any license, ~~other than a business organization or qualifying agent license~~, which is not renewed prior to the end of each biennium renewal period, shall automatically revert to a delinquent status.

(a) through (d) No change.

~~(e) The failure of a business organization or qualifying agent to renew his or her license prior to the expiration of the current licensure period shall render said license null without any further action by the department. Thereafter, any subsequent licensure of a business organization or qualifying agent shall be as a result of applying for and meeting all requirements imposed on an applicant for new licensure.~~

~~(e)(f)~~ A business organization shall not be required to take an examination or reexamination.

~~(f)(g)~~ The department shall conduct an investigation to determine whether an applicant, whose license has become null, has met the minimum qualifications for new licensure.

(5) through (6) No change.

Specific Authority ~~455.271, 469.004(6), 469.006, 469.008, 469.011~~ FS. Law Implemented 455.271, 469.006, 469.008 FS. History—New 9-22-94, Amended 10-17-95, 10-29-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
George Ayrish  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ila Jones, Executive Director  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 11, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: \_\_\_\_\_ RULE NO.:

Continuing Education Approval of Subjects and Providers 61G1-24.002

PURPOSE AND EFFECT: The proposed rule amendment will incorporate by reference the 1999 Architecture Continuing Education Handbook.

SUMMARY: The Board is amending this rule to incorporate the 1999 version of the publication, entitled "Architecture Continuing Education Handbook."

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: 481.215 FS.

LAW IMPLEMENTED: 481.215 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: Dee O'Conner, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-24.002 Continuing Education Approval of Subjects and Providers.

The approval of continuing education courses and providerships is covered in-depth by the Board's publication "Architecture Continuing Education Handbook" (1999) ~~(1996)~~ which is hereby incorporated by reference, effective \_\_\_\_\_, copy of which may be obtained from the Board office.

Specific Authority 481.215 FS. Law Implemented 481.215 FS. History—New 1-17-96, Amended 10-8-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Architecture and Interior Design  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 5, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLE: \_\_\_\_\_ RULE NO.:

Fees 61J1-2.001  
PURPOSE AND EFFECT: The purpose and effect of the rulemaking hearing is to discuss the amendment, which would allow the Appraisal Board to increase the current fee for processing fingerprint cards.

SUMMARY: Pursuant to Section 142, Chapter 99-251, Laws of Florida, the Florida Real Estate Appraisal Board now has statutory authority to have fingerprint cards processed by the Federal Bureau of Investigation as well as the Florida Department of Law Enforcement. The fee for processing the fingerprint cards with both agencies is \$39.00.

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: 215.34, 215.405, 455.2281, 455.217, 475.6147, 475.615, 475.618, 475.619, 475.630 FS.

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

TIME AND DATE: 9:00 a.m., October 12, 1999  
PLACE: Office of 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, Suite N308, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61J1-2.001 Fees.
- (1) through (12) No change.
- (13) Fingerprint Card Processing Fee ~~\$39.00~~ ~~\$15.00~~.
- (14) No change.

Specific Authority 475.614 FS. Law Implemented 215.34, 215.405, 455.2281, 455.217, 475.6147, 475.615, 475.618, 475.619, 475.630 FS. History—New 10-15-91, Amended 6-7-92, 5-6-93, Formerly 21VV-2.001, Amended 9-22-93, 7-5-94, 5-22-95, 8-20-96, 11-11-97, 10-1-98, 10-29-98, 1-7-99,\_\_\_\_\_.

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: August 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLE: Application for Courses  
PURPOSE AND EFFECT: Pursuant to 120.74, F.S., and its review of Chapter 61J1, FAC, the Appraisal Board is deleting this rule because it is unnecessary.

RULE NO.: 61J1-4.004

SUMMARY: The Board determined it is unnecessary to notify applicants to submit registration forms, fees for registration and other required administrative material related to any approved or prescribed course directly to the authorized institution, organization or school offering courses.

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 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., October 12, 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 N308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61J1-4.004 Application for Courses.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615 FS. History—New 10-15-91, Formerly 21VV-4.004, Repealed\_\_\_\_\_.

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: August 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLE: Continuing Education for School Instructors  
PURPOSE AND EFFECT: Pursuant to 120.536(2), F.S., and 120.74, F.S., in its review of Chapter 61J1, the Appraisal Board is amending subsection (3) to give the Board the sole authority to establish instructor-course standards and deleting subsection (5) to remove the exemption provided to active members of The Florida Bar.

RULE NO.: 61J1-4.008

SUMMARY: The Board determined it is necessary to amend subsection (3) to give sole authority to the Appraisal Board to establish the standards for the minimum 14-classroom hours of courses that the instructors are required to satisfactorily complete in real estate appraisal subjects and the Uniform Standards of Professional Appraisal Practice (USPAP). Currently, the subsection allows the standards to be established by the Appraisal Board and individual institutions and schools offering the courses.

Secondly, the Board determined that it had no authority for subsection (5) under s. 120.536(1), F.S., to allow active members in good standing with The Florida Bar holding a current school instructor permit an exemption from the continuing education requirements of this rule.

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: 475.618 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., October 12, 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 N308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.008 Continuing Education for School Instructors.

(1) through (2) No change.

(3) Satisfactorily completion of the board conducted 7-classroom hour seminar is demonstrated by attending all 7-classroom hours of instruction. Satisfactory completion of the remaining classroom hours of instruction is demonstrated by attending the board approved course(s) in accordance with the standards established by the board in Rule 61J1-4.003(3), Florida Administrative Code ~~individual institution, school or board approved entity offering said course.~~

(4) No change.

~~(5) Active members in good standing with The Florida Bar holding a current school instructor permit are exempt from the continuing education requirement of this rule.~~

Specific Authority 475.614 FS. Law Implemented 475.618 FS. History--New 10-1-95, Amended 9-6-98.

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: August 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLE: Experience Requirement RULE NO.: 61J1-6.001

PURPOSE AND EFFECT: The Board is amending the rule to add Florida local government employees and federal government employees as those who may have their experience requirement verified by affidavit when they apply for licensure or certification. Currently, only specific Florida state employees may submit the affidavit.

SUMMARY: The Board determined it is necessary to expand those government employees who may request a licensed or certified real estate appraiser in an appraisal supervisory capacity to verify by affidavit the experience of the applicant. The affidavit applies when statutory restrictions on the release of appraisal-related work product prevent the applicant from using forms 501.3 and 501.4.

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: 475.617 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., October 12, 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 N308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-6.001 Experience Requirement.

(1) through (6) No change.

(7) An applicant for licensure or certification who is employed by ~~the state~~ or local government in Florida or by the federal government may have the experience verified by affidavit when the applicant, due to statutory restrictions on the release of appraisal related work product, is unable to verify experience on forms 501.3 and 501.4. The experience for such an applicant must be verified by an affidavit from a licensed or certified real estate appraiser who is in an appraisal supervisory capacity to the applicant.

Specific Authority 475.614 FS. Law Implemented 475.617 FS. History—New 10-15-91, Formerly 21VV-6.001, Amended 9-22-93, 9-6-94, 2-19-98, 9-6-98, \_\_\_\_\_.

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: August 3, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: July 16, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES: Examination Fee  
 Application, Certification, Registration,  
 and Licensure Fees  
 Renewal Fees

RULE NOS.: 64B8-3.001  
 64B8-3.002  
 64B8-3.003

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify examination fees and the fees for changing an active license to a limited license.

SUMMARY: The proposed amendment to Rule 64B8-3.001 clarifies the fee for the examination pursuant to section 358.3115, F.S. The amendments to rules 64B8-3.002 and 3.003 specify that fees will be waived for those licensees seeking to convert an active license to a limited license provided no compensation is involved.

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: 455.564, 455.587, 455.711, 458.309, 458.311, 458.313, 458.3124, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

LAW IMPLEMENTED: 455.564, 455.587, 455.711, 458.311, 458.3115, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.345, 458.347 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., September 21, 1999  
 PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES 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 RULES IS:

64B8-3.001 Examination Fee.

~~(1) USMLE or FLEX:~~ The examination fee for a person desiring to be licensed as a physician who is required to sit for an examination, as provided by Section ~~458.3115~~ ~~458.311~~ ~~or~~ ~~458.3124~~, F.S., the Department shall charge examinees a fee not to exceed 25 percent of the actual cost of the first examination administered pursuant to section 458.3115, F.S., and a fee not to exceed 75 percent of the actual costs for any subsequent examination administered pursuant to Section 458.3115, F.S. shall be \$300.00 plus the actual cost of purchasing the examination from the Federation of State Medical Boards of the U.S., Inc., and the National Board of Medical Examiners or a similar national organization. The examination fee must be submitted with the application form and application fee, but the examination fee is refundable if the applicant is found to be ineligible to take the examination. An applicant who fails to take the USMLE after being approved to do so may apply for a refund equal to the actual per applicant cost to the Department for purchase of the examination, and provided that the Department does not have to pay for the examination, a refund will be provided.

~~(2) USMLE STEP III, only:~~ A nonrefundable administration fee for a person who is participating in an allocated slot in an allopathic training program in this state on a full-time basis at the time of examination is \$50, the examination fee is \$300, plus the actual cost per person to the department for the purchase of the examination from the Federation of State Medical Boards of the United States, and the National Board of Medical Examiners or a similar national organization. The examination fee is refundable if the person is found to be ineligible to take the examination.

Specific Authority 458.311(1)(a), 458.309 FS. Law Implemented 458.311(1)(a), 458.3124 FS. History—New 12-5-79, Amended 11-10-82, 11-29-84, 12-4-85, Formerly 21M-19.01, Amended 12-4-86, 11-11-90, Formerly 21M-19.001, 61F6-19.001, Amended 9-8-94, 12-11-95, 9-1-96, Formerly 59R-3.001, Amended 8-18-98, \_\_\_\_\_.

64B8-3.002 Application, Certification, Registration, and Licensure Fees.

The following fees are prescribed by the Board:

(1) An application fee in the amount of \$210.00 for a person desiring to obtain the following:

(a) through (d) No change.

(e) As provided in Section 458.317, F.S., if the person converting a full, unrestricted license to a limited license, submits a notarized statement from the employing agency or institution that the applicant will not receive monetary compensation for any service involving the practice of medicine, the application fee, licensure fee, and neurological birth-related compensation fee shall be waived.

(2) through (8) No change.

Specific Authority 455.564, 455.587, 458.309, 458.311, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS. Law Implemented 455.564, 455.587, 458.311, 458.3115, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.345, 458.347 FS. History—New 12-5-79, Amended 11-10-82, 8-11-85, 10-24-85, Formerly 21M-19.02, Amended 12-4-86, 11-3-87, 7-4-88, 10-23-89, 11-12-89, 11-11-90, 1-16-91, 1-9-92, 2-10-92, 9-7-92, Formerly 21M-19.002, Amended 9-21-93, Formerly 61F6-19.002, Amended 2-13-95, 2-20-96, 6-24-96, Formerly 59R-3.002, Amended 6-7-98, 8-11-98, 11-22-98,\_\_\_\_\_.

64B8-3.003 Renewal Fees.

(1) No change.

(2) The following renewal fees are prescribed by the Board:

(a) Biennial renewal fee for physicians licensed pursuant to Sections 458.311, 458.3115, 458.3124, and 458.313, F.S., for physicians holding a limited license; and for physicians holding a medical faculty certificate as a distinguished medical scholar, a temporary certificate for practice in areas of critical need, a public psychiatry certificate, or a public health certificate shall be \$350.00. However the following exceptions shall apply:

1. No change.

2. Any person holding an active license to practice medicine in the state may convert that license to a limited license for the purpose of providing volunteer, uncompensated care for low-income Floridians. The applicant must submit a statement from the employing agency or institution stating that he or she will not receive compensation for any service involving the practice of medicine. The application and all licensure fees, including neurological injury compensation assessments, shall be waived.

2. through 3. renumbered 3. through 4. No change.

(b) No change.

Specific Authority 455.587, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS. Law Implemented 455.587(1), 455.711(3), 458.319(1), 458.345(4) FS. History—New 12-5-79, Amended 10-24-85, Formerly 21M-19.03, Amended 12-4-86, 11-3-87, 5-24-88, 11-15-88, 11-12-89, 1-9-92, Formerly 21M-19.003, Amended 9-21-93, 4-14-94, Formerly 61F6-19.003, Amended 10-10-95, 6-24-96, 1-26-97, Formerly 59R-3.003, Amended 6-7-98, 8-11-98,\_\_\_\_\_.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 30, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES: Examinations  
Licensure Examination Pursuant to Section 458.3115, Florida Statutes

RULE NOS.: 64B8-5.001  
64B8-5.002

Examination Review Procedures 64B8-5.003  
Examination Application Deadlines 64B8-5.004

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify rules with regard to examinations and recent statutory changes.

SUMMARY: The proposed rule amendments clarify examination scores and make changes to conform the rules to the statutes.

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

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

SPECIFIC AUTHORITY: 458.309, 458.311, 458.313, 455.574(1), 458.3115(4) FS.

LAW IMPLEMENTED: 458.311, 458.313, 458.3115 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., September 21, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES 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 RULES IS:

64B8-5.001 Examinations.

(1) No change.

(2) Any applicant who attempts to qualify for licensure by successfully completing the USMLE first used in 1994 shall meet the following requirements:

(a) No change.

(b) An applicant must achieve a weighted score of no less than 75 on each step in order to be eligible for licensure in Florida.

(3) through (4) No change.

(5) Pursuant to Subsection 458.311(1)(h) and 458.313(2)(b), F.S., ~~and for the purpose of examining any applicant for licensure pursuant to Subsection 458.311, F.S., who is currently licensed in at least one other jurisdiction of the United States or Canada, and who has practiced pursuant to such license for a period of at least ten (10) years, and who does not meet the ten (10) year requirement regarding examination scores as set forth in Subsection 458.313(1)(b); F.S.,~~ the Board approves and designates the use of the Special Purpose Examination of the Federation of State Medical Boards of the United States (SPEX). An applicant must

achieve a score of no less than 75 on the SPEX to be eligible for licensure in Florida. For purposes of this provision, a score of 75 or more on the SPEX which is received within four (4) years of filing an application for licensure will be accepted as completion of the examination requirement. If such score is obtained outside of Florida the applicant will not be required to re-take the SPEX or pay the fee required for purchase of the SPEX.

Specific Authority 458.309, 458.311, 458.313, 455.574(1) FS. Law Implemented 458.311, 458.313 FS. History--New 12-5-79, Amended 11-10-82, 11-28-84, 3-13-85, 8-11-85, 12-4-85, Formerly 21M-21.01, Amended 2-16-86, 12-16-86, 5-10-89, Formerly 21M-21.001, Amended 5-9-94, Formerly 61F6-21.001, Amended 10-18-94, 1-2-95, Formerly 59R-5.001, Amended 8-18-98,\_\_\_\_\_.

64B8-5.002 Licensure Examination Pursuant to Section 458.3115, Florida Statutes.

For the purpose of seeking licensure pursuant to section 458.3115, Florida Statutes, the Board of Medicine interprets the phrase "successful completion of the licensure examination" as requiring a passing score of no less than 75 on each part of the FLEX or USMLE or a scaled score of 350 on the equivalent parts of the Department-developed examination (FMLE) within the time frame set forth in section 458.3115, F.S.

(1) through (7) No change.

(8) Applicants may use a combination of FLEX and FMLE scores to establish successful completion of both parts of the licensure examination (e.g., FLEX, Part I with a score of 75 and FMLE, Part II, with a scaled score of 350).

Specific Authority 455.574(1)(b), 458.3115(4) FS. Law Implemented 458.3115 FS. History--New 4-27-99, Amended\_\_\_\_\_.

64B8-5.003 Examination Review Procedures.

An applicant is entitled to review his examination questions, answers, papers, grades and grading key used in the examination under such terms and conditions as may be prescribed by the Department of Health, ~~unless prohibited or limited by rules implementing security or access guidelines of the Federation of State Medical Boards of the United States, Inc.~~

Specific Authority 455.574(2), 458.309 FS. Law Implemented 455.574(2), ~~455.11~~, 458.315 FS. History--New 12-5-79, Formerly 21M-21.03, 21M-21.003, 61F6-21.003, 59R-5.003, Amended\_\_\_\_\_.

64B8-5.004 Examination Application Deadlines.

(1) The application deadline for the FMLE May administration of the licensure examination shall be 105 working days prior to the examination ~~November 1~~.

~~(2) The application deadline for the December administration of the licensure examination shall be June 1.~~

(2)(3) The application may not be used for more than one year from the date of original submission of the application. After one year from the date of the original submission of an

application, a new application and new application fee shall be required from any applicant who desires to sit for the FMLE licensure examination.

Specific Authority 458.309 FS. Law Implemented 458.311 FS. History--New 12-4-85, Formerly 21M-21.04, Amended 7-27-89, 1-1-92, Formerly 21M-21.004, Amended 11-4-93, 5-9-94, Formerly 61F6-21.004, 59R-5.004, Amended 6-7-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rules Committee, Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 30, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Previously Inactive Applicants; Limited License

RULE NO.: 64B8-7.002

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the conversion of an active license to a limited license.

SUMMARY: The proposed rule amendment clarifies criteria for the change from an active license to a limited license and provides for a waiver of fees.

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, 458.317 FS.

LAW IMPLEMENTED: 458.317 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., September 21, 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:

64B8-7.002 Previously Inactive Applicants; Limited License.

(1) through (2) No change.



(3) An active licensee converting to a limited license shall submit a request to convert the license which shall include a statement from the employing institution or agency that he or she will not receive any compensation for any service involving the practice of medicine. In this event a waiver of fees is provided as set forth in 64B8-3, F.A.C.

Specific Authority 458.309, 458.317 FS. Law Implemented 458.317 FS. History--New 3-31-80, Formerly 21M-25.02, Amended 1-1-92, Formerly 21M-25.002, 61F6-25.002, 59R-7.002, Amended \_\_\_\_\_.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 30, 1999

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: HIV/AIDS Education or End-of-Life Care

RULE NO.: 64B8-13.006

and Palliative Health Care Education

PURPOSE AND EFFECT: The proposed rule amendment is intended to implement a statutory change permitting end-of-life care and palliative health care continuing education to substitute for HIV/AIDS continuing education.

SUMMARY: The proposed rule amendment permits licensees to substitute continuing education in end-of-life care and palliative health care for HIV/AIDS 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: 458.309, 458.319(4) FS.

LAW IMPLEMENTED: 455.604, 458.319(4) FS.

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

TIME AND DATE: 10:00 a.m., September 21, 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:

64B8-13.006 HIV/AIDS Education or End-of-Life Care and Palliative Health Care Education.

(1) thorough (2) No change.

(3) Notwithstanding the provisions of subsections (1) and (2), above, a physician may complete continuing education on end-of-life care and palliative health care in lieu of continuing education in HIV/AIDS, if that physician has completed the HIV/AIDS continuing education in the immediately preceding biennium. This allows for end-of-life care and palliative health care continuing education to substitute for HIV/AIDS continuing education in alternate bienniums.

~~(4)~~(3) No change.

Specific Authority 458.309, ~~458.319(4)~~ FS. Law Implemented 455.604, ~~458.319(4)~~ FS. History--New 11-15-88, Amended 1-1-92, 9-15-92, Formerly 21M-28.005, 61F6-28.005, Amended 5-7-96, 1-26-97, Formerly 59R-13.006, Amended \_\_\_\_\_.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 30, 1999

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Forestry**

RULE NOS.: 5I-2.003  
5I-2.004  
5I-2.006

RULE TITLES:  
Definitions  
Open Burning Not Allowed  
Open Burning Allowed

**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. 22, June 4, 1999 issue of the Florida Administrative Weekly:

1. The word stagnation was added to 5I-2.004(1)(d).

~~(d)~~(4) Open burning when the Department of Environmental Protection (DEP) determines that ambient air concentrations of total regulated particulate matter or ozone exceeds or potentially may exceed the primary or secondary standards for these pollutants or DEP issues an air quality/stagnation advisory that pertains to the National Ambient Air Quality Standards (NAAQS).

2. The word repeatedly was added and the word will instead of shall in 5I-2.004(2).

2. Open burning authorizations will be denied to any burner who repeatedly violates Florida law or agency rules. This denial remains in effect until the concern that caused the denial has been mitigated in consultation with the Division of Forestry field unit manager.

3. The word will has replaced may in section 5I-2.006(1) In the event that the Division determines that there is a threat to life, public safety or property immediate suppression action will be taken.

4. The word repeatedly has been added and the word will has replaced may in 5I-2.006(2)(e). Decertification. The Commissioner of Agriculture will revoke any Certified Prescribed Burn Manager's certification if they demonstrate that their practices and procedures repeatedly violated Florida law or agency rules or is a threat to public health, safety, or property.

5. The word shall has replaced will in 5I-2.006(3)(c)1.d. Exception to Setbacks – An exception to the setbacks in 5I2.006(3)1. a., b., and c. will be granted if the affected parties agree in writing to allow the burn to take place.

6. 5I-2.006(3)(c)2. has been deleted – this section deals with the demolition of a structure. The Department of Agriculture's F.S. 590 does not grant authority for this type of burning.

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.:                    RULE TITLE:  
6D-2.002                    Philosophy

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above proposed rule amendment published in The Florida Administrative Weekly, Vol. 25, No. 27, July 9, 1999 has been withdrawn.

**DEPARTMENT OF THE LOTTERY**

RULE NO.:                    RULE TITLE:  
53-16.009                    Administrative Leave

**NOTICE OF CHANGE**

Notice of Change is hereby given that the following changes have been made to the proposed rule based upon comments received from the Joint Administrative Procedures Committee. The rule was originally published in Vol. 25, No. 21 of the May 28, 1999 issue of the Florida Administrative Weekly. The rule shall now read as follows:

(15) Mentoring and Tutoring Activities.

(a) through (d) No change.

~~Accrual and payment of administrative leave. If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such unused leave.~~

(16) This section applies to employees who are filling authorized and established positions.

~~(17) An employee who is terminated from employment due to abolishment of his or her position can be placed on administrative leave with pay and full benefits for up to thirty (30) calendar days.~~

~~(18) An employee who is terminated from employment for any reason other than abolishment of his or her position can be placed on administrative leave with pay and full benefits, in lieu of notice, for up to ten (10) consecutive workdays.~~

~~(17)(19) All requests for leave pursuant to this rule shall be in writing prior to the initial date of leave, when possible.~~

Specific Authority 24.105(10)(j) FS. Law Implemented 24.105(20)(d) ~~24.105(21)(d) FS. History–New 2-25-93, Amended 8-15-93.~~

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE NO.:                    RULE TITLE:  
61G1-12.004                    Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

**SECOND NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 10, March 12, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee and comments received from the additional public hearing held on August 5, 1999 in Naples, Florida. Subsections (1) and (2) of the rule shall now read as follows:

(1) The board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating Chapter 481, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 481. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapter 481 or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty.

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

| VIOLATION   | PENALTY RANGE  |  |  | Felony: One (1) year suspension, followed by two (2) years probation and \$1000 fine   | Revocation and \$1000 fine   |
|---|--|--|--|--|--|
|   | MINIMUM  | MAXIMUM  |  |  |  |
| (a) Failure to date plans (481.221(1)(a), F.S.)   |  | \$250 fine   |  |  |  |
| First Offense   | Reprimand  | \$250 fine   |  |  |  |
| Second Offense  | \$500 fine   | Probation and \$500 Fine   | Second Offense   | Misdemeanor: \$1000 fine suspension followed by two (2) years probation  | \$3000 fine and two (2) years  |
| Third Offense   | Probation and \$1000 fine  | Suspension and \$5000 fine   |  |  |  |
| (b) Signing or sealing work not competent to perform (481.221(2), (3), F.S.)  |  |  |  |  |  |
| First Offense   | Reprimand and \$1000 fine  | \$1000 fine and one (1) year suspension followed by two (2) years probation  | Third Offense  | Felony: Revocation and \$1000 fine   | Revocation and \$5000 fine   |
| Second Offense  | \$2000 fine and (2) two years probation  | \$3000 fine and two (2) years suspension followed by two (2) years probation | (h) Practice on suspended license (481.225(1)(h), F.S.)  | Misdemeanor: \$3000 fine and two (2) years suspension followed by two (2) years probation  | \$5000 fine and revocation   |
| Third Offense   | \$5000 fine and one (1) year suspension followed by two years probation  | \$5000 fine and revocation   | (i) Practice on inactive or delinquent license (481.225(1)(f) & (d), F.S.)                           | Revocation and \$1000 fine   | Revocation and \$1000 fine   |
| (c) "Plan stamping" (481.221(4), (5), F.S.)   |  |  |  |  |  |
| First Offense   | Reprimand and \$1000 fine  | \$1000 fine and one (1) year suspension followed by two (2) years probation  |  | Fine based on length of time in practice while inactive; or delinquent \$100/month to \$1000 maximum (penalty will require license to renew or cease practice) | One (1) year suspension followed by one (1) year probation and \$1000 fine   |
| Second Offense  | \$2000 fine and (2) two years probation  | \$3000 fine and two (2) years suspension followed by two (2) years probation | Second Offense   | One (1) year suspension followed by one (1) year probation and \$2000 fine   | Two (2) years suspension followed by two (2) years probation and \$3000 fine |
| Third Offense   | \$5000 fine and one (1) year suspension followed by two years probation  | \$5000 fine and revocation   | Third Offense  | Two (2) years suspension followed by two (2) years probation and \$5000 fine   | \$5000 fine and revocation   |
| (d) "Plans not sufficiently detailed" (481.221(6), (7), F.S.)   |  |  |  |  |  |
| First Offense   | Reprimand, two (2) years and \$1000 fine followed by two (2) years probation                                       | \$1000 fine and one (1) year suspension                                      | (j) Practice on revoked (481.225(1)(k), F.S.)  | Refer to State Attorney for criminal prosecution   |  |
| Second Offense  | \$2000 fine and one (1) year suspension followed by two (2) years probation  | \$5000 fine, two (2) years suspension followed by two (2) years probation    | (k) Knowingly making or filing false report (481.225(1)(e) and 481.2251(1)(h), F.S.)                 |  |  |
| Third Offense   | \$5000 fine and two (2) years suspension followed by two (2) years probation                                       | \$5000 fine and revocation   | First Offense  | One (1) year suspension, followed by two (2) years probation and \$1000 fine   | Revocation and \$1000 fine   |
| (e) Attempting to procure license by bribery or fraudulent misrepresentation (481.225(1)(b) and 481.2251(1)(a), F.S.) | Revocation and \$1000 fine if licensed (denial of license and refer to State Attorney if not licensed)             | Revocation and \$5000 fine   | Second Offense   | Two (2) years suspension and two (2) years probation and \$3000 fine   | \$3000 fine and revocation   |
| (f) License disciplined by another jurisdiction (481.225(1)(c) and 481.2251(1)(b), F.S.)                              | Same penalty as imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes |  | Third Offense  | \$3000 fine and revocation   | \$5000 fine and revocation   |
| (g) Criminal conviction relating to architecture (481.225(1)(d) and 481.2251(1)(c), F.S.)                             |  |  | (l) Fraudulent, false, deceptive, or misleading advertising (481.225(1)(f) and 481.2251(1)(d), F.S.) |  |  |
| First Offense   | Misdemeanor: reprimand followed by two (2) years probation   | \$1000 fine, and one (1) year suspension                                     | First Offense  | Reprimand probation and \$1000 fine  | One (1) year   |
|   |  |  | Second Offense   | One (1) year probation and \$1000 fine probation and \$3000 fine   | One (1) year suspension and two (2) years                                    |

|     |   |   |  |   |  |  |
|-----|---|---|--|---|--|--|
|     | Third Offense   | One (1) year suspension and two (2) years probation and \$3000 fine   | Two (2) years suspension and two (2) years probation and \$5000 fine           | Second Offense  | One (1) year suspension, followed by two (2) years probation and \$1000 fine       | Two (2) years suspension, followed by four (4) years probation and \$3000 fine |
| (m) | Negligence (481.225(1)(g) and 481.2251(1)(k), F.S.)<br>First Offense  | Reprimand, two (2) years probation and \$1000 fine  | \$1000 fine and revocation   | Third Offense   | Two (2) years suspension, followed by four (4) years probation and \$3000 fine     | Revocation and \$3000 fine   |
|     | Second Offense  | One (1) year suspension followed by two (2) years probation and \$3000 fine   | \$3000 fine and revocation   | 3. Rule 61G1-12.001(6)(j)<br>Professional judgment is overruled by unqualified person<br>First Offense  | Reprimand and \$1000 fine followed by two (2) years probation and \$1000 fine      | One (1) year suspension,   |
|     | Third Offense   | \$5000 fine and five (5) years suspension followed by ten (10) years probation  | \$5000 fine and revocation   | Second Offense  | One (1) year suspension, followed by two (2) years probation and \$1000 fine       | Two (2) years suspension, followed by four (4) years probation and \$3000 fine |
| (n) | Fraud or deceit (481.225(1)(g) and 481.2251(1)(i), F.S.)<br>First Offense   | One (1) year suspension, followed by two (2) years probation and \$1000 fine  | \$1000 fine and revocation   | Third Offense   | Two (2) years suspension, followed by four (4) years probation and \$3000 fine     | Revocation and \$3000 fine   |
|     | Second Offense  | Two (2) years suspension followed by four (4) years probation and \$3000 fine   | \$3000 fine and revocation   | 4. Rule 61G1-12.001(6)(k)<br>Use of name/firm in fraudulent venture<br>First Offense  | Reprimand and \$1000 fine suspension followed by two (2) years probation           | \$1000 fine, and one (1) year  |
|     | Third Offense   | \$5000 fine five (5) years suspension followed by ten (10) years probation  | \$5000 fine and revocation   | Second Offense  | One (1) year suspension, followed by two (2) years probation and \$1000 fine       | Two (2) years suspension, followed by four (4) years probation and \$3000 fine |
| (o) | Misconduct (481.225(1)(i), F.S.)<br>1. Rule 61G1-12.001(6)(d)<br>Soliciting or accepting gratuities without client knowledge<br>First Offense | Reprimand and \$1000 fine followed by two (2) years probation and \$1000 fine   | One (1) year suspension,   | Third Offense   | Two (2) years suspension, followed by four (4) years probation and \$3000 fine     | Revocation and \$3000 fine   |
|     | Second Offense  | One (1) year suspension, followed by two (2) years probation and \$1000 fine  | Two (2) years suspension, followed by four (4) years probation and \$3000 fine | (p) Incompetence (mental or physical impairment) (481.225(1)(g), F.S.)<br>by probation<br>(q) Bribery to obtain clients or commissions (61G1-12.001(5)(b), F.A.C.)<br>(r) Undisclosed conflict of interest (61G1-12.001(5)(c), F.A.C.)<br>First Offense | Suspension until ability to practice proved followed<br>Revocation and \$1000 fine | Revocation and \$5000 fine   |
|     | Third Offense   | Two (2) years suspension, followed by four (4) years probation and \$3000 fine  | Revocation and \$3000 fine   | Second Offense  | Reprimand, \$1000 fine, and two (2) years probation                                | Revocation and \$1000 fine   |
|     | 2. Rule 61G1-12.001(6)(h)<br>Failure to preserve client's confidence<br>First Offense   | Reprimand and \$1000 fine followed by two (2) years probation (if pecuniary benefit accrues to architect) and \$1000 fine | One (1) year suspension  |   | \$3000 fine, one (1) year suspension followed by two (2) years probation           | Revocation and \$3000 fine   |

|  |   |   |
|--|---|---|
| Third Offense  | \$5000 fine<br>two (2) years<br>suspension<br>followed by<br>five (5) years<br>probation  | Revocation<br>and \$5000<br>fine  |
| (s) Aiding unlicensed<br>practice<br>(481.225(1)(i) and<br>481.2251(1)(f), F.S.)<br>First Offense  | Reprimand and<br>\$1000 fine<br>year suspension<br>followed by<br>two (2) years<br>probation  | \$1000 fine<br>and one (1)  |
| Second Offense   | \$1000 fine<br>and one (1)<br>year suspension<br>followed by<br>two (2) years<br>probation  | \$3000 fine<br>and two (2)<br>years suspension<br>followed by<br>two (2) years<br>probation |
| Third Offense  | \$3000 fine<br>and two (2)<br>years suspension<br>followed by<br>two (2) years<br>probation   | \$3000 fine<br>revocation   |
| (t) Firm practicing<br>without certificate<br>of authorization<br>(481.219, F.S.)<br>First Offense | Reprimand<br>If firm applies for<br>certificate, Board<br>will impose a fine<br>of \$100/month or a<br>\$1000 maximum<br>per month of<br>uncertified practice | \$5000 fine<br>and revocation   |
| Second Offense   | \$1000 fine<br>followed by<br>one (1) year<br>probation   | \$5000 fine   |
| Third Offense  | One (1) year<br>suspension<br>and \$5000 fine   | \$5000 fine<br>and revocation   |
| (u) Failure to obtain<br>continuing education<br>hours<br>(481.215(3), F.S.)<br>First Offense      |   |   |
| NUMBER OF HOURS LACKING  | PENALTY   |   |
| 1 to 4 hours   | \$250 fine, makeup missing hours plus<br>5 additional in 90 days of final order   |   |
| 5 to 9 hours   | \$500 fine, makeup missing hours plus<br>10 additional in 120 days of final order   |   |
| 10 to 14 hours   | \$750 fine, makeup missing hours plus<br>15 additional in 150 days of final order   |   |
| 15 to 19 hours   | \$1000 fine, makeup missing hours plus<br>20 additional in 180 days of final order  |   |
| 20 hours   | \$1000 fine, makeup missing hours plus<br>20 additional, suspension until all hours<br>are completed  |   |
| Second Offense   |   |   |
| NUMBER OF HOURS LACKING  | PENALTY   |   |
| 1 to 4 hours   | \$500 fine, makeup missing hours plus 5<br>additional in 90 days of final order   |   |
| 5 to 9 hours   | \$1000 fine, makeup missing hours plus 10<br>additional in 120 days of final order  |   |
| 10 to 14 hours   | \$2000 fine, makeup missing hours plus 15<br>additional in 150 days of final order  |   |
| 15 to 19 hours   | \$3000 fine, makeup missing hours plus 20<br>additional in 180 days of final order  |   |
| 20 hours   | \$5000 fine, makeup missing hours plus 20<br>additional, suspension until all hours<br>are completed  |   |
| Third Offense  |   |   |

|                         |   |
|-------------------------|---|
| NUMBER OF HOURS LACKING | PENALTY   |
| 1 to 4 hours            | \$2000 fine, one year probation, one year<br>suspension and thereafter until<br>all hours are completed |
| 5 to 9 hours            | \$3000 fine, one year probation, one year<br>suspension and thereafter until all hours are<br>completed |
| 10 to 14 hours          | \$5000 fine, one year probation, one year<br>suspension and thereafter until<br>all hours are completed |
| 15 to 19 hours          | \$5000 fine, one year probation, one year<br>suspension and thereafter until<br>all hours are completed |
| 20 hours                | \$5000 fine, one year probation, one year<br>suspension and thereafter until<br>all hours are completed |

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dee O'Conner, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Geologists**

RULE NO.: 61G16-3.001  
 RULE TITLE: Schedule for Fees Adopted by the Board

**NOTICE OF PUBLIC HEARING**

The Board of Geologists hereby gives notice of a public hearing on the above-referenced rule to be held on September 9, 1999, at 1:00 p.m., at the Crowne Plaza, 700 N. Westshore Blvd., Tampa, Florida 33609. The rule was originally published in Vol. 25, No. 22, of the June 4, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Deirdre O'Conner, Executive Director, Board of Geologists, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770(Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

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

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 4, June 18, 1999, issue of the Florida Administrative Weekly:

61J1-4.001 Education Requirements.

(1) Persons desiring to become registered as an assistant 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.

The remainder of the rule will read as published.

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.: 64B7-27.002      RULE TITLE: Application for Licensure; Fees

**NOTICE OF CHANGE**

Notice is hereby given that in response to written comments by the Joint Administrative Procedures Committee, 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. Corrected, subsection (2) shall read as follows:

(2) The examination fee for certification in colonic irrigation shall be \$100.00. The reexamination fee for certification in colonic irrigation shall be \$100.00.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Buckhalt, Executive Director, Board of Massage Therapy, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-9.009      RULE TITLE: Standard of Care for Office Surgery

**THIRD NOTICE OF CHANGE**

Notice is hereby given that the following changes have been 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, issue of the Florida Administrative Weekly. The Board held this additional public hearing on August 7, 1999, in Coral Gables, Florida. At the Board meeting following the additional public hearing, the Board voted to make changes to the rule. Any changes which conflict with the previous Notices of Change published in the April 23, 1999, and June 18, 1999, FAW, are superseded by the changes set forth below. The changes are as follows:

1. Subsection (2)(b) of the rule shall be changed 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, another appropriately trained physician as provided in this rule, a certified registered nurse anesthetist, or physician assistant qualified as set forth in rule 64B8-30.012(2)(b)6., Florida Administrative Code."

2. Subsection (2)(e) of the rule shall be changed to read, "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. If the patient has not recovered sufficiently to be safely discharged, the patient must be transferred to a hospital for continued post-operative care."

3. Subsection (2)(f) shall be changed to read:

"(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 there is an overnight stay at the office in relation to any surgical procedure:

1. The office must provide at least two (2) monitors, one of these monitors must be certified in Advanced Cardiac Life Support (ACLS), and maintain a monitor to patient ratio of at least 1 monitor to 2 patients. Once the surgeon has signed a timed and dated discharge order, the office may provide only one monitor to monitor the patient. The monitor 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."

4. Subsection (4)(b)4., shall be change to read:

"4. Assistance of Other Personnel Required. The surgeon must be assisted by a qualified anesthesia provider as follows: An anesthesiologist, Certified Registered Nurse Anesthetist, or Physician Assistant qualified as set forth in Rule 64B8-30.012(2)(b)6., Florida Administrative Code, or a registered nurse may be utilized to assist with the anesthesia, if the surgeon is ACLS certified. An assisting anesthesia provider cannot function in any other capacity during the procedure. If additional assistance is required by the specific procedure or patient circumstances, such assistance must be provided by a physician, osteopathic physician, registered nurse, licensed practical nurse, physician assistant, or operating room technician. 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.”

5. Subsection (6)(a)1., shall read as follows:

“1. Level III Office Surgery is that surgery which involves, 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.”

6. Subsection (6)(b)1.b., shall be changed to read, “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.”

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**

**Family Safety and Preservation Program**

|            |   |
|------------|---|
| RULE NOS.: | RULE TITLES:  |
| 65C-13.001 | Definitions   |
| 65C-13.002 | Private Agency Foster Homes   |
| 65C-13.003 | Pre-Service and In-Service Training   |
| 65C-13.004 | Initial Licensing Procedures for Foster Homes, Emergency Shelters and Group Homes                     |
| 65C-13.005 | Changes During the Licensed Year  |
| 65C-13.006 | Relicensing Procedure   |
| 65C-13.007 | Respite Care  |
| 65C-13.008 | Prospective Foster Parent Inquiries   |
| 65C-13.009 | Parent Preparation  |
| 65C-13.010 | Substitute Care Parents’ Role as a Team Member Minimum Standards for Licensure of Family Foster Homes |
| 65C-13.011 | Family Emergency Shelter Homes and Family Group Homes   |
| 65C-13.012 | Substitute Family Records   |

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 18, May 7, 1999, Florida Administrative Weekly has been withdrawn.

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game 77 Specifics  
RULE NO.: 53ER99-38

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 77, "MONTE CARLO" for which the Department of the Lottery will start selling tickets on a date determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-38 Instant Game 77 Specifics.

(1) Name of Game. Instant Game Number 77, "MONTE CARLO."

(2) Price. MONTE CARLO tickets sell for \$1.00 per ticket.

(3) MONTE CARLO 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 MONTE CARLO 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 MONTE CARLO Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) Design of Ticket. There are 5 different ticket scenes in Instant Game Number 77, MONTE CARLO. Each scene represents one fifth of the total number of tickets in Instant Game Number 77, MONTE CARLO.

(5) The "YOUR HANDS " play symbols and play symbol captions in scene 1 are as follows:

INSERT GRAPHICS

(6) The "DEALER'S HAND" play symbols and play symbol captions in scene 1 are as follows:

INSERT GRAPHICS

(7) The "WHEEL NUMBER (#)" play symbols and play symbol captions in scene 2 are as follows:

INSERT GRAPHICS

(8) The “YOUR NUMBER (#)” play symbols and play symbol captions in scene 2 are as follows:

INSERT GRAPHICS

(9) The “YOUR ROLLS” play symbols and play symbol captions in scene 3 are as follows:

INSERT GRAPHICS

(10) The “WINNING NUMBERS” play symbols and play symbol captions in scene 4 are as follows:

INSERT GRAPHICS

(11) The “YOUR NUMBERS” play symbols and play symbol captions in scene 4 are as follows:

INSERT GRAPHICS

(12) The “PLAY” symbols and play symbol captions in scene 5 are as follows:

INSERT GRAPHICS

(13) The “PRIZE” play symbols and play symbol captions in scenes 1, 2, 3, 4, and 5 are as follows:

INSERT GRAPHICS

(14) Determination of Prize Winners. Each of the 5 scenes in Instant Game Number 77, MONTE CARLO uses a different play methodology. The determination of prize winners for each scene is as follows:

(a) Scene 1.

1. In scene 1, there are four hands on each ticket. In order for a ticket to be a winning ticket, the two cards exposed in the “YOUR HANDS” play area in one of the four hands, when added together, must be higher than the number exposed in the “DEALER’S HAND” play area. Players may win in one or more hands per ticket.

2. In scene 1, the holder of a ticket having two cards exposed in the “YOUR HANDS” play area in one hand the sum of which is greater than the number exposed in the “DEALER’S HAND” play area, shall be entitled to the corresponding prize amount for that hand, or if “TICKET” is shown as the corresponding game prize, shall be entitled to a prize of a free \$1.00 ticket.

(b) Scene 2.

1. In scene 2, the holder of a ticket having a number exposed in the “YOUR NUMBER (#)” play area that matches any of the numbers exposed in the “WHEEL NUMBER (#)” play area shall be entitled to a prize of the amount shown for that number, or if “TICKET” is shown as the prize, shall be entitled to a prize of a free \$1.00 ticket.

(c) Scene 3.

1. In scene 3, there are four rolls on each ticket. In order for a ticket to be a winning ticket, the two dice exposed in the “YOUR ROLLS” play area in one of the four games, when added together, must total 7 or 11. Players may win in one or more rolls per ticket.

2. In scene 3, the holder of a ticket having two dice exposed in the “YOUR ROLLS” play area in one game which total 7 or 11, shall be entitled to the corresponding prize amount shown for that roll, or if “TICKET” is shown as the corresponding prize, shall be entitled to a prize of a free \$1.00 ticket.

(d) Scene 4.

1. In scene 4, the holder of a ticket having a number exposed in the “YOUR NUMBERS” play area that matches either number in the “WINNING NUMBERS” play area shall be entitled to a prize of the amount shown, or if “TICKET” is shown as the prize, shall be entitled to a prize of a free \$1.00 ticket.

(e) Scene 5.

1. In scene 5, there are four plays on each ticket. In order for a ticket to be a winning ticket, the player must get three like symbols in one of the four plays. Players may win in one or more plays per ticket.

2. In scene 5, the holder of a ticket having three like symbols exposed in one play shall be entitled to the corresponding prize amount shown for that play, or if “TICKET” is shown as the corresponding play prize, shall be entitled to a prize of a free \$1.00 ticket.

(15) Prize amounts which may appear in the play area of the five different scenes are: \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$20.00, 25.00, \$40.00, \$50.00, \$100, \$1,000, and \$4,000.

(16) Number and Size of Prizes. The following prizes will be available in Instant Game Number 77, MONTE CARLO:

(a) Approximately 1,455,100 prizes falling in the cash categories of 42 pools of 240,000 tickets.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 77 are as follows:



| WITH PRIZE(S) OF:  | WIN           | NUMBER IN       | ODDS              |
|--------------------|---------------|-----------------|-------------------|
| <u>FREE TICKET</u> | <u>TICKET</u> | <u>42 POOLS</u> | <u>1 in 8.33</u>  |
| \$1                | \$1           | 1,209,600       | 1 in 15.00        |
| \$1 x 2            | \$2           | 336,000         | 1 in 30.00        |
| \$2                | \$2           | 67,200          | 1 in 150.00       |
| \$1 x 3            | \$3           | 33,600          | 1 in 300.00       |
| \$3                | \$3           | 33,600          | 1 in 300.00       |
| \$1 x 4            | \$4           | 100,800         | 1 in 100.00       |
| \$4                | \$4           | 33,600          | 1 in 300.00       |
| \$2 x 4            | \$8           | 67,200          | 1 in 150.00       |
| \$5 x 2            | \$10          | 33,600          | 1 in 300.00       |
| \$10               | \$10          | 33,600          | 1 in 300.00       |
| \$10 x 2           | \$20          | 16,800          | 1 in 600.00       |
| \$20               | \$20          | 16,800          | 1 in 600.00       |
| \$10 x 4           | \$40          | 2,730           | 1 in 3,692.31     |
| \$20 x 2           | \$40          | 2,520           | 1 in 4,000.00     |
| \$40               | \$40          | 2,520           | 1 in 4,000.00     |
| \$25 x 4           | \$100         | 840             | 1 in 12,000.00    |
| \$50 x 2           | \$100         | 840             | 1 in 12,000.00    |
| \$100              | \$100         | 840             | 1 in 12,000.00    |
| \$1,000 x 4        | \$4,000       | 5               | 1 in 2,016,000.00 |
| \$4,000            | \$4,000       | 5               | 1 in 2,016,000.00 |

(17) The over-all odds of winning any prize in Instant Game Number 77 are 1 in 3.78.

Specific Authority 24.105(10)(a)(b)(c), 24.109(1) FS. Law Implemented 24.105(10)(a)(b)(c) FS. History—New 8-11-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: August 11, 1999

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

### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communication's, Inc. petition for waiver of Rule 25-24.515(13), Florida Administrative Code, filed April 7, 1999, in Docket No. 990480-TC was approved by the Commission at its July 6, 1999, Agenda Conference. Order No. PSC-99-1460-PAA-TC, issued July 27, 1999 memorialized the decision. The rule requires each pay telephone station to allow incoming calls to be received at all times and for no charge. 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 April 27, 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 BellSouth Public Communication's, Inc. petition for waiver of Rule 25-24.515(13), Florida Administrative Code, filed April 21, 1999, in Docket No. 990507-TC was approved by the Commission at its July 6, 1999, Agenda Conference. Order No. PSC-99-1460-PAA-TC, issued July 27, 1999 memorialized the decision. The rule requires each pay telephone station to allow incoming calls to be received at all times and for no charge. 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 May 5, 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 GTE Florida Incorporated's Petition for Waiver of Rule 25-4.110(13), Florida Administrative Code, filed May 3, 1999, in Docket No. 990547-TL was temporarily approved until March 31, 2000, by the Commission at its July 6, 1999 Agenda Conference. Order No. PSC-99-1476-PAA-TL, issued July 30, 1999, memorialized the decision. The rule requires that customers be notified on the first or second page of the customer's next bill in conspicuous bold face type when the customer's provider of local, local toll, or toll service has changed. 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 May 21, 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 July 16, 1999, the Florida Public Service Commission received a Petition from Pro Telecom, Inc. (Docket No. 990929-TC), seeking a temporary waiver of Rule OR 25-24.515(18)(a), Florida Administrative Code. The rule requires conversion of all pay telephone stations for hearing aid compatibility. The locations of the pay telephone stations are throughout the State. 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: Lee Fordham, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6226.

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Global Tel&Link Corporation in Docket No. 990954-TC, seeking waiver from Rule 25-24.920(1)(b), (3)(a),(b),(c), and (4), Florida Administrative Code. The rule addresses customer service provisions to pre-paid calling. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice.

For additional information, please contact Clintina Watts, Division of Legal Services, at the above address or telephone (850)413-6199.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection has taken action on a petition for emergency variance received from Town of White Springs on July 14, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 31, dated August 6, 1999. No public comment was received. The petition requested a variance from the requirement that all conditions in rule 62-552.655(5), FAC, are met before the notice of the drinking water state revolving fund priority list hearing is noticed in the Florida Administrative Weekly, as is necessary under rule 62-552.680(1)(a)2.a. of the Florida Administrative Code. The emergency variance was needed in order to allow the Town of White Springs to receive the drinking water state revolving fund grant which was approved by the Environmental Regulation Commission at its hearing on June 24, 1999, so that the Town can commence needed construction activities to eliminate the potential acute health risk posed by the drinking water system's bacterial contamination. On July 30, 1999, the Department granted an emergency variance to the Town of White Springs in a final order, OGC File No.: 99-1201. The final order granted a variance from the public notice requirements which had to be complete before the hearing was noticed. The Petitioner had completed all of the public notice requirements before the hearing was held, with no adverse comments.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; telephone (850)921-9610.

The Department of Environmental Protection has taken action on a petition for emergency variance received from Steinhatchee Water Association, Inc., on July 9, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 30, dated July 30, 1999. No public comment was received. The petition requested a

variance from the requirement that all conditions in rule 62-552.655(5), FAC, are met before the notice of the drinking water state revolving fund priority list hearing is noticed in the Florida Administrative Weekly, as is necessary under rule 62-552.680(1)(a)2.a. of the Florida Administrative Code. The emergency variance was needed in order to allow Steinhatchee Water Association, Inc., to receive the drinking water state revolving fund grant which was approved by the Environmental Regulation Commission at its hearing on June 24, 1999, so that the water system can commence needed construction activities to eliminate the potential acute health risk posed by the system's bacterial contamination. On July 30, 1999, the Department granted an emergency variance to Steinhatchee Water Association, Inc., in a final order, OGC File No.: 99-1154. The final order granted a variance from the public notice requirements which had to be complete before the hearing was noticed. The Petitioner had completed all of the public notice requirements before the hearing was held, with no adverse comments.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; telephone (850)921-9610.

The Department of Environmental Protection has taken action on a petition for emergency variance received from Town of Cross City on July 12, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 31, dated August 6, 1999. No public comment was received. The petition requested a variance from the requirement that all conditions in rule 62-552.655(5), FAC, are met before the notice of the drinking water state revolving fund priority list hearing is noticed in the Florida Administrative Weekly, as is necessary under rule 62-552.680(1)(a)2.a. of the Florida Administrative Code. The emergency variance was needed in order to allow Town of Cross City to receive the drinking water state revolving fund grant which was approved by the Environmental Regulation Commission at its hearing on June 24, 1999, so that the Town can commence needed construction activities to eliminate the potential acute health risk posed by the drinking water system's bacterial contamination. On July 30, 1999, the Department granted an emergency variance to Town of Cross City in a final order, OGC File No.: 99-1172. The final order granted a variance from the public notice requirements which had to be complete before the hearing was noticed. The Petitioner had completed all of the public notice requirements before the hearing was held, with no adverse comments.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; telephone (850)921-9610.

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The Department of Environmental Protection has taken action on a petition for emergency variance received from City of Green Cove Springs on July 12, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 31, dated August 6, 1999. No public comment was received. The petition requested a variance from the requirement that all conditions in rule 62-552.655(5), FAC, are met before the notice of the drinking water state revolving fund priority list hearing is noticed in the Florida Administrative Weekly, as is necessary under rule 62-552.680(1)(a)2.a. of the Florida Administrative Code. The emergency variance was needed in order to allow the City of Green Cove Springs to receive the drinking water state revolving fund grant which was approved by the Environmental Regulation Commission at its hearing on June 24, 1999, so that the City can commence needed construction activities to eliminate the potential acute health risk posed by the drinking water system's bacterial contamination. On July 30, 1999, the Department granted an emergency variance to the City of Green Cove Springs in a final order, OGC File No.: 99-1153. The final order granted a variance from the public notice requirements which had to be complete before the hearing was noticed. The Petitioner had completed all of the public notice requirements before the hearing was held, with no adverse comments.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

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On July 20, 1999, the Department received a petition for variance under section 120.542 of the Florida Statutes from the City of Melbourne for their Grant Street Wastewater Treatment Facility to obtain a variance from the specific criteria of rule 62-699.311(10) of the Florida Administrative Code. This rule addresses the requirement that the lead/chief operator for a Class A or B treatment plant be on duty for one full shift each duty day.

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., EST, Monday through Friday, except legal holidays, at the Department of Environmental Protection, Domestic Wastewater Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Telephone (850)488-4524. Any interested person or agency may submit written comments on the petition within 14 days of this notice. Comments should be filed with the Department at the above address.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on June 25, 1999, a petition from IT Corporation, Inc., seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under rule 62-522.300(2)(a), Florida Administrative Code, for the use of potassium permanganate as an injection-type aquifer remediation product, for an *in situ* oxidation pilot test at Launch Complex 34, Cape Canaveral Air Station, for clean up of soil and groundwater contaminated with TCE, 1, 2-DCE, and vinyl chloride. The petition has been assigned OGC case number 99-1276.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Attn: Cynthia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on July 19, 1999, a petition from Gasparilla Island Water Association (GIWA) seeking a variance from the requirement that pump stations of public water systems be elevated three feet above the 100-year flood elevation under rule 62-555.330(3) of the Florida Administrative Code, which incorporates the elevation requirements of Section 6.1.1 of the *Recommended Standards for Water Works*, 1987 Edition. GIWA wishes to place its pump station below the required elevation. The petition has been assigned OGC Case Number 99-1216.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Attn: Cynthia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on July 12, 1999, a petition from UNIVERSAL Solutions, Inc. on behalf of Metric, Inc., seeking a variance from certain requirements contained in Florida Administrative Code Rule 62-296.513, Surface Coating of Miscellaneous Metal Parts and Products. The petition has been assigned OGC case number 99-1251. Copies may be received from, and written comments submitted to, Department of Environmental Protection, Division of Air Resource Management, Mail Station 5500, 2600 Blairstone Road, Tallahassee, Florida 32399-2400, Attn.: Venkata Panchakarla. Comments must be received no later than 14 days from the date of publication of this notice.

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The Department announces receipt of a petition filed on August 5, 1999, pursuant to Section 120.542, Florida Statutes, from certain Bulk Product Pipeline Owners at Port Everglades

in Broward County, to obtain a temporary waiver of certain linear length limits to repair and replace specified single-wall bulk product piping associated with existing field erected aboveground storage tanks. Specifically, the Petitioners have requested a temporary waiver until December 31, 2009, from Rule 62-761.700(1)(a)6., Florida Administrative Code, which allows repair or replacement of such piping if the length of additional or replacement piping is less than 25% of the total length of the existing integral piping for the individual tank, or 100 feet, whichever is less. The Petition for Temporary Waiver 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, Bureau of Petroleum Storage Systems, Storage Tank Regulation Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Requests for copies or inspection should be made to Marshall Mott-Smith, Environmental Administrator, at the above address.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services** announces a meeting of the Florida Library Literacy Advisory Council.

**DATE AND TIME:** Tuesday, September 21, 1999, 10:00 a.m. – 3:00 p.m.

**PLACE:** The State Library of Florida, R. A. Gray Building, First Floor Board Room, 500 South Bronough Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review and establish guidelines for the Florida Library Literacy grant program from state general revenue funds.

A copy of the agenda may be obtained by contacting: Barratt Wilkins, State Librarian, (850)487-2651 or Suncom 277-2651.

Any person deciding to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and that for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance by calling (850)487-2651 or TDD (850)922-4085.

The **Department of State, Division of Cultural Affairs** announces that the meeting date of the following public meetings, to which all persons are invited, has been changed to:

**DATE AND TIME:** Thursday, September 16, 1999, 1:00 p.m.

**PLACE:** Brevard County Health Department, Headquarters Administration Offices, 2575 N. Courtenay Parkway, Room 214, Merritt Island, FL 32953-4147, (407)454-7111

**PURPOSE:** To hold an Orientation meeting to determine potential artwork sites for Art in State Buildings Project No.: DOH 9730/9600, Brevard County Health Department, Titusville, Florida.

**COMMITTEE:** Art Selection Committee

**DATE AND TIME:** Wednesday, September 22, 1999, 1:30 p.m.

**PLACE:** Madison County Health Department, 801 S. W. Smith Street, Madison, FL 32340, (904)973-5003

**PURPOSE:** To hold an Orientation meeting to determine potential artwork sites for Art in State Buildings Project No.: DOH 9730/9100, Madison County Health Department, Madison, Florida.

**COMMITTEE:** Art Selection Committee

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

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

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: Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling TT (850)488-5779.

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

**DATE AND TIME:** August 27, 1999, 8:00 a.m.

**PLACE:** Welaka State Forest Training Center, P. O. Box 174, Welaka, Florida 32193-0174 (Located on Florida Hwy. 309, 1 mile south of red light in Welaka, FL)

**PURPOSE:** To conduct the business of the Corporation.

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

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

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Commissioner's Agricultural Water Policy Group Meeting to which all persons are invited:

DATE AND TIME: Thursday, September 2, 1999, 9:30 a.m.

PLACE: Florida Fruit and Vegetable Association Headquarters, 4401 East Colonial Drive, Board Room, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussions regarding the Department of Environmental Protection and Water Management Districts water programs affecting agriculture, including updates on ongoing projects.

A copy of the agenda or directions may be obtained by contacting: James Fort, 3125 Conner Boulevard, Mail Stop C-28, Tallahassee, FL 32399-1650, (850)488-6249.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Pesticide Review council to which all persons are invited.

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

PLACE: South Florida Water Management, District Office, 3301 Gun Club Road, Bill Storch, Conference Room, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council during which there will be a review of pertinent pesticide issues impacting on Human Health and Environment.

Copy of agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail Stop L-29, Tallahassee, Florida 32399-1650.

The **Florida Department Of Agriculture And Consumer Services, Division of Administration**, announces a meeting of the Tri-County Agricultural Pavilion Advisory Council.

DATE AND TIME: Thursday, September 9, 1999, 1:00 p.m., Central Daylight Time

PLACE: W. T. Neal Civic Center, 1424 North Pear St. (Highway 69), Blouinstown, Florida

PURPOSE: To introduce new members of the council and to inform interested parties on the status of the Tri-County Agricultural Pavilion Project.

For additional information and a copy of the agenda, please contact Richard Gunnels, (850)488-3022, Florida Department of Agriculture and Consumer Services, Lower Level 28, The Capitol, Tallahassee, Florida 32399-0810.

If special accommodations are needed, please call this office prior to the meeting date.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting for discussion of state food safety activities. All interested parties are invited.

DATE AND TIME: Thursday, September 2, 1999, 8:30 a.m.

PLACE: Eyster Auditorium, Doyle Conner Building, 3125 Conner Boulevard, Tallahassee, Florida, 32399

PURPOSE: Discussion of Food Safety Programs carried out by state and federal agencies and to obtain input from the public and interested parties concerning existing state programs and to discuss possible formation of a statewide food safety task force. Attendees will be asked to participate in workgroups addressing topics related to state food safety programs.

A copy of the agenda may be obtained by writing: Dr. John Fruin, Chief, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, e-mail: foodinsp@doacs.state.fl.us, or by calling Dr. John Fruin, (850)488-3951.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Dr. John Fruin, (850)488-3951. If you are hearing or speech impaired please contact the agency by calling the State of Florida TDD line, 1(800)955-8771.

**DEPARTMENT OF EDUCATION**

The **State Board of Community Colleges** announces the following public meetings of the Board to which all persons are invited:

DATE AND TIME: September 3, 1999, 8:00 a.m. – Adjournment

PURPOSE: Regular business meeting of the Board.

COMMITTEES: Foundation for Florida's Community Colleges

DATE AND TIME: September 2, 1999, 9:00 a.m. – 10:30 a.m.

COMMITTEES: EA/EO Advisors

DATE AND TIME: September 2, 1999, 10:00 a.m. – 11:30 a.m.

COMMITTEES: Finance

DATE AND TIME: September 2, 1999, 10:30 a.m. – 11:30 a.m.

COMMITTEES: Program, Economic Development, Equity and Policy

DATE AND TIME: September 2, 1999, 12:30 p.m. – 2:45 p.m.

COMMITTEES: Finance

DATE AND TIME: September 2, 1999, 3:00 p.m. – 5:15 p.m.

PLACE: Chipola Junior College, Main Campus, 3094 Indian Circle, Marianna, Florida 32446-2053

If you need special services to attend the meeting, please let us know.

A copy of the agenda may be obtained by writing: Division of Community Colleges, 1314 Turlington Building, Tallahassee, Florida 32399-0400.

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The Florida **Division of Community Colleges**, Risk Management Consortium announces a meeting to which all persons are invited:

DATE AND TIME: Tuesday, August 31, 1999, 9:30 a.m. – 12:00 p.m.

PLACE: Holiday Inn Select, International Airport, Orlando, Florida

PURPOSE: General Business Meeting

A copy of the agenda may be obtained by writing: Florida Community Colleges Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL 32608, or by telephoning (352)955-2190, Ext. 2.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

DATE AND TIME: September 1, 1999, 1:00 p.m. – 5:00 p.m.; September 2, 1999, 8:30 a.m. – 12:30 p.m.

PLACE: Hotel Royal Plaza, 1905 Hotel Plaza Blvd., Lake Buena Vista, Florida 32830

PURPOSE: The Commission recommends improvements to public policy to promote the production, preservation and maintenance of decent, affordable housing for all Floridians. During this meeting, the Commission will discuss the Commission's 1999 work plan.

Any person requiring special accommodation due to disability or physical impairment should contact Melissa Sims, (850)922-1609 at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Ms. Sims using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda or more information on the meeting location may be obtained from: Melissa Sims, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)922-1609.

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The **Florida Communities Trust** announces a Public Meeting of the Governing Body to which all persons are invited.

DATE AND TIME: August 30, 1999, 1:30 p.m. – conclusion

PLACE: Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

PURPOSE: Extend grant contracts for certain funded projects; approve project plans for certain funded projects; other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business. To obtain a copy of the agenda, contact the Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to insure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability of physical impairment should contact Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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NOTICE OF CANCELLATION – **Florida Communities Trust** announces cancellation of the Public Meeting of the Governing Body previously advertised for August 26, 1999. The meeting is being rescheduled.

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The **Florida Communities Trust** announces a Public Meeting of the Governing Body to which all persons are invited.

DATE AND TIME: September 1, 1999, 1:00 p.m. – conclusion

PLACE: Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

PURPOSE: Meeting of the Governing Body of the Florida Communities Trust to orient the Board to all laws and rules governing the Trust.

ACTION TO BE TAKEN: Informational presentations only. To obtain a copy of the agenda, contact the Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to insure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability of physical impairment should contact Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Florida **Department of Transportation** announces on public teleconference of the Florida Freight Stakeholders Task Force Executive Committee to which all interested persons are invited.

DATE AND TIME: August 30, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: Teleconference Only, Executive Committee, Telephone (850)633-5802, I.D. #2000, Florida Department of Transportation, Haydon Burns Building, 605 Suwannee Street, Room 580, Tallahassee, Florida 32399

PURPOSE: General Business, Teleconference

A copy of the agenda for each meeting may be obtained one week in advance by writing: Robert G. Hebert, Jr., Administrator-Ports/Intermodal, Florida Department of Transportation Rail Office, M.S. #25, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

Additional information on the teleconference may be obtained by calling (850)414-4546. Written or other physical evidence may be offered into evidence by submitting it to Robert G. Hebert, Jr., Administrator, Ports/Intermodal, Florida Department of Transportation, Rail Office, M.S. #25, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

The **Department of Transportation**, Turnpike District, announces a public hearing to which all persons are invited.

DATE AND TIME: September 16, 1999, 6:00 p.m., informal open house, 7:00 p.m., formal public hearing

PLACE: Double Tree Resort and Conference Center, 3011 Maingate Lane, Kissimmee, Florida 34747

PURPOSE: This 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 U.S.C. 128, 40 C.F.R. 1500-1508, 23 C.F.R. 771 and Section 339.155, Florida Statutes, and is also consistent with the Americans with Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This hearing is being held to afford interested persons the opportunity to express their views concerning the preliminary design, social, economic, and environmental effects of Financial Project ID 403497-1 and Federal Aid Project Number TNPK-005-Y, otherwise known as the Western Beltway, Part C, Project 1 in Orange and Osceola Counties. Project limits for the proposed 4-lane divided, limited access toll facility are from Interstate 4 southwest of C.R. 545 in Osceola County to just north of U.S. 192 in Orange County. Wetlands may be given special consideration under Executive Orders 11990 and 11988. A Toll Rate Rule Development Workshop will be held as part of the PD&E Study Public Hearing to allow the public an opportunity to comment on the development of proposed toll rates for the section of the Western Beltway, Part C, from I-4 to Seidel Road.

Anyone needing project or Public Hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or contact: Ms. Catherine Bradley, (850)488-4671.

Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Ms. Catherine Bradley, P. E., Florida Department of Transportation, Turnpike District, 1211 Governor's Square Boulevard, Suite 100, Tallahassee, Florida 32301.

The **Department of Transportation**, District 3 announces a public hearing to which all persons are invited.

DATE AND TIME: September 27, 1999, 6:00 p.m. – 7:30 p.m. (ET)

PLACE: Lively Technical Center Cafeteria, 500 North Appleyard Drive, Tallahassee, FL

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 U.S.C. 128, 40 C.F.R. 1500-1508, 23 C.F.R. 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 (850)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. 55002-1521; F.M. Item No. 2197221, (Work Program Item No. 3115872); otherwise known as SR-263 (Capital Circle). The limits of the project are from SR-10 (US-90) to SR-8 (I-10) in Tallahassee, Leon 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.

#### STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public workshop to which all persons are invited.

DATE AND TIME: Friday, August 27, 1999, 10:00 a.m.

PLACE: The Heritage Room, Plaza Level, The Heritage Centre, 1801 Heritage Boulevard, Tallahassee, FL 32308

PURPOSE: To discuss in detail the methodology and recommendations from a forthcoming review of the FRS Total Fund Investment Plan (TFIP). The review incorporates an asset allocation study. It is anticipated that a written report will be in the hands of the IAC members and available to the public no

later than Monday, August 23, 1999. The final recommendations will be formally presented to the IAC at its regularly scheduled meeting on September 17, 1999. However, the workshop is intended to provide IAC members and the SBA staff with the opportunity to discuss technical issues in an informal setting without time constraints and in as much depth as the members may desire. This review of the FRS TFIP was undertaken as a result of discussion at the June 18, 1999 IAC meeting.

The IAC is a six-member advisory council which makes recommendations to the board regarding investment policy, strategy and procedures. The IAC operates under s. 215.444 of the Florida Statutes.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify Dorothy Westwood, (850)488-4406.

The Investment Committee of the **Florida Prepaid College Program Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Wednesday, September 1, 1999, 10:00 a.m., or soon thereafter

PLACE: Hillsborough Community College, Dale Mabry Campus, 4001 Tampa Bay Boulevard, Room 248, Tampa, Florida 33614

PURPOSE: To conduct the regular business of the Florida Prepaid College Program Board Investment Committee to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, that person 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 based.

Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Program Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Wednesday, September 1, 1999, 11:00 a.m., or soon thereafter

PLACE: Hillsborough Community College, Dale Mabry Campus, 4001 Tampa Bay Boulevard, Room 248, Tampa, Florida 33614

PURPOSE: To conduct the regular business of the Florida Prepaid College Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, that person 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 based.

Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

**DEPARTMENT OF CITRUS**

The **Department of Citrus** announces a public meeting of the Market and Economic Research Committee of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: September 1, 1999, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Boulevard, Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: New goal stating/measurement system for Florida Department of Citrus programs.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Executive Office, P. O. Box 148, Lakeland, Florida 33802.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (941)499-2510.

**PUBLIC SERVICE COMMISSION**

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

DATE AND TIME: September 7, 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 the Division of Records and Reporting, (850)413-6770 or writing: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, <http://www.scri.net/psc>, at no charge.

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

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

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

DATE AND TIME: September 7, 1999, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

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

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

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

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

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

The Florida **Public Service Commission** announces a Prehearing Conference and Commission Hearing to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO. 981591-EG: Petition for authority to implement Good Cents Conversion Program by Gulf Power Company.

PREHEARING CONFERENCE:

DATE AND TIME: Wednesday, September 8, 1999, 1:30 p.m.  
PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

PURPOSE: The purpose of this prehearing conference is to: (1) define and limit, if possible, the number of issues; (2) determine the parties' positions on the issues; (3) determine what facts, if any, may be stipulated; (4) dispose of any motions or other matters that may be pending; and (5) consider any other matters that may aid in the disposition of this case.

HEARING:

DATE AND TIME: Monday, September 27, 1999, 9:30 a.m.

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

PURPOSE: The purpose of this hearing is to receive testimony and exhibits relative to the implementation of the Good Cents Conversion Program of Gulf Power Company.

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 Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

NOTICE IS HEREBY GIVEN that the Telecommunications Access System Act (TASA) Advisory Committee to the Florida **Public Service Commission** will hold a committee meeting, if the Committee's work is not completed on August 27, 1999, in Docket No. 960598-TP to which all parties and other interested persons are invited.

DATE AND TIME: Monday, September 13, 1999, 9:30 a.m.; and Tuesday, September 14, 1999, if necessary

PLACE: Room 152, Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: The purpose of the meeting is to complete the Advisory Committee's input into the draft Request for Proposal for the TASA relay contract.

Further information regarding this meeting may be obtained from Richard Tudor, Division of Communications at the Florida Public Service Commission, by calling (850)413-6516.

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. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

**REGIONAL PLANNING COUNCILS**

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: September 2, 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.

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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: September 2, 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.

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The **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

DATE AND TIME: September 2, 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.

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The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 1, 1999, 9:30 a.m.  
PLACE: Highlands County HRS Health Department, Conference Room, 7205 South George Boulevard, Sebring, Florida  
PURPOSE: Regular Monthly Meeting of the Council.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based. Phone (850)488-8427.

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The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 13, 1999; 10:30 a.m.  
PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida  
PURPOSE: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Fort Lauderdale; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Coral Springs and Miami Beach; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD). If you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **South Florida Regional Planning Council** announces the following Clean Cities meetings to which all persons are invited.

First Meeting: Clean Cities Coalition Market Development Subcommittee

DATE AND TIME: Monday, September 13, 1999, 11:00 a.m.  
PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

Second Meeting: Clean Cities Coalition Meeting  
DATE AND TIME: Monday, September 13, 1999, 1:00 p.m.  
PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

PURPOSE: The Gold Coast consists of Broward, Miami-Dade and Palm Beach Counties. The Coalition was formed through Governor's Executive Order to accelerate the widespread use of cleaner, alternatively fueled fleet vehicles in the Florida Gold Coast area. The purpose of these meetings is to discuss relevant Coalition issues.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

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, he may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Treasure Coast Regional Planning Council** announces the following public meeting:

DATE AND TIME: September 3, 1999, 9:00 a.m.  
PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Energy Task Force. The goal of the task force is to develop an energy element for the Strategic Regional Policy Plan. The topics of discussion may include energy conservation, power generation, power transmission, electric restructuring, community design, building design and transportation.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Overall Economic Development Program Committee to which all persons are invited:

DATE AND TIME: September 9, 1999, 2:00 p.m.  
PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: September 17, 1999, 9:30 a.m.  
PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need

to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: September 30, 1999, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Florida District X Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Florida District X, LEPC with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

**REGIONAL TRANSPORTATION AUTHORITIES**

The **Hillsborough Area Regional Transit Authority** (HART) announces the following public meetings of the Governing Board of the Authority to which all persons are invited.

Budget Hearing

DATE AND TIME: September 13, 1999, 5:30 p.m.

PLACE: City Hall, 315 E. Kennedy Boulevard, 3rd Floor, City Counsel Board Room, Tampa, FL

PURPOSE: First Budget Hearing.

Public Hearing

DATE AND TIME: September 13, 1999, immediately following Budget Hearing

PLACE: City Hall, 315 E. Kennedy Boulevard, 3rd Floor, City Counsel Board Room, Tampa, FL

PURPOSE: Public Hearing; 1999 Program of Projects.

Regular Board Meeting

DATE AND TIME: September 13, 1999, immediately following Public Hearing

PLACE: City Hall, 315 E. Kennedy Boulevard, 3rd Floor, City Counsel Board Room, Tampa, FL

PURPOSE: Regularly Scheduled Board Meeting.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 1) Call to order
- 2) Approval of Minutes
- 3) Introductions, Recognition and Awards
- 4) Consumer Advisory Committee Report
- 5) Public Comment on Action Items
- 6) Consent Action Items

- 7) Other Action Items
- 8) Chairman's Report
- 9) Reports from HART Representatives
- 10) HART Committee Reports
- 11) Other Board Member's Report
- 12) General Counsel's Report
- 13) Executive Director's Report
- 14) Employee Comment
- 15) General Public Comment
- 16) Discussion and Presentations
- 17) Monthly Information Reports
- 18) Other Information Items
- 19) Other Business

A copy of the detailed agenda may be obtained by contacting: Mary Staples, Administrative Assistant II, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 1600, Tampa, Florida 33602, (813)223-6831.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Joe DeHoyos, (813)623-5835 at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TDD).

**COMMISSION ON ETHICS**

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, September 2, 1999, 9:00 a.m.

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

PURPOSE: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Commission on Ethics, (850)488-7864 at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The **State Apprenticeship Council** announces a combined workshop meeting, of the Council Planning/Rules Committee, the Council Marketing Committee, and the Council Expansion Committee to which all interested persons are invited.

DATE AND TIME: August 30, 1999, 9:00 a.m.  
PLACE: Hilton Melbourne Airport Hotel, 200 Rialto Place, Melbourne, Florida  
PURPOSE: Workshop meeting, of the Council Planning/Rules Committee, the Council Marketing Committee and the Council Expansion Committee.

GENERAL SUBJECT MATTER TO BE DISCUSSED: Issues and concerns that affect Florida's registered apprenticeship program sponsors and the apprenticeship community. Council Committees will report to the full Council at the next State Apprenticeship Council meeting (date and time to be announced at a later date). The Council, which represents both employees and management, considers issues and makes recommendations to the Division of Jobs and Benefits regarding apprenticeship matters.

A list of Council members can be obtained from the Division's Apprenticeship Section. Requests for information should be faxed to: Joseph Stephens, Apprenticeship Section (850)488-0249 or mailed to Apprenticeship Section, 1320 Executive Center Drive, Atkins Building, Room 200, Tallahassee, Florida 32399-0667.

The **Rehabilitation Council for the Blind** announces the following Public Forum to which all interested individuals are invited to attend.

PURPOSE: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under title I of the Rehab Act.  
DATE AND TIME: Thursday, September 16, 1999, 3:00 p.m. – 5:00 p.m. (CST)  
PLACE: Pensacola Junior College, Bldg. 2 A, Room 250, 1000 College Blvd., Pensacola, FL

CONTACT: Phyllis Dill, The Division of Blind Services, 2551 Executive Center Circle, W., Suite 200, Tallahassee, FL 32399-2050, (850)488-1330, Ext. 139, or through the Florida Telephone Relay system, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Division of Blind Services** and The Rehabilitation Council for the Blind, announces the following meeting:

DATES AND TIMES: September 17, 1999, 8:30 a.m. – 5:00 p.m.; September 18, 1999, 8:30 a.m. – 12:00 p.m.  
PLACE: Hampton Inn Airport, 2187 Airport Blvd., Pensacola, FL 32504, (850)478-1123  
PURPOSE: Quarterly meeting of the council.

A copy of the agenda may be obtained by contacting: Phyllis Dill, The Division of Blind Services, 2551 Executive Center Circle, West, Suite 200, Lafayette Bldg., Koger, Tallahassee, FL 32399, (850)488-1330 or through the Florida Telephone Relay system at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

**WATER MANAGEMENT DISTRICTS**

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 telephonic conference, to which all interested parties are invited:

DATE AND TIME: August 25, 1999, 1:00 p.m. – 5:00 p.m.  
PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida  
PURPOSE: Budget Review Commission meeting to continue discussion on the Commission's work 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.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Tony Burns, District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: August 26, 1999, 9:30 a.m. – 12:30 p.m.  
PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, Florida  
PURPOSE: To review and gather public input on the Kissimmee Basin Water Supply 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: Chris Sweazy, (407)868-6100.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: August 30, 1999, 10:00 a.m.  
PLACE: Fort Lauderdale Field Station, 2535 Davie Road, Fort Lauderdale, Florida  
PURPOSE: A meeting of the Environmental Advisory Committee to discuss environmental issues to bring before the full committee so it may make recommendations to the District's Governing Board.

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.

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For more information, contact: Woodie Van Voorhees, (561)682-6332.

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**The South Florida Water Management District** announces a public workshop of the Miami-Dade County Lake Belt Plan Implementation Committee to which all interested parties are invited:

DATE AND TIME: August 31, 1999, 10:00 a.m.  
PLACE: South Florida Water Management District, Miami Field Station, 9001 N. W. 58th Street, Miami, Florida  
PURPOSE: Workshop session to discuss the concerns and desired outcomes of the Lake Belt Detailed Master Plan with members of environmental and other organizations.

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 Miami-Dade County Lake Belt Plan Implementation Committee decision require a record of the proceedings. Affected persons are advised 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 of the meeting to make appropriate arrangements.

For more information, contact: Project Manager, Jim Jackson, (561)682-6334.

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**The South Florida Water Management District** announces public meetings to which all interested parties are invited:

DATE AND TIME: August 31, 1999, 9:00 a.m. – 3:00 p.m.  
PLACE: Rough Island Management Unit, Polk County, Florida. Departure point will be a strip mall parking lot located southeast of the intersection of Poinciana Blvd., Pleasant Hill Road, and Southport Ranch Road. Core Evaluators are Jean Smith, Osceola County Airboat Association; Dan Lackey, Chain of Lakes Property Owner's Association, Inc.; and Jeff Danter, The Nature Conservancy

DATE AND TIME: September 1, 1999, 9:00 a.m. – 3:00 p.m.  
PLACE: Gardner-Cobb Management Unit, Osceola County, Florida. Departure point will be intersection of Canoe Creek Road (523) and Cypress Lake Road. Core Evaluators are Carey Lightsey, Florida Cattlemen's Association; Jeff Andre, Osceola County Farm Bureau; and Phil Griner, Kissimmee Valley Sportsmen Association

PURPOSE: Meetings of the Kissimmee Chain of Lakes Land Management Advisory Committee to inspect South Florida Water Management District Land Stewardship activities on District-managed lands.

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No discussion of the Committee's business or activities shall occur between or among committee members at these inspection trips. All Committee members are welcome to attend the meetings. However, to arrange proper transportation, prior notification of intent to attend each of these inspection trips is required. Evaluation forms will be sent to attendees. Non-committee (public) attendance is limited to the first five (5) persons. Attendees are encouraged to bring a lunch and drinking water. Notification must be made to: Jay Udelhoven, South Florida Water Management District, 7335 Lake Ellenor Drive, Orlando, Florida 32809, Telephone 1(800)250-4250.

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.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: September 3, 1999, 10:30 a.m.

PLACE: District Headquarters, B-1 Building, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Environmental Advisory Committee to discuss environmental issues and to advise the District Governing Board of its position on these matters.

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: Woodie Van Voorhees, (561)682-6332.

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: September 8, 1999, 9:00 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

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, September 9th meeting agenda, including regulatory and non-regulatory items.

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

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Human Resources Committee meeting to discuss regular committee business.

DATE AND TIME: September 8, 1999, 2:00 p.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

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: September 8, 1999, time to be determined

PLACE: To be determined

PURPOSE: Possible off-site dinner with Governing Board members after Workshop/Meeting.

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

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

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: September 9, 1999, 2:00 p.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

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.

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 public meeting to which all interested parties are invited:

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

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting to adopt the 2000 Save Our Rivers Land Acquisition and Management 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: Fred Davis, Director, Land Stewardship Division, (561)682-6636.

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 telephonic conference, to which all interested parties are invited:

**BUDGET WORKSHOP**

DATE AND TIME: September 8, 1999, 9:00 a.m. – 5:00 p.m.

PURPOSE: To receive Governing Board comment and update the Board/Public on changes to the FY99-2000 budget.

**PUBLIC HEARING**

DATE AND TIME: September 8, 1999, 5:15 p.m.

PURPOSE: To receive public comment, vote on tentative FY99-2000 millage rates and budget, and certify the Everglades Agricultural Privilege Tax Roll and the C-139 Basin Agricultural Privilege Tax Roll.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: September 9, 1999, 8:50 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To consider the purchase of lands or property rights generally described in the SFWMD 1999 Save Our Rivers Five Year 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: Blair LittleJohn, III, Director, Real Estate Division, (561)682-6842.



The **South Florida Water Management District** announces a private attorney-client session:

DATE AND TIME: September 9, 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 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. Fernancez, 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, Executive Director F. Finch, or in his absence or 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: September 9, 1999, Immediately following Governing Board meeting, but not be 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, District Executive Director F. Finch, District attorneys J. Fumero, 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: September 9, 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. Gleaso, N. Gutierrez, Jr., M. Minton, H. Thornton, T. Williams, District Executive Director F. Finch, District attorneys J. Fumero, 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: September 10, 1999, 1:30 p.m. – 4:30 p.m.

PLACE: District Headquarters, B-1 Building, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To discuss the Indian Trail Improvement District Pilot Pump Project.

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: Patricia Walker, (561)682-6302.

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### REGIONAL UTILITY AUTHORITIES

The **Walton/Okaloosa/Santa Rosa Regional Utility Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 1999, 2:00 p.m.

PLACE: Ft. Walton Beach City Council Chambers, 107 Miracle Strip Parkway, S. W., Ft. Walton Beach, FL 32549

PURPOSE: To conduct general business of the Regional Utility Authority. The RUA-Technical Advisory Committee will meet at 1:00 p.m.

A copy of the agenda may be obtained by contacting: Daniel F. Krumel, Executive Director, West Florida Regional Planning Council, P. O. Box 486, Pensacola, Florida 32593-0486.

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The **Peace River/Manasota Regional Water Supply Authority** announces the following public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 1, 1999, 10:00 a.m.

PLACE: DeSoto County, Administration Building, 201 East Oak Street, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

Information about the meeting may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240 or calling (941)316-1776.

Affected persons are advised it will be necessary for them to make their own arrangements if a verbatim record of the meeting is needed including testimony and evidence upon which any appeal is based.

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### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Advisory Group on the Submission and Payment of Health Claims to which all interested parties are invited.

DATE AND TIME: Thursday, September 2, 1999, 8:30 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room A, Tallahassee, FL 32308, (850)922-3809

PURPOSE: To study and make recommendations on trends and issues relating to legislative, regulatory or private-sector solutions for timely and accurate submission and payment of health claims, develop an electronic billing and claims processing for providers and health care facilities, review the form and content of claims and recommend measures to reduce fraud and abuse relating to the submission and payment of claims.

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Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Emma Hill, (850)922-3809, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Emma Hill, Office of the Executive Director, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308.

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The **Agency for Health Care Administration** announces a meeting of the Certificate of Need Workgroup to which all interested parties are invited.

DATE AND TIME: Monday, September 13, 1999, 1:30 p.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room A, Tallahassee, FL 32308, (850)922-0791

PURPOSE: To study the Florida Certificate of Need program.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Scott L. Hopes, (850)922-0791, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Scott L. Hopes, Bureau of Certificate of Need and Financial Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308.

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The **Agency for Health Care Administration** announces a meeting of the Health Care Risk Manager Advisory Council to which all interested parties are invited.

DATE AND TIME: Wednesday, September 8, 1999, 9:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 1, Office of Plans and Construction Conference Room, Suite 1145, Tallahassee, Florida 32308, (850)487-1709

PURPOSE: To study and make recommendations on issues related to criteria for licensure as Health Care Risk Managers and related topics.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Susan Buchan, (850)921-4314, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Susan Buchan, Agency for Health Care Administration, Division of Managed Care and Health Quality, Office of Risk Management, 2727 Mahan Drive, Tallahassee, Florida 32308.

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### 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: August 31, 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, s/he will need to ensure that a written verbatim record of the proceedings shall have been made, at no cost to the Commission, which record includes the testimony and evidence upon which the appeal is to be based.

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 Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Tuesday, August 31, 1999, 9:00 a.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303. The meet-me telephone number is (850)921-2548 or Suncom 291-2548

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, Telephone (850)488-7082, Extension 1036.

If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, extension 1036, at least five calendar days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting will be held:

DATES AND TIMES: Wednesday, September 22, 1999, 11:00 a.m.; Thursday, September 23, 1999, 2:00 p.m.

PLACE: Wyndham Orlando Resort, 8001 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be to discuss the 1999 Florida Civil Rights Conference and general administrative issues of the Commission.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, Telephone (850)488-7082, Extension 1036.

If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Extension 1036, at least five calendar days prior to the meeting.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation** announces Hearings for Final Disposition to which all interested persons are invited.

DATE AND TIME: August 27, 1999, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Northwood Centre, Suite #60, Tallahassee, FL 32399-0792

PURPOSE: Hearings for Final Disposition.

If any person decides to appeal any decision made by the Hearing Officer with respect to any matter considered at this Informal Hearing, he/she may need to ensure that a verbatim record of the proceedings is made, which ill include the testimony and evidence upon which the appeal is to be based.

For further information, contact the Department of Business and Professional Regulation, 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 Gabrielle D'Alemberte, (850)921-1939, Department of Business and Professional Regulation, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Gabrielle D'Alemberte using Florida dual party relay system which can be reached at 1(800)95-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, Advisory Council on Condominiums announces a public meeting to which all persons are invited.

DATE AND TIME: September 27, 1999, 10:00 a.m. – 1:00 p.m.

PLACE: Selby Public Library, 1331 First Street, Sarasota, Florida

A copy of the agenda may be obtained by writing: Robin Bradwell, Administrative Assistant II, Bureau of Condominiums Division of Florida Land Sales, Condominiums and Mobile Homes, Northwood Center, 1940 North Monroe Street, Tallahassee, Florida 32399-1033, or by calling (850)488-0740.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Robin Bradwell, (850)488-0740. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

The **Board of Auctioneers** announces the following telephone conference call meeting to which all persons are invited.

DATE AND TIME: Friday, September 10, 1999, 10:00 a.m. (EST) or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0762  
All interested parties may call (850)921-5400, Suncom 291-5400 to participate in this conference call

PURPOSE: General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762 or by calling Daryl Dempsey, (850)488-5189.

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 forty-eight (48) hours before to the meeting by contacting Daryl Dempsey, (850)488-5189. If you are hearing or speech impaired, please contact the agency by calling 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, they 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 will include the testimony and evidence upon which the appeal is to be based.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIME: Wednesday, September 8, 1999; Thursday, September 9, 1999; Friday, September 10, 1999, 8:00 a.m.

PLACE: Hyatt Sarasota on Sarasota Bay, Sarasota, Florida  
PURPOSE: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Rodney Hurst, (904)727-3689, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Electrical Contractors' Licensing Board** announces an Official Board and Committee Meetings to which all interested persons are invited. Parts of this meeting are confidential and closed to the public.

DATE AND TIME: September 15, 1999, 11:00 a.m. – Probable Cause Panel Meeting (closed to the public); 1:00 p.m. – Committee Meetings

DATE AND TIME: September 16, 1999, 9:00 a.m. or soon thereafter

PLACE: Radisson, Hotel Tampa at Sabal Park, 10221 Princess Palm Avenue, Tampa, Florida 333610, (813)623-6363

PURPOSE: Official Board Meeting

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the 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 Electrical Contractors' Licensing Board, 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 Henrietta Isom at the Electrical Contractors' Licensing Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Henrietta Isom using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: September 16, 1999, 1:00 p.m.

PURPOSE: Rules Committee immediately followed by Finance Committee immediately followed by Probable Cause Panel meeting, agenda available on request.

DATE AND TIME: September 17, 1999, 9:00 a.m.

PURPOSE: General Board and Business meeting.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399, (850)488-0698.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 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)488-0698, 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 at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy** announces the following meeting of the Probable Cause Panel:

DATE AND TIME: Thursday, September 9, 1999, 8:45 a.m.

PLACE: Tampa Marriott Airport, International Airport, Tampa, Florida

PURPOSE: The probable cause panel will meet to conduct hearings on disciplinary matters.

These meetings are closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered.

A copy of any probable cause materials which are open to the public may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606.

NOTE: Portions of the Probable Cause Panel meeting may be closed to the public.

If a person decides to appeal any decision made by the Board with respect to any matter consider at this meeting, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting by contacting: Martha Willis, (352)955-2165.

If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The **Board of Accountancy** announces the following public meeting of the Board to which all person are invited:

DATE AND TIME: Friday, September 10, 1999, 8:30 a.m.

PLACE: Marriott Tampa Airport, International Airport, Tampa, Florida

PURPOSE: Enforcement proceedings including consideration of investigating officers reports and other general business. This is a public meeting.

A copy of the agenda may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting: Martha Willis, (352)955-2165. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The **Board of Accountancy**, Committee on Accounting Education, announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 1999, 2:00 p.m.

PLACE: Conference call

PURPOSE: To consider applications for the November 1999 CPA Examination and other items relating to the educational requirements to sit for the CPA Examination.

A copy of the agenda may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606 or by calling Martha Willis, (352)955-2165.

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: Barbara Whitney, (352)955-2165. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Florida **Real Estate Commission** announces that the Probable Cause panel will meet, portions of the probable cause proceedings are not open to the public.

DATE AND TIME: Tuesday, September 14, 1999, 1:30 p.m., or the soonest thereafter

PLACE: Room 301, North Tower, 400 West Robinson Street, Orlando, Florida

PURPOSE: Probable Cause Proceedings.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800, at least five days prior to the meeting. If you are hearing impaired or speech impaired, please call 1(800)955-8770 (Voice) and 1(800)955-8771 TDD).

The Florida **Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: September 15, 1999, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room, 301 North Tower, 400 West Robinson Street, Orlando, Florida

PURPOSE: Official business of Commission, among topics included, but not limited to, are proposed legislation affecting Chapter 475 Part I, Rule development workshops, Florida Administrative Code 61J2 Rule amendments, Budget discussions, Escrow Disbursement Requests, Recovery Fund Claims, education issues, Petitions for declaratory statement and disciplinary actions.

If a person decides to appeal a decision made by the Commission with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session.

Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, P. O. Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Environmental Protection, Division of Marine Resources** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 9, 1999, 7:00 p.m.

PLACE: St. Johns County Auditorium, 4020 Lewis Speedway, St. Augustine, Florida 32095

PURPOSE: The sixteen member Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) meets regularly on the second Thursday of the third month of each quarter. The MAG is composed of eight citizens, who were appointed by the three state legislators with overlapping jurisdiction with the reserve

boundaries, and eight representatives of the local, state and federal government entities with authority and responsibility in the reserve. They are the St. Johns River Water Management District; the Flagler County Board of County Commission; the St. Johns County Board of County Commission; the National Park Service; the Florida Park Service; the Florida Game and Fresh Water Fish Commission; the St. Augustine Port, Waterway and Beach Authority and the City of St. Augustine. The MAG will work with the Florida Department of Environmental Protection (DEP) to implement the management plan adopted by the Governor and Cabinet for the new reserve. This meeting will include status reports on the development of the reserve, federal grant funds, graduate fellowship program and the GTMNERR Dedication Ceremony.

A copy of the agenda may be obtained by contacting: Ms. Anna Marie Hartman, 3900 Commonwealth Boulevard, M.S. 235, Tallahassee, Florida 32399, (850)488-3456.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

The Public hearings of the **Land Acquisition and Management Advisory Council**, established pursuant to s. 259.035, F.S., are scheduled to take public testimony on a proposal to submit an interim Conservation and Recreation Lands (CARL) Priority List to add the Julington/Durbin Peninsula (Duval/St. Johns Counties) project proposal to the 1999 CARL Priority List.

DATES AND TIME: August 19, 1999; September 2, 1999, 9:00 a.m.

PLACE: Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, Florida 32399-3000.

For further information please contact: Office of Environmental Services, (850)487-1750.

If an accommodation is needed for a disability in order to participate in these meetings, please notify Linda Harvey, (850)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Florida Forever Advisory Council** (FFAC), as defined in Section 259.0345, Florida Statutes, announces the following public meeting to which all interested parties are invited.

DATES AND TIME: September 15, 1999; September 16, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: The Florida Senate, Lower Level 37, Senate Committee Room, 408 The Capitol, South Monroe Street, Tallahassee, Florida 32399

For more information please contact the Office of Environmental Services, (850)487-1750.

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 **Department of Health**, Office of Rural Health will be holding a Rural Hospital Flexibility Program Workshop.

DATE AND TIME: September 1, 1999, 10:00 a.m. E.S.T.  
PLACE: Department of Health, 2002 Old St. Augustine Road, Building D, Rm. 115, Tallahassee, FL 32301, Telephone (850)487-2044

PURPOSE: To discuss the Rural Hospital Flexibility Program, specifically pertaining to eligible rural hospital financial feasibility studies. An agenda may be obtained by contacting Mike Walsh, Office of Rural Health, (850)487-2044.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Office of Rural Health, (850)487-2044, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Office of Rural Health using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information write: Mike Walsh, 2002-D Old St. Augustine Rd. (HLH), Tallahassee, Florida 32301-4881 or call (850)487-2044.

The Florida **Board of Chiropractic Medicine**, Probable Cause Panel will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Thursday, September 2, 1999, 9:00 a.m.  
PLACE: Radisson Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812, (407)856-0100

PURPOSE: Reconsideration of cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Chiropractic Medicine, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Chiropractic Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If you dispute any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim recording 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 W. Causey, Professional Regulation Specialist II, Florida Board of Chiropractic Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin C07, Tallahassee, Florida 32399-3257.

The Florida **Board of Clinical Laboratory Personnel** has scheduled a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Monday, August 30, 1999, 11:00 a.m. at Meet Me Number (850)921-2470  
PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, Florida 32399

PURPOSE: To discuss the proposed legislative changes to Chapter 483.823, Florida Statutes.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Clinical Laboratory Personnel, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board of Clinical Laboratory Personnel using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra Causey, Professional Regulatory Specialist II, Board of Clinical Laboratory Personnel, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin C07, Tallahassee, Florida 32399-3257.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a Continuing Education Committee meeting conducted by way of a Telephone Conference Call.

All interested parties are invited to attend at the address listed below, which is normally open to the public.  
DATE AND TIME: September 3, 1999, 9:00 a.m.

PLACE: Department of Health, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399  
PURPOSE: Committee Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 2020 Capital Circle, S. E., BIN C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster by Wednesday, August 27, 1999.

The Florida **Board of Dentistry** will hold the following meeting to which all persons are invited:

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

PLACE: Embassy Suites Hotel, 3974 South River Drive, Miami, FL 33142, (305)634-5000

PURPOSE: To review reconsideration cases.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., BIN C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Linda Barber, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, announces a Telephone Conference Call to be held via meet me (850)921-2470.

DATE AND TIME: Wednesday, September 1, 1999, 12:00 Noon or soon thereafter

PLACE: Florida Board of Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399

PURPOSE: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., 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.

The **Board of Pharmacy** announces a meeting to which all persons are invited. This meeting will be held by telephone conference call at the following locations:

Peter Pevonka, Associate V. P. for Health Affairs, Gainesville, (352)392-9713

Leonard Inge, R.Ph., Tallahassee, (850)599-3480

Juan Mora, R.Ph., Miami, (954)924-2032

James Cerda, M.D., Gainesville, (352)392-4562

Louis C. Murray, M.D., Orlando, (407)423-2571

Henry Lewis, Consultant, Tallahassee, (850)599-3301

Edwin Bayo, Assistant Attorney General, Tallahassee, (850)488-1891

John D. Taylor, R.Ph., Ex. Director, Tallahassee, (850)488-7546.

DATE AND TIME: September 15, 1999, 12:00 Noon, EDT

PURPOSE: To consider a petition to add Amiodarone to the Negative Drug Formulary.

A copy of the agenda may be obtained by writing: MQA/Board of Pharmacy, 2020 Capital Circle, S. E., Bin C04, Tallahassee, FL 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Sharon Knowles, (850)488-7220, at least five calendar days prior to the meeting. If you are hearing or speech impaired please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health** and the **Board of Psychology** announces a meeting to which all persons are invited.

DATES AND TIME: September 3, 1999, 9:00 a.m. or soon thereafter

PLACE: The New World Landing Inn, 600 South Palafox, Pensacola, FL 32501, (850)432-4111

PURPOSE: General Business Meeting and Rules Review

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 2020 Capital Circle, S. E., BIN C05, Tallahassee, Florida 32399-3255, or by contacting the board office, (850)487-2098.



Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)487-2098. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology** announces a conference call of the board to which all persons are invited:  
DATE AND TIME: August 27, 1999, 8:00 a.m., or soon thereafter

PLACE: Nonsuncom (850)921-5470, Suncom 291-5470

PURPOSE: For the certification of applicants and any general business as required.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 2020 Capital Circle, S. E., BIN C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)487-2098.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)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 Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services**, District 14, Health and Human Services Board announces the following public meetings to which all persons are invited:

Executive Committee meeting

DATE AND TIME: Tuesday, August 17, 1999, 4:00 p.m.

PLACE: Children and Family Services, Conference Room 101, 270 Bartow Municipal Airport, Bartow, FL

PURPOSE: To conduct general business.

For copies of the agenda, further information or persons needing accommodation to participate in these meetings please contact: Patty Harrison, (941)619-4100, Extension 157, 1(800)342-0825 or TDD (941)648-3337.

The **Department of Children and Family Services**, District 12, Health and Human Services Board announces a public meeting to which all persons are invited.

DATE AND TIME: August 30, 1999, 9:00 a.m.

PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Special meeting with Secretary Kearney.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Statewide Health and Human Services Board (SHHSB)** Nominating Committee will hold a conference call to discuss the election of officers to the Statewide Health and Human Services Board on:

DATE AND TIME: Monday, August 30, 1999, 10:00 a.m. – 12:00 Noon

PLACE: The meet me phone number is (850)921-6513 or Suncom 291-6513

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 **Department of Children and Family Services**, District Ten, Health and Human Services Board will conduct the following Sub-committee conference call meeting during the months of August and September:

The Health and Human Services Board Legislative Ad-hoc Committee announces a public meeting to which you are invited:

DATE AND TIME: August 31, 1999, 2:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Suite 408, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The mission is to develop a legislative briefing booklet to assist the Board with their lobbying efforts.

The Health and Human Services, Board Community Based Planning "Plan to Plan" Ad-hoc Committee announces a public meeting to which you are invited:

DATE AND TIME: September 3, 1999, 1:00 p.m.

PLACE: Department of Children and Family Services, 201 W. Broward Blvd., Suite 408, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Community Based Care.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, 201 W. Broward Blvd., Suite 406, Ft. Lauderdale, FL 33301.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration, Scott Silverman, at least 5 working days before the meeting at (954)467-4298 or (954)467-4509 (TDD).

The **Department of Children and Family Services**, District 5, Health and Human Services Board announces the following six months public meeting schedule to which all persons are invited:

Health and Human Services Board

DATE AND TIME: September 1, 1999, 9:30 a.m.

PLACE: Davis Hall, Room 150, University of South Florida, Bayboro Campus, 140 – 7th Avenue, South, St. Petersburg, FL

PURPOSE: Regular meeting for general business and workshop retreat.

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

PLACE: Counsel Square II, 7601 Little Road, New Port Richey, FL

PURPOSE: Regular meeting for general business.

DATES AND TIME: October 6, 1999; December 1, 1999; January 5, 2000; 9:30 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular meeting for general business.

The Health and Human Services Board standing committees will meet as follows:

Planning, Budget and Evaluation Committee

DATE AND TIME: September 1, 1999, immediately following board meeting

PLACE: Davis Hall, Room 150, University of South Florida, Bayboro Campus, 140 – 7th Avenue, South, St. Petersburg, FL

PURPOSE: Regular meeting for general business.

DATE AND TIME: November 3, 1999, immediately following board meeting

PLACE: Counsel Square II, 7601 Little Road, New Port Richey, FL

PURPOSE: Regular meeting for general business.

DATES AND TIME: October 6, 1999; December 1, 1999; January 5, 2000; immediately following board meeting

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular meeting for general business.

Organization Committee

DATES AND TIME: October 6, 1999; January 5, 2000; 8:45 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular meeting to discuss general business.

Legislative Committee

DATES AND TIME: September 17, 1999; October 15, 1999; November 19, 1999; December 17, 1999; January 21, 2000; 10:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular meeting to discuss general business.

Comprehensive Services for Adults and Children Committee

DATES AND TIME: September 13, 1999; October 11, 1999; November 8, 1999; December 13, 1999; January 10, 2000; 3:00 p.m.

PLACE: Emmanuel Community Baptist Church, 1150 County Road 1, Palm Harbor, FL

PURPOSE: Regular meeting to discuss general business.

Family Support Committee

DATES AND TIME: September 15, 1999; October 20, 1999; November 17, 1999; December 15, 1999; January 19, 2000; 9:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: Regular meeting to discuss general business.

Family Care Council

DATES AND TIME: September 22, 1999; October 27, 1999; November 17, 1999; December 15, 1999; January 26, 2000; 7:00 p.m.

PLACE: Countryside Library, 2741 Route 580, Clearwater, FL

PURPOSE: Regular meeting to discuss general business.

Community-Based Care Pasco Task Force

DATES AND TIME: September 8, 1999; October 13, 1999; November 10, 1999; December 8, 1999; January 12, 2000; 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

DATES AND TIME: September 22, 1999; October 27, 1999; November 24, 1999; December 22, 1999; January 26, 2000; 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 at: 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.

**FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION**

The **Fish and Wildlife Conservation Commission** announces a series of public workshops concerning horseshoe crabs, to which all interested persons are invited:

**DATES AND PLACES:** September 1, 1999, Miami City Hall, 3500 Pan American Drive, Miami, Florida; September 2, 1999, State Government Building, Room 165C and D (West Wing), 2295 Victoria Avenue, Ft. Myers, Florida 33901, 6:00 p.m. – 8:00 p.m., each day

**PURPOSE:** The Fish and Wildlife Conservation Commission is holding a series of workshops to gather public testimony regarding the development of a statewide Horseshoe Crab Fishery management Plan. Options for the horseshoe crab fishery include, but are not limited to, allowable harvesting gear, allowable harvesting areas, seasons, quotas, bycatch allowances, and special considerations for harvest for the scientific research, educational and pharmaceutical use.

Special accommodations at this meeting for persons with disabling conditions should be requested in writing at least 7 days in advance. Contact: Lisa Rubenstein, Fish and Wildlife Conservation Commission, Division of Marine Fisheries, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301.

For further information, contact: Dr. Russell Nelson, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554.

The **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces a meeting of the Vessel Registration Committee of the Boating Advisory Council to which all persons are invited:

**DATE AND TIME:** September 2, 1999, 1:30 p.m. – 3:30 p.m.

**PLACE:** Fish and Wildlife Conservation Commission, Division of Law Enforcement, Bureau of Marine Enforcement, 2510 2nd Avenue, North, Jacksonville Beach, Florida

**PURPOSE:** Committee meeting to discuss the number of unregistered/non-powered vessels in Florida, possible additional registration requirements, determine the size cutoffs for registration, recommendations on fee structures, and other registration issues.

An agenda of the meeting may be obtained by contacting: Division of Law Enforcement, Boating Advisory Council, 620 South Meridian Street, Bryant Building, Tallahassee, Florida 32399-1600, or by calling Captain Jim Brown or Ms. Shelly Gurr, (850)488-5600.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should notify the Bureau of Personnel, (850)488-6411, not later than ten working days prior to the preceding event.

**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, August 24, 1999, 1:30 p.m.

**PLACE:** Moffitt Research Center Auditorium, 13131 Magnolia Drive, Tampa, FL

**PURPOSE:** To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact Ms. Barbara Sawyer by Friday, August 20, 1999.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, August 24, 1999, 3:30 p.m.

**PLACE:** Moffitt Research Center Auditorium, 13131 Magnolia Drive, Tampa, FL

**PURPOSE:** To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact Ms. Lori Payne by Friday, August 20, 1999.

**STATE COURTS SYSTEM**

The Florida **State Courts System** announces a public hearing to which all persons are invited:

**DATE AND TIME:** Friday, August 27, 1999, 10:00 a.m.

**PLACE:** Supreme Court Building, Judicial Meeting Room, 500 South Duval Street, Tallahassee, Florida 32399-1900

**PURPOSE:** The Office of the State Courts Administrator will present an overview of the State Courts System's 1999-2000 legislative budget request to the Legislature followed by a time for public questions and comments.

**AUTHORITY:** Section 216.131, Florida Statutes.

Persons wishing to testify are requested to contact: Ms. Lisa Goodner, Deputy State Courts Administrator, by 10:00 a.m., August 27, 1999 at the address above. Written comments may be submitted to the hearing officer at the proceeding or mailed to the Office of the State Courts Administrator at the above address for receipt by August 27, 1999.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to attend the meeting should contact: Ms. Lisa Goodner, Deputy State Courts Administrator, no later than 10:00 a.m., August 26, 1999 by phone (850)488-9922 or in person at the Supreme Court Building, Room 332.

**STATEWIDE NOMINATING COMMISSION**

The **Statewide Nominating Commission** for Judges of Compensation Claims announces a public hearing to be held on:

**DATE AND TIME:** Monday, August 30, 1999, 9:30 a.m.

**PLACE:** Orlando Airport Marriott, Orlando, FL

**PURPOSE:** To conduct interviews of and to receive public commentary on applicants for the judge of compensation claims vacancy in District F (Lakeland) created by the elevation of Judge Judith Flanders to the circuit court.

Any applicants' completed application and a copy must be submitted to the chairperson and one copy to each Commission member by 5:00 p.m., August 16, 1999.

Additionally, written commentary concerning any applicant by any person must also be submitted to the Commission chairperson and a copy to each Commission member.

Any questions concerning the upcoming Commission public hearing should be directed: G. Bart Billbrough, Commission chairperson, 1390 Brickell Avenue, Third Floor, Miami, FL 33131, Telephone (305)350-5358.

**FLORIDA CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT**

The **Florida Center for Solid and Hazardous Waste Management** Advisory Board Quarterly Meeting to which all interested persons are invited:

**DATE AND TIME:** September 3, 1999, 9:00 a.m. – 12:00 Noon

**PLACE:** Wyndham Westshore, 4860 West Kennedy Boulevard, Tampa, Florida

For further information call (352)392-6264.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF HEALTH**

**NOTICE IS HEREBY GIVEN** that the Department of Health has issued a final order rendered July 21, 1999, corrected by notice of scrivener's errors rendered August 9, 1999, disposing of a petition for declaratory statement filed May 12, 1999 by Project: Dentists Care, Inc. The following is a summary of the department's disposition of the petition.

Petitioner, a volunteer dental health care provider that contracts with the department to provide dental care to department patients, asked whether its status under section 766.1115, Florida Statutes (F.S.) is jeopardized if it or its volunteer dentists refer patients of the department to ancillary dental laboratories. Under section 766.1115 health care providers that contract with the department to provide health care services to department patients on a volunteer, uncompensated basis are afforded sovereign immunity protection.

The department's final order granting the petition concludes that petitioner is an agent of the department for the services it provides to department clients even as to petitioner's determination as to the need for the services of a dental laboratory and the choice of the referral laboratory. Petitioner is not the agent of the department, and is not entitled to sovereign immunity protection under section 766.1115 as to any services provided by the ancillary dental laboratory, which also is not an agent of the department under the terms of the statute.

A copy of the final order and notice of scrivener's errors may be obtained from: Angela Hall, Agency Clerk, Department of Health, Office of the General Counsel, 2020 Capital Circle, S. E., Bin A02, Tallahassee, Florida 32399-1703, Telephone (850)414-8012.

**NAVIGATION DISTRICTS**

**NOTICE IS HEREBY GIVEN** by the Florida Inland Navigation District that the City of St. Augustine's Petition for a variance from Rule 66B-2.004(7), Florida Administrative Code, filed by June 4, 1999, Case No. 99-001, was approved on July 23, 1999. The rule establishes a deadline (i.e., June 1, 1999), for providing evidence of a 25-year ownership, management on lease agreement to maintain management rights to the property in questions; the granted variance extended this deadline until July 22, 1999. The Petition was approved on the basis that underlying statute would be achieved by other means and the application of the rule would create substantial hardship. Notice of the Petition was published in the Florida Administrative Weekly on June 25, 1999.

A copy of the Order can be obtained from: Assistant Executive Director, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386.

NOTICE IS HEREBY GIVEN by the Florida Inland Navigation District that the Petitions of the following petitioners: St. Lucie County Board of County Commissioners, City of New Smyrna Beach, City of Daytona Beach, Miami-Dade County, Jacksonville Port Authority, Palm Beach County Board of County Commissioners, and Town of Jupiter for variances from Rule 66B-2.008(1)(d), Florida Administrative Code, filed by June 4, 1999, Case Nos. 99-002 through 99-009, were approved on July 23, 1999, to the extent that an extension for having permits in hand was granted until the Final TRIM hearing (for FY 1999-2000 this will be September 22, 1999). The rule requires that, absent a variance or waiver, all permits for Phase II Projects Seeking Waterway Assistance program funding have all permits in hand by the filing deadline (i.e., June 1, 1999). The approval of the Petitions, as noted above, was on the basis that underlying statute would be achieved by other means and the application of the rule would create substantial hardship. Notices of the Petitions were published in the Florida Administrative Weekly on June 25, 1999.

Copies of the Orders can be obtained from: Assistant Executive Director, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386.

**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:**

Juan Francisco Berenguer, vs. Department of Insurance; Rule No.: 4-211.031(21)(e),(24)-(27), 4-231.50, 4-231.60; Case No.: 99-3010RX

Florida League of Health Systems, Inc.; Florida Hospital Association, Inc.; and the Association of Community Hospitals and Health Systems of Florida, Inc., vs. Department of Health, Board of Medicine; Rule No.: 64B8-9.009(1)-(6); Case No.: 99-2975RP

Regency Gardens Apartments, Ltd., and Shepland Development Corporation, vs. Florida Housing Finance Corporation; Rule No.: 67-48.005; Case No.: 99-3179RX

**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**

**WATER MANAGEMENT DISTRICTS**

**INVITATION TO BID  
EPA 319H LEON/WAKULLA NITRATE MONITOR  
WELL CONSTRUCTION PROJECT  
BID NUMBER 99B-009**

The Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, is soliciting sealed bids from licensed water well contractors for the drilling of monitor wells in Leon and/or Wakulla counties. Construction of approximately six (6) four-inch diameter, open hole limestone wells is anticipated. Drilling equipment capable of completing four-inch open hole wells to 350 ft. is required.

The bids will be opened on Tuesday, September 7, 1999, 3:00 p.m., EDT at the Northwest Florida Water Management District headquarters. All bids must conform to the instructions in the Invitation to Bid. Interested prospective bidders may obtain a copy of the complete Invitation to Bid package at the above address or by calling Maria Culbertson, division secretary or Angela Chelette, hydrogeology, (850)539-5999.

There will be a pre-bid conference at the headquarters of the NFWFMD on Tuesday, August 24, 1999, 2:00 p.m., EDT. The purpose of the conference is to answer any technical or administrative questions regarding this bid package and the work to be performed.

The bid opening is open to the public. Provisions will be made to accommodate the handicapped (if requested) provided the District is given at least 72 hours advance notice. All bids must comply with applicable Florida Statutes.

**DEPARTMENT OF MANAGEMENT SERVICES**

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR  
ARCHITECTURE/ENGINEERING CONSULTING  
SERVICES**

The Division of Building Construction announces that professional services are required for the project listed below.

PROJECT NUMBER: TBA

PROJECT NAME: Hurston Towers Water Intrusion Corrective Work

PROJECT LOCATION: Zora Neale Hurston Building, Orlando

SERVICES TO BE PROVIDED: Consultant to provide design documents for water intrusion corrective work to prevent water infiltration through glass curtain walls, precast joints and windows.

CLIENT AGENCY: Department of Management Services, Facilities Management

DMS PROJECT DIRECTOR: TBA

Applications are to be sent to: Carole Nichols, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Building 4030, Suite 335Q, Tallahassee, FL 32399-0950.

PHONE NO: (850)487-2824

RESPONSE DUE DATE: September 13, 1999, 5:00 p.m., local time.

**INSTRUCTIONS**

Firms interested in being considered for this project must submit an original and three (3) copies of their application with a table of contents and tabbed sections in the following order:

- 1) Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
- 2) Current Professional Qualifications Supplement (PQS), Form DBC5112, dated 2/99.
- 3) A copy of the firm's current Florida Professional Registration License Renewal.
- 4) For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
- 5) Completed SF-254.
- 6) Completed SF-255.
- 7) A list of relevant experience in this specialized field.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

Applicants are advised that plans and specifications for A/E projects may be reused. An appropriate contractual agreement will be made with the selected firm should this be necessary. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm. The selected firm will be notified and announcement of selected firms will be published in the Florida Administrative Weekly.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF INVITATION TO BID**

BID NO. DEP 06-99/00

The Department of Environmental Protection, Office of Greenways and Trails is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Provide labor, materials and equipment for Steel

SCOPE OF WORK: Restoration and New Gate Seals of the Inglis Dam and the Bypass Canal Water Control Structure's Gates and Assemblies.

PROJECT LOCATION: Inglis Lock, 4 miles East on Highway 40, Inglis (Levy County), Florida

PROJECT MANAGER: Jim Wolfe, Office of Greenways and Trails, Telephone number (850)488-3701

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below: Florida Department of Environmental Protection, Purchasing Section, 3900 Commonwealth Boulevard, M.S. 86, Tallahassee, Florida 32399-3000, Attention: David Shufflebotham, Telephone number (850)488-6711

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of a disability, please contact the Purchasing Section, (850)488-6711.

BID SUBMITTAL: 3:00 p.m., Thursday, September 16, 1999

DUE DATE: To the below address: Florida Department of Environmental Protection, Purchasing Section, Mail Station 86, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

REQUEST FOR PROPOSALS
RFPBDRS 03-99/00.

Sealed responses will be received by the Department of Environmental Protection (DEP) Alfred B. Maclay State Gardens, 3540 Thomasville Road, Tallahassee, Florida 32308, until the time, day and date shown below:

3:30 p.m., Eastern Daylight Savings Time, Monday, September, 20, 1999

This Request for Proposals (RFP) is for certified Architects or Engineers, in the State of Florida, for new development of Alafia River State Recreation Area south east of Tampa near Brandon, in Hillsborough County. This RFP is for the design of an entrance station, picnic area restroom, parking and utilities. Additional scope of work will be developed prior to negotiations.

Any person with a qualified disability shall not be denied equal access and effective communication regarding any solicitation documents or the attendance at any related meeting or solicitation response opening. If accommodations are needed because of a disability, please contact the Contracts Section, (850)488-3539.

Solicitation packages may be obtained at the above address by calling telephone number (850)488-3539. Please specify the solicitation package by the DEP Solicitation Number provided above.

Minority businesses are encouraged to participate. The Department reserves the right to reject any or all proposals received.

REQUEST FOR PROPOSALS
RFPBDRS 02-99/00

Sealed responses will be received by the Department of Environmental Protection (DEP), Alfred B. Maclay State Gardens, 3540 Thomasville Road, Tallahassee, Florida 32308, until the time, day and date shown below:

3:30 p.m., Eastern Daylight Savings Time, Monday, September, 20, 1999

This Request for Proposals (RFP) is for certified Engineers, in the State of Florida, to prepare construction plans and specifications for a seawall along the Atlantic Coast at the McLarty Museum in Sebastian Inlet State Recreation Area. Additional scope of work will be developed prior to negotiations.

Any person with a qualified disability shall not be denied equal access and effective communication regarding any solicitation documents or the attendance at any related meeting or solicitation response opening.

If accommodations are needed because of a disability, please contact the Contracts Section, (850)488-3539.

Solicitation packages may be obtained at the above address by calling telephone number (850)488-3539. Please specify the solicitation package by the DEP Solicitation Number provided above.

Minority businesses are encouraged to participate. The Department reserves the right to reject any or all proposals received.

NOTICE OF INVITATION TO BID
BID NO. BDRS 14-99/00

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Anclote Key Boat Dock
SCOPE OF WORK: Construct a boat dock, consisting of precast concrete deck slabs on a concrete substructure, at Anclote Key State Preserve.

PARK LOCATION: Anclote Key State Preserve is located in the Gulf of Mexico, approximately 10 miles north of Honeymoon Island, northwest of the City of Tarpon Springs. Current access to Anclote Key is by boat. Boat docking facilities do not exist on the Key.

PROJECT MANAGER: Don Gerteisen, Bureau of Design and Recreation Services, Telephone Number (850)488-3543

MINORITY BUSINESS REQUIREMENT: This project is reserved for competitive sealed bidding only among qualified Bidders who agree to use Florida Department of Management Services certified minority business enterprises as subcontractors or vendors. A minimum of twenty-one percent (21%) of the total bid must be expended with certified minority business subcontractors and subvendors.

INSTRUCTIONS: Bidders desiring plans and bid specifications for this project may obtain a copy by writing, telephoning or visiting the park office described below. These documents will be available on Friday, September 20, 1999.

Honeymoon Island State Recreation Area, No. 1 Causeway Boulevard, Dunedin, Florida 34698, Attention: Perry Smith, Park Manager, Telephone Number (727)469-5942, Fax Number (727)469-5703, E-Mail: dephoney@gte.net

PRE-BID CONFERENCE: A Pre-Bid Conference is scheduled for 11:00 a.m., September 1, 1999, at Honeymoon Island State Recreation Area. Attendance is mandatory for Bidders. A Bidder not attending is not qualified or eligible to submit a bid for the project.

At the Pre-Bid Conference a boat trip is available for Bidders to inspect the site. If the project site is not inspected at that time, Bidders must arrange transportation to inspect the site at their expense. Bidders are to telephone the Project Manager, by 4:00 p.m., August 30, 1999, if they will inspect the project site at the Pre-Bid Conference.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539 at least five (5) workdays prior to opening.

BID SUBMITTAL DUE DATE: No later than 3:45 p.m., September 14, 1999, to the below address:

Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308

The Department reserves the right to reject any or all bids.

Larry Cliett, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID  
BID NO. BDRS 13-99/00**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Nature Coast State Trail, Trenton Trailhead New Restroom Addition

SCOPE OF WORK: Construction of a new restroom and associated work at the Trenton Trailhead.

PARK LOCATION: Manatee Springs State Park, End of S.R. 320, W. off U.S. 98, near Chiefland (Levy), Florida

PROJECT MANAGER: Frank Mattmuller, P. E., Bureau of Design and Recreation Services, Telephone Number (850)488-6433

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:

Plans and specifications will be available on Friday, August 20, 1999 at: Manatee Springs State Park, 11650 N. W. 115th Street, Chiefland, Florida 32060, Attention: Bill Roberson, Asst. Park Manager, Telephone Number (352)493-6072

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to opening.

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, September 14, 1999 to the below address:

Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308

The Department reserves the right to reject any or all bids.

Larry Cliett, Contracts Manager, Bureau of Design and Recreation Services.

**DEPARTMENT OF HEALTH**

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES FOR  
ARCHITECTURE-ENGINEERING**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional services are required for the project listed below. Applications being sent via the U. S. Mail or via overnight express service shall be sent to: Mr. Kenneth Perlowski, Senior Architect, Florida Department of Health, Office of Design and Construction, 2020 Capital Circle, S. E., BIN B06, Alexander Building, Tallahassee, Florida 32399-1734, Phone (850)488-2531, Facsimile (850)410-1474.

PROJECT NUMBER: DOH 99667050

PROJECT NAME: Walton County Health Department, Freeport – New facility construction including clinic and office space.

SERVICES TO BE PROVIDED: Architectural-Engineering

ESTIMATED CONSTRUCTION BUDGET: \$1,031,000

SAMAS NO.: 64-30-1-000314-64200000-00-084093-98

RESPONSE DUE DATE: Friday, September 17, 1999, 5:00 p.m. Local Time

INSTRUCTIONS: Submit three (3) bound copies of the following information:

- 1) Table of Contents
- 2) Letter of interest
- 3) A copy of the current Department of Management Services Professional Qualifications Supplement (PQS): Form DBC5112 Revised 10/97. A copy can be obtained by calling (850)413-8415.
  - List only related projects designed, under construction and/or completed within the past five (5) years.
- 4) A copy of the firm's current Florida Professional License registration.
- 5) A copy of the firm's current Corporate Certification (Corporations only).
- 6) Completed current Standard Form 254 for the Architect and the major consultants.
- 7) Completed current Standard Form 255 for the Architect.
  - In Article eight (8), Work by Firm or Joint-Venture



Members, list only projects designed, under construction, and/or completed within the past five (5) years.

8) A copy of the applicant's currently dated State of Florida Minority Re-certification or Certification Letter for those applicants desiring "selection credit" as State Certified Minority Business Enterprises, either as a Prime Consultant or a Sub-consultant.

9) A stamped self-addressed envelope if the applicant would like a Notice of Selection result.

All applicants are urged to limit their submittals to fifty (50) pages, excluding front and back covers and all section dividers. This is not a mandatory requirement.

All proposals submitted shall become the property of the Department of Health. The submitted proposals will be placed on file and not returned. Any proposals that do not comply with the above instructions as set forth and/or do not include the required qualification data will be considered improper and disqualify the applicant. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

**INVITATION TO BID**

Sealed bids will be accepted by the Pinellas County Health Department (PCHD), located at 300 31st St., North, Suite 602, St. Petersburg, FL 33713, until 1:00 p.m. on September 17, 1999. In accordance with section 287.0943, F.S., this ITB is LIMITED to Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office (MBAAO). Only such Certified Minority Business Enterprises (CMBEs) are eligible for award. For information on certification, contact: MBAAO, (850)487-0915. Bid No.: 9900-02-RW to furnish JANITORIAL SERVICES for six (6) locations within Pinellas County may be secured from the Purchasing Department within the PCHD at the above address, Telephone No. (813)893-2209. Bid packages include specifications, terms and general conditions. A Mandatory bidder's conference will be held on Friday, September 3, 1999, 10:00 a.m., at the PCHD located at 300 31st St. North, Suite 615, St. Petersburg, FL 33713. ATTENDANCE IS MANDATORY. Bidder's not in attendance will not be considered for award. Right is reserved for the PCHD to reject any or all bids.

SPECIAL NOTE: If you require accommodations because of a disability in order to participate in the bid process, please contact: Rick Wallace, (727)893-2209, Ext. 137 by August 27, 1999.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**INVITATION TO BID NUMBER ESS-99-09-09 FOR**

**GRANT-IN-AID FOR COMMUNITY AGENCIES AND ORGANIZATIONS SERVING THE HOMELESS IN SEMINOLE, OSCEOLA OR BREVARD COUNTY**

The State of Florida, Department of Children and Family Services, District 7, Economic Self Sufficiency Program Office is soliciting proposals for case managed transitional housing for homeless families and/or individuals.

Copies of the proposal package are available from B. Gail Phillips, 400 W. Robinson Street, Suite S1009, Orlando, Florida 32801. The Economic Self Sufficiency Program Office must receive all completed bid packages by 10:00 a.m., September 9, 1999. Proposal openings will be at 1:00 p.m., September 9, 1999. The Department reserves the right to reject any and all proposals or accept minor irregularities in the best intent of the State. Certified Minority Business Enterprises are encouraged to participate.

**FLORIDA SHERIFFS ASSOCIATION**

**BID ANNOUNCEMENTS**

BID NUMBER: 99-07-0913

BID TITLE: PURSUIT, ADMINISTRATIVE NON-PURSUIT, UTILITY VEHICLES, TRUCKS AND VANS

ADVERTISEMENT DATES: AUGUST 13 & 20, 1999

PRE-BID CONFERENCE: AUGUST 25, 1999, 1:00 p.m.

PRE-BID CONFERENCE TO BE HELD AT: MARION COUNTY SHERIFF'S OFFICE, CONFERENCE ROOM, 692 N. W. 30TH AVENUE, OCALA, FL 34475-5608

BID OPENING DATE: SEPTEMBER 13, 1999, 11:00 a.m.

BID OPENING TO BE HELD AT: FLORIDA SHERIFFS ASSOCIATION, COOPERATIVE BID COORDINATOR'S OFFICE, 2617 MAHAN DR. (32308), P. O. BOX 12519, TALLAHASSEE, FL 32317-2519

BIDS MUST BE CONTAINED IN A SEALED ENVELOPE ADDRESSED TO THE FLORIDA SHERIFFS ASSOCIATION. INDICATE ON THE OUTSIDE OF THE ENVELOPE THE BID NUMBER, TITLE, OPENING DATE AND TIME. ALL BIDS MUST BE RECEIVED ON OR BEFORE THE DATE AND TIME NOTED ABOVE.

ALL QUESTIONS PERTAINING TO THIS BID, SHOULD BE DIRECTED TO GARY PERKINS WITH THE FLORIDA SHERIFFS ASSOCIATION, (850)877-2165.

**DEPARTMENT OF MILITARY AFFAIRS**

**REQUEST FOR PROPOSALS**

The State of Florida, Department of Military Affairs requests qualifications from firms to provide services as Follows: Planning, design and contract administration for a medical/physical exam facility at the Camp Blanding Training Site location in Clay County. The facility will include, but not be limited to, the following: A 3,000 square foot one-story conditioned building; site utilities; parking; minimal landscape. Selection of finalists for interview will be held in accordance with Chapter 60D-2, Florida Administrative Code, complying with requirements of Section 287.55, Florida Statutes. Finalists may be required to make oral presentations and the Selection Committee may reject all proposals and stop the selection process at any time.

**INSTRUCTIONS**

Applicants desiring to provide these services shall apply for consideration by submitting an original and three copies of the following:

- 1) Letter of interest detailing the firm's competence in various aspects of the discipline. Include a list of sample projects.
- 2) A current Professional Qualifications Supplement and Financial Statement.
- 2) A copy of the firm's current Florida Professional Registration Certification.
- 4) A current SF-254.
- 5) A current SF-255 with resumes of proposed personnel to be assigned.
- 6) For corporations only, a copy of the current Corporate Charter Certificate showing validation date and designation of professionals qualifying the corporation to practice in the discipline for which it is applying.

Submittals must be received by 4:30 p.m. on September 8, 1999, and should be mailed to: Colonel Paul Johnson or Major William Harding, Department of Military Affairs, Construction and Facility Management Office, 2305 State Road 207, (32086), Post Office Box 1008, St. Augustine, Florida 32085, Phone (904)823-0280.

Facsimile (FAX) submittals are not acceptable and will not be considered. Applicants that do not comply with these instructions or those that do not include the requested data will not be considered. Any protests of the selection must be made within 72 hours, contract award and negotiation will proceed with the selected firms. Selection results will be published in the Florida Administrative Weekly.

**Section XII  
Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

**NOTICE OF FILINGS**

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 10, 1999):

**APPLICATION FOR A NEW FINANCIAL INSTITUTION**

Applicant and Proposed Location: Bank of Naples, 1255 Creekside Parkway, Naples, Florida 34108  
Correspondent: Donald J. York, 154 Amblewood Lane, Naples, Florida 34105

Received: August 4, 1999

**APPLICATION FOR AUTHORITY TO  
EXERCISE TRUST POWERS**

Applicant and Location: Citrus Bank, Orlando, Florida  
Received: August 2, 1999

**DEPARTMENT OF COMMUNITY AFFAIRS**

DCA Final Order No.: DCA99-OR-150

IN RE: MONROE COUNTY  
LAND DEVELOPMENT  
REGULATION ADOPTED  
BY ORDINANCE NO. 027-1999  
(Rezoning, Tipton's Subdivision)

**FINAL ORDER APPROVING LAND  
DEVELOPMENT REGULATION**

The Department of Community Affairs (Department) hereby issues its Final Order pursuant to Sections 380.05(6) and 380.0552(9), (Fla. Stat.), which requires the Department to enter a Final Order approving or rejecting Land development regulations adopted by Monroe County.

FINDINGS OF FACT

- 1) The Department received for review on June 28, 1999, Monroe County Ordinance 027-1999 which was adopted by the County Commission on June 9, 1999. Ordinance 027-1999 effectuates changes from Urban Residential Mobile Home (URM) to Urban Residential (UR).
- 2) The Department has reviewed the land development regulation in Ordinance 027-1999 for consistency with and compliance with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern.
- 3) The subject site is located at MM 49.5, Tipton's Subdivision. The application concerns three adjoining lots. Lots 30 and 31 are owned by Michael Felling and lot 32 is owned by Richard Rettstadt. The Monroe County Board of County Commissioners, during a regular meeting held on June 9, 1999, reviewed and adopted the ordinance to change the zoning from Urban Residential Mobile Home (URM) to Urban Residential (UR).
- 4) The subject properties, lots 30 and 31 (containing a triplex) and lot 32 (containing a duplex), are located at the water's edge (bay side). The remainder of the subdivision consists of mobile homes and single family residences with the exception of those lots fronting the Overseas Highway. This area has high intensity commercial use (Banana Bay Resort and Marina, Hurricane Bar and Blackfin Motel and Marina).
- 5) The subject properties are designated RH (Residential High) on the future land use map in the County's 2010 Comprehensive Plan. The purpose of the RH future land use category is to provide for high density, single-family and multi-family dwellings near centers of employment. The RH future land use category is also intended to promote affordable housing.
- 6) The UR zoning is consistent with the RH future land use designation and is compatible with the surrounding area. It also eliminates mobile homes as an allowed use. The change will bring the dwelling units into a conforming use since they are not mobile homes. Marathon's retail sales and service center is located within a quarter of a mile of this site.

CONCLUSIONS OF LAW

- 7) Monroe County is a "local government" within the Florida Keys Area of Critical State Concern. Section 380.0552, Fla. Stat. (1997).
- 8) Section 380.031(8), Fla. Stat., defines "land development regulation" as including local zoning, subdivision, building and other regulations controlling the development of land. The rezoning adopted by Monroe County Ordinance 027-1999 is a "land development regulation".
- 9) The Department is required to approve or reject land development regulations adopted in Areas of Critical State Concern in a final order. Section 380.05(6), Fla. Stat. The Department's approval or rejection is based upon whether the

regulations are consistent with the Principles For Guiding Development as a whole, as set forth in Section 380.0552(9), Fla. Stat.

10) Section 380.0552(9), Fla. Stat., requires the Department to approve or reject a Monroe County land development regulation within sixty (60) days of receipt. This Final Order is issued within the 60-day time limit as required by statute.

11) The rezoning is consistent with Principle (a) of the Principles For Guiding Development. The change to UR will make the existing use conform to the new future land use designation in the Comprehensive Plan.

12) The additional density under the UR zoning designation is consistent with Principle (j) in that it enhances the County's ability to provide adequate affordable housing. The elimination of the URM zoning designation is consistent with Principal (k) in that, by eliminating mobile homes as an allowed use, the action reduces the potential exposure of mobile homes in the event of a natural disaster. Principles b, c, d, e, f, g, h and i are not affected.

13) Ordinance 027-1999 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that the land development regulation adopted by Monroe County Ordinance 027-1999 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State concern and is therefore APPROVED. This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED this 6th day of August, 1999, in Tallahassee, Florida.

/s/ J. THOMAS BECK

J. Thomas Beck, Director  
Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE RIGHT TO PETITION FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENTS ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO

SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DO DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU 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 RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE IN THE FLORIDA ADMINISTRATIVE WEEKLY. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING. YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

DCA Final Order No.: DCA99-OR-153  
IN RE: CITY OF KEY COLONY BEACH  
LAND DEVELOPMENT  
REGULATION ADOPTED  
BY ORDINANCE NO. 327-1999  
(SIGNAGE)

FINAL ORDER APPROVING LAND  
DEVELOPMENT REGULATION

The Department of Community Affairs (Department) hereby issues its Final Order pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (1997) (Fla. Stat.), which requires the Department to enter a Final Order approving or rejecting Key Colony Beach Land Development Regulations.

FINDINGS OF FACT

- 1) The Department received for review on June 28, 1999, Key Colony Beach Ordinance 327-1999 which was adopted by the City Commission on June 24, 1999.
- 2) The Department has reviewed the land development regulations adopted by Ordinance 327-1999 for consistency with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern.
- 3) Key Colony Beach Ordinance 327-1999 recites:

WHEREAS, it has become necessary to amend the Land Development Regulations of the City of Key Colony Beach Article X, Signs to enhance the community character by addressing some deficiencies in the current sign ordinance, and in particular, lessening the impact of real estate signs.

- 4) Ordinance 327-1999 amends the following provisions of Article X, Key Colony Beach land development regulations, to regulate signage, provide for maintenance and removal of certain real estate signs, and to provide certain exemptions:

Definitions; Section 101-131 Prohibited Signs; Section 101-132 Required Signs; Section 101-133 Public Interest or Exempt Signs; Section 101-134 Residential District Permanent Signs; Section 101-135 Nonresidential District Permanent Signs; Section 101-136 Temporary Signs; Section 101-137 Supplemental Regulations; Section 101-138 Landscaping of Ground Sign.

CONCLUSIONS OF LAW

- 5) The City of Key Colony Beach is a "local government" within the Florida Keys Area of Critical State Concern. Section 380.0552, Fla. Stat. (1997)
- 6) Section 380.031(8), Fla. Stat., defines "land development regulation" as including local zoning, subdivision, building and other regulations controlling the development of land. The regulations adopted by Key Colony Beach Ordinance 327-1999 are "land development regulations."
- 7. The Department is required to approve or reject land development regulations adopted in Areas of Critical State Concern in a final order. Section 380.05(6), Fla. Stat. The Department's approval or rejection shall be based upon whether the regulations are consistent with the Principles for Guiding Development as a whole as set forth within Section 380.0552(9), Fla. Stat.
- 8) Section 380.0552(9), Fla. Stat., requires the Department to approve or reject Key Colony Beach land development regulations within sixty (60) days of receipt of the regulations. This Final Order is issued within the 60-day time limit as required by statute.
- 9. The proposed land development regulations are consistent with the Principles for Guiding Development, and specifically consistent with Principles (a), strengthening local government's capabilities for managing land use and development, and (f) enhancing the natural scenic resources, promote the aesthetic benefits of the natural scenic environment, and ensuring that development is compatible with the unique character of the Florida Keys. The remaining Principles are not affected.
- 10) The land development regulations adopted by Ordinance 327-1999 are consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that the land development regulations adopted by Key Colony Beach Ordinance 327-1999 are consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and are therefore APPROVED. This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED this 10th day of August, 1999, in Tallahassee, Florida.

/s/ J. THOMAS BECK  
 J. Thomas Beck, Director  
 Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU 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 RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED

WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

Final Order No.: DCA99-OR-151

IN RE: MONROE COUNTY  
LAND DEVELOPMENT  
REGULATION ADOPTED  
BY ORDINANCE NO. 022-1999  
(HISTORIC RESOURCES)

FINAL ORDER APPROVING LAND  
DEVELOPMENT REGULATION

The Department of Community Affairs (Department) hereby issues its Final Order pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (1997) (Fla. Stat.), which requires the Department to enter a Final Order approving or rejecting Monroe County Land Development Regulations.

FINDINGS OF FACT

1) The Department received for review on June 28, 1999, Monroe County Ordinance 022-1999 which was adopted by the County Commission on June 9, 1999. Ordinance 022-1999 effectuates changes to Sections 9.5-451 through 9.5-460, Monroe County Code, regarding historic resources.

2) The Department has reviewed the regulations in Ordinance 022-1999 for consistency with the Principles For Guiding Development of the Florida Keys Area of Critical State Concern.

3) These revisions to the County's land development regulations seek to recognize, designate, protect and preserve Monroe County's historic resources, and will promote pride of place as well as assure future generations the ability to appreciate Monroe County's historic past through the study of local historic architecture and archeological sites.

CONCLUSIONS OF LAW

4) Monroe County is a "local government" within the Florida Keys Area of Critical State Concern. Section 380.0552, Fla. Stat. (1997).

5) Section 380.031(8), Fla. Stat. Defines "land development regulation" as including local zoning, subdivision, building and other regulations controlling the development of land. The regulations adopted by Monroe County Ordinance 022-1999 are "land development regulations."

6) The Department is required to approve or reject land development regulations adopted in Areas of Critical State Concern in a final order. Section 380.05(6), Fla. Stat. The Department's approval or rejection is based upon whether the regulations are consistent with the Principles For Guiding Development as a whole, as set forth within Section 380.0552(9), Fla. Stat.

7) Section 380.0552(9), Fla. Stat., requires the Department to approve or reject Monroe County land development regulations within sixty (60) days of receipt of the regulations. This Final Order is issued within the 60-day time limit as required by statute.

8) The land development regulations adopted by the ordinance are designed to protect the historical heritage of the Florida Keys and therefore are consistent with Principle (g) Historic Preservation. The regulations are consistent with the Monroe County 2010 Comprehensive Plan and are therefore consistent with Principle (a). All other Principles are not affected.

9) The land development regulations adopted by Ordinance 022-1999 are consistent with the Principles For Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that the land development regulations adopted by Monroe County Ordinance 022-1999 are consistent with the Principles For Guiding Development and are therefore APPROVED. This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED this 10th day of August, 1999, in Tallahassee, Florida.

/s/ J. THOMAS BECK

J. Thomas Beck, Director  
Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE COMPETITIVE GRANT PROGRAMS

The Department of Community Affairs is providing notification of its intent to open the 1999-2000 application cycle for competitive awards from the Emergency Management Preparedness and Assistance (EMPA) Trust Fund as of August 20, 1999, with a proposal submission deadline of November 30, 1999.

The Department encourages all interested and eligible parties with projects that will enhance emergency management capabilities within the State of Florida to apply for an award during this open period.

As provided for in Rule Chapter 9G-19, FAC, two programs offering competitive awards encompassing four separate categories are available.

PROGRAMS

1) EMERGENCY MANAGEMENT COMPETITIVE GRANT PROGRAM – provides competitive grants to state or regional agencies, local governments, and private non-profit organizations to implement projects that will further state and local emergency management objectives. Multiple proposals may be submitted, however, no single application may request or receive more than \$300,000 in grant funds.

Funds available under this program – \$3,475,030

2) MUNICIPAL COMPETITIVE GRANT PROGRAM – provides competitive grants to municipalities that are legally constituted, have an authorized, established, and maintained

emergency management program and have signed the Statewide Mutual Aid Agreement (SMAA) and supplied all required information and documentation such that the SMAA is ready to be signed by the Division of Emergency Management as of the date of the application deadline. Each Municipal Emergency Management Program may apply for one competitive grant under this program, not to exceed \$50,000.

Funds available under this program – \$1,251,010

**CATEGORIES**

- 1) Projects will promote public education on disaster preparedness and recovery issues.
- 2) Projects that will enhance coordination of relief efforts is statewide private sector organizations, including public-private business partnerships efforts.
- 3) Projects that will improve the training and operations capabilities of agencies assigned lead or support responsibilities in the Florida Comprehensive Emergency Management Plan.
- 4) Other projects that will further state and local emergency management objectives which have been designated by the State of Florida as priorities in the applicable Notice of Fund Availability.

**Priority Areas**

A) Projects which implement the community’s Local Hazard Mitigation Strategy. A proposal will be considered as fulfilling this priority area if a statement is provided with the proposal, signed by the designated chairperson of the county-wide Local Mitigation Strategy (LMS) working group functioning for the applicant’s county and certifying that the proposal is identified on the LMS priority mitigation initiative list.

B) Projects which will improve emergency management capabilities in any of the following fundamental areas of response or recovery:

- Citizen Warning
- Damage Assessment
- Damage Analysis
- Debris Management
- Community Neighborhood (Outreach)
- Hurricane Evacuation Sheltering

Proposals must be clearly linked to all applicable Comprehensive Emergency Management Plans and must contain appropriate implementation and operational procedures.

C) Projects that will improve the training and operations capabilities of agencies assigned lead or support responsibilities as identified on the ESF Matrix on page 38, figure 11 of the Florida Comprehensive Emergency Management Plan.

Proposals addressing the above (A through C) priorities should be submitted under Project Category #4, “Other projects that will further state and local emergency management objectives

which have been designated by the State of Florida as priorities in the applicable Notice of Fund Availability” listed in Section I of the Competitive Grant Application Packet, June 1998 version, form #005.

Application Packets may be obtained by (1) downloading the Application and Administrative Rule 9G-19 from the Division’s internet: <http://www.dca.state.fl.us/cps/grants.htm>, (2) telephoning the Division, (850)410-1595, and leaving the following information:

- Name
- Agency
- Address
- City/State/Zip Code
- Telephone and E-mail

Or by (3) writing the Division at: Attention: EMPATF Program, Department of Community Affairs, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

In conjunction with this offering, the following seven four-hour EMPA Competitive Grant Preparation Workshops will be conducted during August and September, 1999. Detailed information will be provided on the State’s priority issues, a review of the Application format, a review of the Rule Chapter 9G-19, FAC and other information relevant to the programs.

August 26, 1999: Public Service Commission, Room 166, Easley Conference Center, 2540 Shumard Oak Blvd., Tallahassee, FL

August 27, 1999: Duval County EOC, 515 N. Julia Street, Jacksonville, FL

September 1, 1999: Hillsborough County EOC, 2711 Hanna Avenue, Tampa, FL

September 2, 1999: Lee County EOC, 2665 Ortiz Avenue, Fort Myers, FL

September 3, 1999: Palm Beach County EOC, 20 West Military Trail, West Palm Beach, FL

September 8, 1999: Volusia County EOC, 49 Keyton Drive, Daytona Beach, FL

September 13, 1999: State Fire College, Auditorium, 11655 N. W. Gainesville Road, Ocala, FL

Applicants should select the workshop location they will to attend and pre-register by MAIL, TELEPHONE or INTERNET. All workshops are from 10:00 a.m. – 3:30 p.m.

Any person requiring special accommodation at the workshop because of a disability or physical impairment should contact the Division of Emergency Management, (850)410-1595, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).



1) Mail Registration: Return following information to: Attention: EMPATF Program, Department of Community Affairs, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

- Name
- Agency
- Address
- City/State/Zip Code
- Telephone
- E-mail

2) Telephone Registration: (850)410-1595

3) Internet Registration: [www.dca.state.fl.us/cps/grants.htm](http://www.dca.state.fl.us/cps/grants.htm)

THERE IS NO CHARGE FOR THESE WORKSHOPS  
MAPS ARE AVAILABLE UPON REQUEST

**NOTICE OF FUNDING AVAILABILITY (NOFA)**

The Department of Community Affairs, Florida Energy Office announces funding availability for Federal Fiscal Year 2000 under the State Energy Program to eligible applicants. The funding cycle for all program categories will open on August 16, 1999 and close, 5:00 p.m. on September 13, 1999.

Up to \$800,000 is available for an award to eligible applicants to carry out eligible activities.

| Category               | FY00 Funds Available |
|------------------------|----------------------|
| Renewable Resources    |                      |
| 1) Solar               | Up to \$500,000      |
| 2) Biomass/Agriculture | Up to \$300,000      |

Eligible activities for solar are limited to utility interactive systems and proposals for aiding the commercialization of solar energy technology by establishing performance criteria. Eligible activities for biomass/agriculture are limited to projects that promote the recovery of energy from waste, the use of agriculture products/crops as a source of energy and nutrient/water management. Projects will not exceed two years in duration.

Proposal guidelines may be obtained by contacting program manager listed below. Proposals may be either hand delivered or sent by U.S. Mail or other licensed carrier and must be received by the: Florida Energy Office, Division of Housing and Community Development, Department of Community Affairs, Room Number 215.07, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 by 5:00 p.m. on September 13, 1999. No waiver of the deadline date will be allowed. Proposals which do not meet the established deadline will not be eligible for evaluation, and will be returned to the applicant.

For further information, interested parties should contact Jim Tatum for solar projects and Ed Cobham for biomass/agriculture at (850)488-2475. Interested parties may also address inquiries to the: Florida Energy Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski

Building, Tallahassee, Florida 32399-2100. Unsolicited proposals previously submitted must be resubmitted specifying the category for evaluation.

A NOFA for alternatively fueled vehicles will be issued later during the year, once recommendations have been received from the Clean Fuel Florida Advisory Board.

**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, Excelsion-Henderson Motorcycle Manufacturing Company, intends to allow the establishment of Powersport of Ft. Lauderdale, as a dealership for the sale of Excelsion-Henderson motorcycles, at 1090 W. Sunrise Boulevard, Ft. Lauderdale (Broward County), Florida 33311, on or after August 5, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Powersports of Ft. Lauderdale are: dealer operator: Mr. John Hamer, 1090 W. Sunrise Boulevard, Ft. Lauderdale, Florida 33311; principal investor(s): Linn D. Heaton and Lee D. Heaton, 215 5th Street, Suite 108, West Palm Beach, Florida 33401.

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: Rae L. Fimon, Director of Tax, Risk, and Treasury Services, Excelsior-Henderson Motorcycle Manufacturing Company, 805 Hanlon Drive, Belle Plaine, Minnesota 56011.

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, Excelsion-Henderson Motorcycle Manufacturing Company, intends to allow the establishment of Powersport of Ft. Myers, as a dealership for the sale of Excelsion-Henderson motorcycles, at 1855 Boy Scout Drive, Ft. Myers (Lee County), Florida 33907 on or after August 9, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Powersports of Ft. Myers are: dealer operator: Mr. William Patton, 1855 Boy Scout Drive, Ft. Myers, Florida 33907; principal investor(s): Linn D. Heaton and Lee W. Heaton, 215 5th Street, Suite 108, West Palm Beach, Florida 33401.

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: Rae L. Fimon, Director of Tax, Risk, and Treasury Services, Excelsior-Henderson Motorcycle Manufacturing Company, 805 Hanlon Drive, Belle Plaine, Minnesota 56011.

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 the Relocation of a  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Motor Sales of America, Inc., intends to allow the relocation of JSL Automotive, Inc., d/b/a Ft. Lauderdale Mitsubishi, as a dealership for the sale of Mitsubishi vehicles, from its present location at 200 East Sunrise Boulevard, Ft. Lauderdale (Broward County), Florida 33304, to a proposed location at 2300 North State Road 7, Ft. Lauderdale (Broward County), Florida 33313, on or after January 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of JSL Automotive, Inc., d/b/a Ft. Lauderdale Mitsubishi are: dealer operator: Tak Liu (a/k/a Ted Johnson), 6702 N. W. 80th Manor, Parkland, Florida 33067; Philip P. Smith, 1 Compass Lane, Ft. Lauderdale, Florida 33308. Jon F. Lutter, 3030 N. E. 46th Street, Parkland, Florida 33067, principal investor(s): Tak Liu (a/k/a Ted Johnson, 6702 N. W. 80th Manor, Parkland, Florida 33067.

The notice indicates an intent to relocate the franchise 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, 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. Fred W. Houser, Business Development Manager, Mitsubishi Motor Sales of America, Inc., Southeast Regional Office, 6488 Currin Drive, Orlando, Florida 32835-6211.

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 relocation 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, Excelsion-Henderson Motorcycle Manufacturing Company, intends to allow the establishment of Keenan and Keenan, Inc. d/b/a Palm Beach Excelsion-Henderson, as a dealership for the sale of Excelsion-Henderson motorcycles, at 12550 S. Military Trail, Suite 8, Boynton Beach (Palm Beach County), Florida 33436, on or after August 3, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Keenan and Keenan, Inc. d/b/a Palm Beach Excelsion-Henderson are: dealer operator: Bob Keenan, 12550 S. Military Trail, Suite 8, Boynton Beach, Florida 33436; principal investor(s): Bob and Margaret Keenan, 12550 S. Military Trail, Suite 8, Boynton Beach, Florida 33436.

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: Rae L. Fimon, Director of Tax, Risk, and Treasury Services, Excelsior-Henderson Motorcycle Manufacturing Company, 805 Hanlon Drive, Belle Plaine, Minnesota 56011.

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.

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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 Excelsior-Henderson Motorcycle Manufacturing Company, intends to allow the establishment of Powersport of Naples, as a dealership for the sale of Excelsior-Henderson motorcycles, at 1851 Pine Ridge Road, Naples (Collier County), Florida 34109, on or after August 3, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Powersport of Naples are: dealer operator: Mr. Jerry Camp, 1851 Pine Ridge Road, Naples,

Florida 34109; principal investor(s): Linn D. Heaton and Lee Heaton, 215 5th Street, Suite 108, West Palm Beach, Florida 33401.

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: Rae L. Fimon, Director of Tax, Risk, and Treasury Services, Excelsior-Henderson Motorcycle Manufacturing Company, 805 Hanlon Drive, Belle Plaine, Minnesota 56011.

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.

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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, Excelsior-Henderson Motorcycle Manufacturing Company, intends to allow the establishment of Powersport of Cutler Ridge, as a dealership for the sale of Excelsior-Henderson motorcycles, at 11995 S. W. 222nd St., Miami (Dade County), Florida 33170, on or after August 3, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Powersports of Cutler Ridge are: dealer operator: Mr. John Hamer, 11995 S. W. 222nd Street, Miami, Florida 33170; principal investor(s): Linn D. Heaton and Lee D. Heaton, 215 5th Street, Suite 108, West Palm Beach, Florida 33401.

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: Rae L. Fimon, Director of Tax, Risk, and Treasury Services, Excelsior-Henderson Motorcycle Manufacturing Company, 805 Hanlon Drive, Belle Plaine, Minnesota 56011.

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.

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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, Land Rover North America, Inc., intends to allow the establishment of Land Rover South Dade, as a dealership for the sale of Range Rovers and Discovery, at 16750 S. Dixie Highway, Miami (Dade County), Florida 33157, on or after November 1, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Land Rover South Dade is Warren Henry Zinn, 1976 N. W. 201 Street, Miami, Florida 33179.

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. Shirley H. Koesch, Centre Development Analyst, Land Rover North America, Inc., 4371 Parliament Place, P. O. Box 1503, Lanham, Maryland 20706.

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.

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**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission will consider at its August 31, 1999, Agenda Conference, Docket No.: 990956-GU – Application for authority to issue and sell securities during the 12 months ending August 30, 2000, by City Gas Company of Florida. The Company seeks PSC approval pursuant to Chapter 25-8, Florida Administrative Code and, Section 366.04, Florida Statutes, for authority to: to issue Preferred stock in an amount up to \$40,000,000; to reduce the amount of its short-term debt currently outstanding; and to issue up to 500,000 shares of equity securities for employee benefit plans, incentive compensation plans, and continuous investment plans offered to shareholders.

DATE AND TIME: Tuesday, August 31, 1999. The agenda Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

PURPOSE: To take final action in Docket No.: 990956-GU. 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 Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

Advertisement for the Pharmacy Mail Order Program  
In 1997, the Agency for Health Care Administration implemented a Disease Management Initiative for several disease states that will test the feasibility of improving health outcomes among individuals living with chronic diseases. The priority of the Agency's initiative is to meet the patient's health care needs while reducing health care costs. The diabetes disease management program was among the first of these initiatives to be implemented. The intent of the Diabetes Pharmacy Mail Order Program is to supplement the diabetes disease management initiative efforts.

Eligible Medicaid recipients include individuals who are enrolled in the MediPass Program and who are diagnosed as having diabetes.

The applicant selected in response to the Diabetes Pharmacy Mail Order Program Invitation to Negotiate (ITN) will serve eligible MediPass recipients in Medicaid Areas 3, 4, 5 and 6 constituting thirty-three counties.

The objectives of the Diabetes Pharmacy Mail Order Program will be to:

- Test mail order distribution of pharmaceuticals as a method for eligible Medicaid recipients with diabetes to obtain prescribed diabetic medications and related medical supplies;
- Provide eligible Medicaid recipients with low-cost, prescribed diabetic medications and related medical supplies in a manner that meets standard pharmacy practices; and
- Enhance the opportunities for patient compliance with drug regimens;

Certified Minority Business Enterprises are encouraged to participate in any bidders' conferences, pre-solicitation or pre-bid meetings which are scheduled. The Agency reserves the right to reject any and all bids or accept minor irregularities in the best interest of the state.

All Notices of Intent to Submit a Proposal must be submitted to the Agency no later than 5:00 p.m. Eastern Daylight Savings Time on September 8, 1999. An original and ten copies of each application must be received at the Agency by 3:00 p.m. Eastern Daylight Savings time on October 8, 1999.

Individuals or organizations interested in receiving a copy of the invitation to negotiate document should contact the Agency for Health Care Administration at the address and telephone number below:

Jim Clark, Chief, Medicaid Program Development, P. O. Box 12600, Tallahassee, FL 32317-2600, Telephone (850)488-9347

**DEPARTMENT OF MANAGEMENT SERVICES**

**CONVICTED VENDOR LIST**

Section 287.133(3)(d), Florida Statutes, provides that the Department of Management Services shall maintain a list of the names and addresses of those who have been disqualified from participating in the public contracting process under this section.

The list includes:

| NAME  | PLACED ON LIST    |
|---|-------------------|
| 1) Bus Industries of America, Inc.<br>FEI Number 16-1173779 | December 23, 1996 |
| 2) Carl Burgess<br>830 Polk Street<br>Bartow, Florida 33830 | October 1, 1997   |

For additional information call: H. P. Barker, Jr., Chief, Bureau of Procurement, (850)488-8131 or Suncom 278-8131.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN August 3, 1999  
and August 9, 1999**

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

**DEPARTMENT OF STATE**  
**Division of Elections**

|          |        |         |       |  |
|----------|--------|---------|-------|--|
| 1S-1.002 | 8/3/99 | 8/23/99 | 25/24 |  |
|----------|--------|---------|-------|--|

**DEPARTMENT OF INSURANCE**

|           |        |         |       |       |
|-----------|--------|---------|-------|-------|
| 4-196.003 | 8/9/99 | 8/29/99 | 25/13 |       |
| 4-196.005 | 8/9/99 | 8/29/99 | 25/13 |       |
| 4-196.007 | 8/9/99 | 8/29/99 | 25/13 | 25/27 |
| 4-196.015 | 8/9/99 | 8/29/99 | 25/13 | 25/27 |
| 4-196.020 | 8/9/99 | 8/29/99 | 25/13 | 25/27 |

**DEPARTMENT OF REVENUE**

|            |        |         |       |       |
|------------|--------|---------|-------|-------|
| 12-25.0305 | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.031  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.033  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.035  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.037  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.038  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.039  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.041  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.042  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.045  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.047  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.048  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.049  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |
| 12-25.050  | 8/3/99 | 8/23/99 | 25/20 | 25/27 |

**DEPARTMENT OF TRANSPORTATION**

|           |        |         |       |       |
|-----------|--------|---------|-------|-------|
| 14-12.021 | 8/4/99 | 8/24/99 | 25/15 | 25/27 |
|-----------|--------|---------|-------|-------|

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

**WATER MANAGEMENT DISTRICTS**  
**Southwest Florida Water Management District**

|           |        |         |       |       |
|-----------|--------|---------|-------|-------|
| 40D-3.051 | 8/4/99 | 8/24/99 | 25/21 | 25/27 |
|-----------|--------|---------|-------|-------|

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Office of Licensure and Certification**

|            |        |         |       |  |
|------------|--------|---------|-------|--|
| 59A-3.2085 | 8/3/99 | 8/23/99 | 25/20 |  |
| 59A-12.014 | 8/6/99 | 8/26/99 | 25/20 |  |
| 59A-12.015 | 8/6/99 | 8/26/99 | 25/20 |  |

**Cost Management and Control**

|            |        |         |       |  |
|------------|--------|---------|-------|--|
| 59B-10.050 | 8/6/99 | 8/26/99 | 25/23 |  |
| 59B-10.051 | 8/6/99 | 8/26/99 | 25/23 |  |
| 59B-10.052 | 8/6/99 | 8/26/99 | 25/23 |  |
| 59B-10.053 | 8/6/99 | 8/26/99 | 25/23 |  |
| 59B-10.054 | 8/6/99 | 8/26/99 | 25/23 |  |
| 59B-10.055 | 8/6/99 | 8/26/99 | 25/23 |  |
| 59B-10.056 | 8/6/99 | 8/26/99 | 25/23 |  |
| 59B-10.057 | 8/6/99 | 8/26/99 | 25/23 |  |

**Medicaid Program Office**

|           |        |         |       |  |
|-----------|--------|---------|-------|--|
| 59G-4.105 | 8/4/99 | 8/24/99 | 25/19 |  |
| 59G-4.230 | 8/5/99 | 8/25/99 | 25/19 |  |

**DEPARTMENT OF HEALTH**

**Board of Optometry**

|              |        |         |       |  |
|--------------|--------|---------|-------|--|
| 64B13-11.004 | 8/9/99 | 8/29/99 | 25/23 |  |
|--------------|--------|---------|-------|--|

**Board of Podiatric Medicine**

|              |        |         |       |       |
|--------------|--------|---------|-------|-------|
| 64B18-14.006 | 8/4/99 | 8/24/99 | 25/10 | 25/27 |
|--------------|--------|---------|-------|-------|

**Division of Disease Control**

|           |        |         |       |       |
|-----------|--------|---------|-------|-------|
| 64D-2.002 | 8/4/99 | 8/24/99 | 25/19 |       |
| 64D-2.003 | 8/4/99 | 8/24/99 | 25/19 |       |
| 64D-2.004 | 8/4/99 | 8/24/99 | 25/19 | 25/27 |
| 64D-2.006 | 8/4/99 | 8/24/99 | 25/19 | 25/27 |

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

|           |        |         |       |  |
|-----------|--------|---------|-------|--|
| 66B-2.005 | 8/6/99 | 8/26/99 | 25/20 |  |
|-----------|--------|---------|-------|--|