

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

Division of Workers Compensation

<p>RULE TITLES: Compensation Notice Notice of Election to be Exempt and Revocation of Election to be Exempt by Sole Proprietors, Partners, or Corporate Officers Record Keeping Requirements for Business Owners Misclassification of Employees as Independent Contractors Inapplicability of Exemptions to Commercial Building Projects Valued at \$250,000 or Greater</p>	<p>RULE NOS.: 4L-6.007 4L-6.012 4L-6.015 4L-6.018 4L-6.020</p>
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PURPOSE AND EFFECT: 4L-6.007: Section 440.40, Florida Statutes, as amended in the 2002 legislative session, provides that the Department may by rule prescribe the form of a notice regarding the new Anti-Fraud Reward program. At the workshop the development of the form will be discussed.

4L-6.012: Section 440.05, Florida Statutes, permits sole proprietors and partners to elect to be exempt from the requirements of the workers' compensation law, provided that they submit certain federal tax records with their applications. New businesses lack federal tax records which would enable them to qualify for an exemption. The purpose of this rule amendment is to implement the changes to that section enacted in Chapter 2002-236, Laws of Florida (CS/CS/SB 108). The effect of the rule is to adopt criteria that will enable the new sole proprietor or partner to demonstrate an intent to engage in a legitimate enterprise within the construction industry and not evade the statutory requirements for an exemption. Rule 4L-6.012(2)(c), which specified reporting requirements of corporate officers of corporations actively engaged in the construction industry, is deleted because of conflict with the reporting requirements specified in the new legislation amending Section 440.05(13), Florida Statutes.

4L-6.015: Section 440.107, Florida Statutes, requires employers to maintain true and accurate business records as the Division prescribes by rule. The purpose of this rule amendment is to place on employers specific record maintenance requirements to provide regulatory investigators with the documentation they will need to determine that every worker is covered under workers' compensation according to provisions of Sections 440.10(1) and 440.38(1), F.S. The rule amendment clarifies what types of records all employers must maintain and make available to the Division upon request.

4L-6.018: Section 440.10(1)(f), Florida Statutes, prescribes a penalty not to exceed \$5,000 where an employer misclassifies an employee as an independent contractor and willfully fails to secure the payment of workers' compensation. This rule implements the changes to that section enacted Chapter 2002, 236, Laws of Florida (CS/CS/SB 108), which delete the willfulness requirement and instruct the Division to adopt rules to administer the provision. The rule prescribes a penalty for an employer who misclassifies an employee an independent contractor. The penalty for the first violation is \$2500 and increases in a schedule up to \$5,000 for the fourth violation.

4L-6.020: The purpose of this Rule is to implement the changes to Section 440.02, Florida Statutes, enacted in Chapter 2002-236, Laws of Florida (CS/CS/SB 108), that invalidate the use of workers' compensation exemptions at any commercial building project valued at \$250,000 or greater. In effect the Rule defines a "commercial building project" as a site on which construction operations for a "commercial building" have begun until completed. Also the Rule specifies that the value of a "commercial building project" is determined by the cost on the building permit, the building permit application, public announcements, the opinion of a licensed real estate professional, or a method recognized by specified organizations.

SUBJECT AREA TO BE ADDRESSED: Rule amendments to address amendments to Chapter 440, Florida Statutes, created by Chapter 2002-236, Laws of Florida (CS/CS/SB 108), specifically the anti-fraud program notice, criteria for workers' compensation law exemption, maintenance of business records, and penalties for misclassification of employees as independent contractors.

SPECIFIC AUTHORITY: 440.05, 440.10(1)(f), 440.107, 440.107(2), 440.107(7), 440.40, 440.591, 440.593 FS.

LAW IMPLEMENTED: 440.02(14)(b),(c), 440.05, 440.107(2), 440.107(5),(6),(7), 440.40, 440.591, 440.593 FS.

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

TIME AND DATE: 9:30 a.m., August 6, 2002
PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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 the person listed above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Philip Wilcox, Investigations Manager, Bureau of Compliance, 200 East Gaines Street, Tallahassee, FL 32399-4228, phone number (850)488-2333, Ext. 173

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4L-6.007 Compensation Notice.

Preliminary text of the above rule is not available.

4L-6.012 Notice of Election to be Exempt and Revocation of Election to be Exempt by Sole Proprietors, Partners, or Corporate Officers.

(1) Any sole proprietor or partner actively engaged in the construction industry, and any corporate officer of a construction or non-construction industry corporation, who elects to be exempt from the provisions of the workers' compensation law (Chapter 440, Florida Statutes) shall file with the Division a Notice of Election to be Exempt (~~DWC LES Form BCM~~ – 250).

(2) The following documentation shall be attached by the applicant to every Notice of Election to be Exempt (~~DWC LES Form BCM~~ – 250):

(a) Each sole proprietor actively engaged in the construction industry shall attach a copy of the sole proprietor's Federal Income Tax Form 1040 and its accompanying Schedule C as filed by the applicant with the Internal Revenue Service (IRS) for the most recent tax year.

(b) Each partner of a partnership actively engaged in the construction industry shall attach a copy of the partner's Federal Income Tax Schedule K-1 (Form 1065), and Form 1040 and its accompanying Schedule E as filed by the applicant with the IRS for the most recent tax year.

(c) In lieu of the documents required in paragraphs (a) and (b) above, a sole proprietor or partner that is engaged in the construction industry but has not been in business long enough to provide the federal tax documentation prescribed in paragraphs (a) and (b) shall establish that it intends to engage in a legitimate enterprise within the construction industry by submitting all of the following: ~~Each corporate officer shall attach, if the applicant is not listed as an officer of the corporation on the current records of the Florida Secretary of State, Division of Corporations, must provide a notarized affidavit must attesting that the applicant is a bona fide officer of the corporation and providing the date such appointment or election became or shall become effective.~~

1. A copy of any occupational license required by the jurisdiction in which the business is located or performing regular work;

2. A copy of any trade license required by the political subdivision of the State in which the work is being performed or a state license required under Chapter 489, F.S.;

3. Proof that the business has obtained a fictitious name if a fictitious name is used;

4. A Federal Employer Identification Number issued to the business applying for the exemption; and

5. A copy of a certificate of commercial liability insurance for the business applying for the exemption.

(3) The following information may be stricken by any applicant from a Federal Income Tax Form before filing same with the Division:

(a) ~~Identification of the spouse and dependents of the applicant, including filing status;~~

(b) ~~Any W-2 income, interest and dividend income, refunds, credits, alimony received, capital gains or losses other than those associated with the applicant's business enterprise;~~

(c) ~~IRA distributions, pensions, annuities, farm income, unemployment compensation, or social security benefits;~~

(d) ~~Any deductions from income in order to derive adjusted gross income;~~

(e) ~~Tax computation, credits, other taxes, payments, refunds or amounts owed.~~

(4) No change.

(5) Any sole proprietor, partner or corporate officer who has been issued an exemption from the provisions of Florida's workers' compensation law (Chapter 440, Florida Statutes) may revoke such exemption by filing with the Division a Revocation of Election to be Exempt (~~DWC LES Form BCM~~ – 250-R).

(6) No change.

(7) Notice of Election to be Exempt (~~DWC LES Form BCM~~ – 250), or Revocation of Election to be Exempt (~~DWC LES Form BCM~~ – 250-R), shall only be filed by an applicant on the applicant's own behalf.

(8) No change.

Specific Authority 440.05, 440.591 FS. Law Implemented 440.05 FS. History—Amended 2-15-94, 12-28-97, 2-2-00, 9-6-01, Formerly 38F-6.012, Amended _____.

4L-6.015 Record Keeping Requirements for Business Owners.

In order for the Division to determine that an employer is in compliance with the provisions of Chapter 440, F.S., every business entity conducting business within the state of Florida shall maintain for the immediately preceding three year period true and accurate records for that business for all periods of time from the present to a minimum of three years prior. Such business records shall include, ~~but not be limited to,~~ original documentation of the following, (or copies, when originals are not in the possession of or under the control of the business entity):

(1) ~~All Any and all workers' compensation insurance policies of purchased by the business entity for workers' compensation insurance coverage, and any and all endorsements, notices of cancellation, nonrenewal, or reinstatement of such policies same;~~

(2) ~~All Any and all records, including correspondence, pertaining to premium audits conducted by an insurer of such policies. In the event a business entity is unable or unwilling, upon request by the Division, to produce in a timely manner any of the above, and/or the business claims to not be required~~

by Chapter 440, Florida Statutes, to carry workers' compensation insurance coverage, and/or the Division determines that the business entity is not in compliance with the provisions of Chapter 440, Florida Statutes, by failing to carry workers' compensation insurance coverage, then that business entity shall be required to produce to the Division the following records:

(3)(1) ~~Time sheets, time cards, attendance records, earnings records, payroll summaries or other~~ Records indicating for every pay period a description of work performed and amount of pay or description of other remuneration paid or owed to each person by the business entity, such as time sheets, time cards, attendance records, earnings records, payroll summaries, payroll journals, ledgers or registers, daily logs or schedules, time and materials listings.

(4)(2) ~~All Any and all~~ contracts entered into with to which the business is or was a party for the services of a professional employer organization (PEO) or employee leasing company, temporary labor company, payroll or business record keeping company; If such services are not pursuant to and in the event a written contract ~~was not executed~~, written documentation including the name, business address, telephone number, and FEIN or social security number of all principals if an FEIN is not held, of each such PEO, temporary labor company, payroll or business record keeping company; and

(a) For every contract with a PEO; a payroll ledger for each pay period during the contract period identifying each worker by name, address, home telephone number, and social security number or documentation showing that the worker was eligible for employment in the United States during the contract for his/her services, and a description of work performed during each pay period by each worker, and the amount paid each pay period to each worker. A business entity may maintain such records or contract for their maintenance by the PEO to which the records pertain.

(b) For every contract for temporary labor; work slips for each day temporary labor services were used identifying each worker by name, address, home telephone number, and social security number or documentation showing that the worker was eligible for employment in the United States during the contract for his/her services, and a description of work performed each pay period by each worker, and the amount paid each pay period to each worker and by the business entity to the temporary labor company. A business entity may maintain such records or contract for their maintenance by the temporary labor provider to which the records pertain.

(5)(3) ~~All Any and all~~ contracts to which the business was or is a party for services performed by an independent contractor, or in the event a written contract was not executed, written documentation including the name, business address, telephone number, and FEIN or social security number if an FEIN is not held, of each independent contractor; and proof of workers' compensation insurance held by each independent

contractor during the life of the contract for his/her services or records sufficient to prove that the independent contractor was not required pursuant to Chapter 440, Florida Statutes, to have workers' compensation insurance coverage during that time period;

(6)(4) ~~All Any and all~~ check ledgers and bank statements for checking, savings, credit union, or any other bank accounts established by the business entity or on its behalf; and

(7)(5) ~~All Any and all~~ federal income tax forms prepared by or on behalf of the business and all State of Florida, Division of Unemployment Compensation UCT-6 forms and any other forms or reports prepared by the business or on its behalf for filing with the Florida Division of Unemployment Compensation.

Specific Authority 440.107(2), 440.591 FS. Law Implemented 440.107(2), 440.591 FS. History—Amended 2-2-00, Formerly 38F-6.015, Amended _____.

4L-6.018 Misclassification of Employees as Independent Contractors.

(1) An employer who fails to secure compensation as required by Sections 440.10(1) and 440.38(1), Florida Statutes, for each employee classified by the employer as an independent contractor but who does not meet the criteria of an independent contractor specified in Section 440.02, Florida Statutes, shall be assessed a penalty in the following amount:

(a) \$2500 per misclassified employee for the first two misclassified employees per site; and

(b) \$5,000 per misclassified employee after the first two misclassified employees per site.

(2) The Division shall determine that an employer has misclassified an employee as an independent contractor if:

(a) The employer in any way reports that a worker who is an employee pursuant to Section 440.02(14), Florida Statutes, is an independent contractor;

(b) The employer maintains records identifying the worker as an independent contractor; or

(c) The employer holds out the employee as an independent contractor for federal tax purposes.

Specific Authority 440.10(1)(f), 440.591 FS. Law Implemented 440.10(1)(f), FS. History—New _____.

4L-6.020 Inapplicability of Exemptions to Commercial Building Projects Valued at \$250,000 or Greater.

(1) A workers' compensation exemption obtained by a sole proprietor, partner, or officer of a corporation actively engaged in the construction industry does not apply to work performed at a commercial building project estimated to be valued at \$250,000 or greater.

(2) "Commercial building project" means the site on which construction operations for a "commercial building," as defined in Section 440.02(40), Florida Statutes, have begun until those operations are completed.

(3) A commercial building project is valued at the greater of the cost of improvements stated on or determined by:

(a) The construction permit(s);

(b) The application for the construction permit(s); or

(c) The Southern Building Code Congress International (SBCCI) Building Valuation Data produced on March 31, 2002, which is incorporated herein by reference.

Specific Authority 440.107, 440.591 FS. Law Implemented 440.02(14)(b), 440.10 (1)(b) FS. History--New

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER TITLE: Aquaculture Best Management Practices
RULE CHAPTER NO.: 5L-3

PURPOSE AND EFFECT: The purpose and effect is to make amendments and additions to the Aquaculture Best Management Practices Manual, July 2000.

SUBJECT AREA TO BE ADDRESSED: Aquaculture Best Management Practices Manual, July 2000.

SPECIFIC AUTHORITY: 570.07(23), 597.004(2)(b) FS.

LAW IMPLEMENTED: 597.002, 597.003, 597.004 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: Kal Knickerbocker, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301, (850)488-4033

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Probable Cause Panel
RULE NO.: 6F-2.006

PURPOSE AND EFFECT: The purpose of developing a new rule on this subject is to codify formally the procedures authorized by law. The effect is that guidelines will be available for the Commission and affected institutions to follow for disciplinary proceedings.

SUBJECT AREA TO BE ADDRESSED: The subject to be discussed at this meeting is procedures to be followed by the Commission for Independent Education for determination of probable cause.

SPECIFIC AUTHORITY: 246.207(1)(d), 246.213(1), 246.226(3) FS.

LAW IMPLEMENTED: 246.226, 246.2265, 246.227, 246.228 FS.

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

TIME AND DATE: 3:00 p.m., Sunday, July 28, 2002

PLACE: Marriott Marina, 1881 S. W. 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sandra Knight, Assistant Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, FL 32301, Telephone (850)487-3673

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Mental Health Services – Definitions
RULE NO.: 33-404.103

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to designate additional mental health treatment facilities to ensure separation of male and female inmates and to expand the definition of isolation management rooms to include additional areas of an institution deemed suitable by the Office of Health Services in consultation with the warden of the institution.

SUBJECT AREA TO BE ADDRESSED: Mental health services – treatment facilities.

SPECIFIC AUTHORITY: 944.09, 945.49 FS.

LAW IMPLEMENTED: 944.09, 945.49 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 IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-404.103 Mental Health Services – Definitions.

(1) through (7) No change.

(8) "Mental Health Treatment Facility" means an in-patient facility, as defined by sections 33-404.201-404.210, Florida Administrative Code, for the treatment of inmates with a diagnosed mental illness that the Secretary of the Department specifically designates to provide acute psychiatric care at the hospital level, in contrast to less intensive levels of care such as

outpatient mental health care, transitional mental health care, or crisis stabilization care. The secretary has designated the Corrections Mental Health Institution at Zephyrhills Correctional Institution as the primary mental health treatment facility. The secretary has also designated Lowell Correctional Institution and Dade Correctional Institution as mental health treatment facilities to ensure that male and female inmates are kept separate and apart while ensuring access to clinically appropriate freedom of movement.

(9) through (11) No change.

(12) "Isolation management room" means a room in an infirmary, transitional care unit, crisis stabilization unit, ~~or~~ a mental health facility, or other areas of an institution which have been deemed suitable by the Office of Health Services in consultation with the warden, which has been physically inspected and certified by a regional or central health care professional as being suitable for housing acutely psychotic inmates or those who are at risk for self-injury.

(13) through (14) No change.

Specific Authority 944.09, 945.49 FS. Law Implemented 944.09, 945.49 FS. History—New 5-27-97, Formerly 33-40.003, Amended.

DEPARTMENT OF CORRECTIONS

RULE TITLES: Administrative Confinement
 Protective Management

RULE NOS.: 33-602.220
 33-602.221

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to clarify terms used in conjunction with administrative confinement; revise the process for recording data for administrative confinement and protective management inmates, clarify the process for the operation of confinement units, and provide for the use of new forms and the deletion of obsolete forms.

SUBJECT AREA TO BE ADDRESSED: Administrative Confinement and Protective Management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.04 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 IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.220 Administrative Confinement.

(1) Definitions.

(a) through (m) No change.

(n) Offender Based Information System (OBIS) – refers to an electronic data system used by the Department of Corrections to record and retrieve offender information.

(2) Procedures for Placement in Administrative Confinement.

(a) No change.

(b) When a decision is made to place an inmate in administrative confinement, the reason for such placement shall be explained to the inmate and the inmate shall be given an opportunity to present verbal comments on the matter. The inmate shall also be allowed to submit a written statement. Prior to placing the inmate in administrative confinement, the inmate shall be given a pre-confinement health assessment to include a physical and mental health evaluation that shall be documented in the health care record. Inmates shall be weighed upon admission to administrative confinement, at least once a week while in administrative confinement, and upon leaving administrative confinement. The weight of the inmate shall be recorded on Form DC6-229, Daily Record of Segregation. Form DC6-229 is incorporated by reference in subsection (11) of this rule. When an official places an inmate in administrative confinement, this action shall be documented in the electronic classification contact log in OBIS. This entry shall fully state the circumstances surrounding and reasons for placing the inmate in administrative confinement and a summary of the inmate's comments. The reason must correspond with one of the criteria for placement provided in subsection (3) of this rule. This electronic entry shall be completed the same day the inmate is placed into confinement, and will establish the ICT 72-hour review appointment on a Report of Administrative Confinement, Form DC6-233a, including the reasons for the action and a summary of the inmate's comments. Form DC6-233a is incorporated by reference in (11) of this rule. The heading and Section I shall be completed by the official who placed the inmate in administrative confinement. Inmates shall be weighed upon admission to administrative confinement, at least once a week while in administrative confinement, and upon leaving administrative confinement. The weight of the inmate shall be recorded on Form DC6-229, Daily Record of Segregation. Form DC6-229 is incorporated by reference in (11) of this rule. This section shall fully state the circumstances surrounding and reasons for placing the inmate in administrative confinement. The reason shall correspond with one of the reasons for placement stated in subsection (3) of this rule. Once Section I has been completed, the official who placed the inmate in administrative confinement shall sign Section I and forward the report to classification prior to the end of his or her shift or workday. Any written statements provided by the inmate shall be forwarded to the ICT for their consideration during the forthcoming 72-hour review, attached to the form.

(c) The Institutional Classification Team shall review inmates in administrative confinement within 72 hours. The ICT's findings and decision shall be documented in the electronic classification contact log in OBIS. The only exception to being reviewed within 72 hours is when the ICT cannot complete its review within the allotted timeframe due to a holiday. If the review cannot be completed within 72 hours, the action of the senior correctional officer shall be reviewed within 72 hours by the duty warden, documented on the DC6-229, Daily Record of Segregation, and evaluated within 5 days by the ICT. Inmates placed into administrative confinement shall not be released from this status until approved by the ICT. The classification supervisor shall be responsible for ensuring that the ICT docket is prepared. The ICT Chairperson is responsible for scheduling the ICT hearing date and time. ~~All Reports of Administrative Confinement, DC6-233a, shall be completed the same day an inmate is placed into confinement and forwarded to the institutional classification unit to be placed on the docket.~~ The ICT shall review inmates for release. During this review the ICT shall consider pending disciplinary hearings and other pending issues or actions. If an inmate has been held in administrative confinement pending a disciplinary hearing and the decision is not to impose disciplinary confinement as a part of the disciplinary action, the disciplinary team or hearing officer shall notify the confinement supervisor who shall coordinate the release of the inmate from administrative confinement. If the confinement supervisor discovers other pending issues or actions, the ICT shall be required to immediately review the case. In the event it is necessary to release an inmate from administrative confinement during weekends or holidays the duty warden is authorized to approve the release immediately.

(3) Reasons for Placement in Administrative Confinement with time limits. Placement of an inmate in administrative confinement is authorized for the following reasons:

(a) through (b) No change.

(c) Inmates shall be placed in administrative confinement pending review of the inmate's request for protection from other inmates, (Rule 33-602.221, F.A.C.). The inmate shall be placed in administrative confinement by a senior correctional officer when the inmate presents a signed written statement alleging that the inmate fears for his safety from other inmates, and that the inmate feels there is no other reasonable alternative open to him. A senior correctional officer shall place an inmate in administrative confinement, pending review for protective management, based on evidence that such a review is necessary and the senior correctional officer determines that no other reasonable alternative is available. The inmate shall be encouraged to provide information and otherwise cooperate with the investigation of the matter. The protective management process, including the ICT's action, shall be completed within 15 working days from the initial confinement of the inmate.

1. ~~The Institutional Classification Team (ICT) shall complete an OBIS electronic classification contact log entry approving the inmate's continuation in confinement. This entry will initiate an appointment for an investigation to be conducted gather information. A member of the ICT shall complete the heading and section IA of the DC6-234, Report of Protective Management. Form DC6-234 is incorporated by reference in (11) of this rule. The committee member shall utilize the documentation in the DC6-233a, Report of Administrative Confinement, for the information necessary to complete this portion of the report. The report shall then be forwarded to the investigative official assigned to investigate the reasons for protection. The investigator shall enter the results of the investigation in the electronic classification contact log in OBIS; this entry will automatically schedule an complete Section IB of the report and return it to the ICT review appointment.~~

2. If the inmate submits a request for release in writing at any time during the ICT review or investigation process, the area housing supervisor shall provide the inmate with a Form DC6-203, Protection Waiver/Appeal Decision Form. Form DC6-203 is incorporated by reference in subsection (11) of this rule. The inmate shall complete Form DC6-203 and return it to the area housing supervisor for submission to the ICT along with the inmate's written request.

3. Once the investigation is complete, the ICT shall interview the inmate to determine whether the inmate has a legitimate, verifiable need for protection. The ICT shall review all documentation available concerning the need for protection to include any written statements submitted by the inmate. The inmate's written request for release and the DC6-203 will also be reviewed. ~~The ICT shall document its findings and recommendations on the Report of Protective Management, Form DC6-234.~~ The following elements shall be considered in determining whether protective management is necessary:

a. through g. No change.

4. The ICT shall make recommendations concerning protective management based on the facts within 15 working days from the date of initial confinement. The ICT's findings and recommendations shall be entered in the electronic classification contact log in OBIS; this entry will automatically schedule an SCO review appointment. Whether the ICT recommends protective management or not, the inmate shall remain in administrative confinement at that facility pending review by the SCO. ~~The DC6-234 shall be forwarded to the State Classification Office along with team findings, recommendations and all other related documentation. All non-electronic related documentation shall be made available to the SCO by the ICT.~~ The State Classification Office shall approve, disapprove or return for additional information the recommendation of the Institutional Classification Team.

5. The State Classification Office (SCO) shall determine within five working days whether protection is necessary based upon the investigation and any follow-up ~~they~~ he deems appropriate. The SCO shall approve or disapprove placement of the inmate in protective management. The SCO's decision shall ~~also~~ be documented ~~in~~ on the electronic classification contact log in OBIS Report of Protective Management, Form DC6-234, and this report shall be returned to the institution. If the SCO determines that a need for protection exists, ~~they~~ he shall direct indicate in the Report of Protective Management that the inmate shall be placed in a protective management unit or transferred to resolve the inmate's need for protection. If a decision is made to transfer the inmate for housing in a protective management unit or to resolve the inmate's need for protection at the inmate's current location, the inmate shall be kept in administrative confinement until the transfer is completed. Transfers for protection needs shall be effected within five working days. SCO members are authorized to approve transfers. If the SCO determines that protective management is not necessary, the inmate may appeal this decision directly to the Office of the Secretary pursuant to Rules 33-103.007 and 33-103.011, F.A.C. The inmate shall be notified of the SCO's decision by the ICT ~~and this notification shall be documented on the Report of Protective Management, DC6-234.~~ At the time of notification, the inmate shall be asked if he wants to appeal the decision. The inmate's acknowledgement of being informed of the SCO denial and the inmate's decision on whether or not to appeal shall be documented on the electronically produced Notification of Protective Management Disapproval, Form DC6-137 DC6-203, Protection Waiver/Appeal Decision Form. Form DC6-137 is incorporated by reference in subsection (11) of this rule. The inmate shall remain in administrative confinement until the appeal process is complete.

6. Within three working days after an inmate has been either received at a protective management facility for the purpose of protective management or after an inmate already housed at a facility with a protective management unit has been approved for protective management by the SCO, a determination shall be made by the ICT as to appropriate housing. The ICT shall ensure that the housing supervisor assesses the inmate being placed into the protective management unit for his potential for risk to or from other inmates in the protective management unit. The inmate shall remain in administrative confinement until this assessment decision is made.

(d) through (f) No change.

(4) Administrative Confinement Facilities.

(a) The number of inmates housed in an administrative confinement cell shall not exceed the number of bunks in the cell. The only exception to this policy is during an emergency situation as declared by the warden or duty warden. The regional director and the emergency action center in central

office shall be advised of the emergency. If the emergency situation exists in excess of 24 hours, the warden or duty warden must get specific written authorization from the regional director to continue to house inmates beyond the 24 hour period. Prior to placing inmates in the same cell, the inmates will be interviewed by the housing supervisor to ensure a determination shall be made that none of the inmates constitute a threat to any of the others.

(b) No change.

(c) Prior to placement of an individual in an administrative confinement cell, it shall be thoroughly inspected to ensure that it is in proper order and the inmate housed in that cell shall then be held responsible for the condition of the cell. Form DC6-221, Cell Inspection, shall be used for this purpose. Form DC6-221 is incorporated by reference in subsection (11) of this rule. Routine searches of each cell may be conducted at any time, but will be conducted, at a minimum, each time an inmate is removed from the cell for a shower. All searches shall be documented on Form DC6-229, Daily Record of Segregation. All inmates will be searched prior to entering the confinement unit and upon departure. All items entering the confinement unit will be thoroughly searched, to include at a minimum, food cart and trays, laundry and linens and inmate property.

(d) The administrative confinement cells shall be physically separate from other confinement cells and the cell doors will feature remotely controlled locking devices, whenever possible given the physical design of the facility, and the number of inmates housed in administrative confinement shall not exceed the number of bunks in the cell. Whenever such location is not possible, physical barriers shall preclude the cross association of those in administrative confinement with those in other status confinement. Administrative confinement cells shall be built to permit verbal communication and unobstructed observation by the staff. The officers assigned will exercise care to maintain the noise within the unit to a reasonable level. Visual inspections shall be conducted of each cell, to include at a minimum, observations for clothes lines, pictures attached to the walls and lockers, windows or light fixtures covered with paper, clothes or towels, and air and heater vents that have been obstructed. When sufficient natural light is unavailable, interior cell lights shall be left on during day and evening hours.

(5) Conditions and Privileges.

(a) through (j) No change.

(k) Legal Access – Legal materials shall be as accessible to inmates in administrative confinement as to inmates in general population as long as security concerns permit. An inmate in confinement may be required to conduct legal business by correspondence rather than a personal visit to the law library if security requirements prevent a personal visit. However, all steps shall be taken to ensure the inmate is not denied needed access while in confinement. Although the

inmate may not be represented by an attorney at any administrative hearing, access shall be granted for legal visits at any reasonable time during normal business hours to the inmate's attorney or aide to that attorney. Indigent inmates shall be provided paper and writing utensils in order to prepare legal papers. Inmates who are not indigent shall be allowed to purchase paper, security pens and envelopes for this purpose through a canteen order. Typewriters or typing services are not considered required items and shall not be permitted in confinement cells. However, an inmate with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer/reader). An inmate who is provided an auxiliary aid shall also be allowed access to a certified research aide ~~law clerk~~ for the purpose of preparing legal documents, legal mail, or filing a grievance.

(l) No change.

(m) Writing utensils – Inmates in administrative confinement shall possess only a security pen. Other types of pens and pencils shall be confiscated and stored until the inmate is released from administrative confinement status. Inmates who are in possession of working pens or pencils when placed in administrative confinement will be issued a security pen. Inmates who are not indigent must purchase additional pens when needed from the canteen. If a security pen ~~is~~ is unavailable, the inmate shall be allowed to sign out a regular pen from the confinement housing officer. All care shall be taken to ensure that an indigent inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the department has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances. An inmate who has been provided a "writer/reader" shall be allowed access to such for the purpose of reading or preparing correspondence.

(n) through (o) No change.

(p) Exercise – Those inmates confined on a 24-hour basis excluding showers and clinic trips may exercise in their cells. However, if confinement extends beyond a 30-day period, an exercise schedule shall be implemented to ensure a minimum of three hours per week of exercise out of doors. Such exercise periods shall be documented on Form DC6-229. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation. In this instance, a major rule violation is defined as: any assault, battery or attempted assault or battery; any spoken or written threat towards any person; inciting, attempting to incite or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives or escape paraphernalia; escape or escape attempt. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. If the inmate requests a physical fitness program handout, the wellness specialist or the confinement

officer shall provide the inmate with an in-cell exercise guide and document such on the Daily Record of Segregation, Form DC6-229. Medical restrictions can also place limitations on the exercise periods. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him or her that will accomplish the need for exercise and take into account the particular inmate's limitations. Recreational equipment may be available for the exercise period provided such equipment does not compromise the safety or security of the institution. The reasons for any exercise restrictions shall be documented on the Daily Record of Segregation, Form DC6-229.

(q) If items of clothing, bedding or property are removed in order to prevent the inmate from inflicting injury to himself or herself or others, ~~or~~ or to prevent destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

(6) Restraint and Escort Requirements.

(a) through (f) No change.

(g) Inmates utilized as house-men or orderlies shall be confined to their assigned cells when not working.

(7) through (8) No change.

(9) Administrative Confinement Records.

~~(a) A Report of Administrative Confinement, Form DC6-233a, shall be kept for each inmate placed in administrative confinement. A photocopy of the DC6-233a, with section I completed, shall be kept in administrative confinement with the other confinement records for each inmate. Upon completion of the DC6-233a, the white copy of the form shall be mailed to central office to be filed in the central office inmate record and the yellow copy shall be filed in the institutional inmate record.~~

(a)(b) A Daily Record of Segregation, Form DC6-229, shall be maintained for each inmate as long as the inmate is in administrative confinement in the housing area for 30 days, then forwarded to the ICT for review, and then forwarded to classification for filing in the institutional inmate record. The DC6-229 shall be utilized to document any activity such as cell searches, items removed, showers, recreation, haircuts and shaves and also unusual occurrences such as refusal to come out of a cell or refusal to eat. If items that inmates in administrative confinement are not prohibited from possessing are denied or removed from the inmate, the shift officer-in-charge or the confinement lieutenant must approve the action initially. The central office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled

inmate an equal opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229 and the Chief of Security shall make the final decision in regard to the appropriateness of that action no later than the next working day following the action. The supervising officer shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. The DC6-229 shall be maintained in the housing area for 30 days one week, at which time the form shall be forwarded to the ICT for review. Once reviewed, these forms shall be forwarded to classification to be filed in the institutional inmate record.

(b)(e) No change.

(10) Staffing Issues.

(a) Officers assigned to a confinement unit shall be reviewed at least every 18 months ~~by the chief of security to determine whether a rotation is necessary. The shift supervisor or confinement lieutenant shall initiate the review by having the officer complete section I of the Special Housing Unit Rotation Review, Form DC6-295. Form DC6-295 is incorporated by reference in subsection (11) of this rule. The required supervisor shall conduct an interview with the officer and complete section II of the DC6-295 and forward the form to the chief of security.~~ The chief of security shall review personnel records, to include performance appraisals, incident reports, use of force reports, and any other documentation relevant to the officer's assignment and job performance; interview the officer and officers' supervisors for the period of review; when necessary and shall make a recommendation to the warden as to the necessity of a rotation. The chief of security shall, upon completion of his or her review, complete section III of Form DC6-295 and forward the recommendation to the warden. The warden shall review the recommendation, request additional information if necessary, and make the final determination as to whether the officer continues in the current assignment or is rotated to another assignment. The warden's decision will be documented in section VI of the DC6-295 and returned to the chief of security for action. The chief of security shall maintain the completed DC6-295. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) No change.

(11) Forms. The following forms referenced in this rule are hereby incorporated by reference. A copy of any of these forms may be obtained from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC4-650, Observation Checklist, and effective date 2-12-01.

(b) Form DC6-203, Protection Waiver/Appeal Decision Form, effective date 2-12-01.

(c) Form DC6-228, Inspection of Special Housing Record, effective date 2-12-01.

(d) Form DC6-229, Daily Record of Segregation, effective date 2-12-01.

~~(e) Form DC6-233a, Report of Administrative Confinement, effective date 2-12-01.~~

~~(f) Form DC6-234, Report of Protective Management, effective date 2-12-01.~~

~~(e)(g)~~ Form DC6-221, Cell Inspection, effective date 2-12-01.

(f) Form DC6-295, Special Housing Unit Rotation Review, effective _____.

(g) Form DC6-137, Notification of PM Disapproval, effective _____.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 945.04 FS. History—New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, Formerly 33-3.0081, Amended 2-12-01, 2-5-02, _____.

33-602.221 Protective Management.

(1) No change.

(2) Procedures for placement in Protective Management.

(a) No change.

(b) Inmates on death row, in close management or disciplinary confinement are not eligible for placement in protective management. However, if an inmate in one of these statuses requests protection, procedures outlined in Rule 33-602.220, F.A.C., shall be completed begin.

(c) If it is determined that an inmate on death row, close management or disciplinary confinement needs protection, the inmate will be afforded such protection in his or her current status. Upon completion of that special status, the institutional classification team (ICT) shall review the inmate's need for protection and make recommendations to the state classification office (SCO), who shall determine the appropriate action to resolve the inmate's protection needs.

(d) ~~When Once~~ the ICT and SCO determines have determined that protective management is appropriate for an inmate, the inmate shall be interviewed by the housing supervisor and a review shall be initiated to assess the inmate's potential risk to or from determine if any of the inmates in the protective management unit are a threat to the inmate being placed or if the inmate being placed is a threat to other inmates in the unit. The completion of this review will be documented on Form DC6-235, Record of Protective Management. Form DC6-235 is incorporated by reference in subsection (10) of this rule. If the inmate can not be placed for ~~this these~~ reasons the housing supervisor shall place or maintain the inmate in administrative confinement until the issue can be expeditiously resolved. The case shall be immediately forwarded to the ICT for review. The ICT shall review the case and interview the inmate and forward recommendations to the SCO. The SCO shall review the case and may interview the inmate and make a final decision to resolve protection.

(3) Protective Management Facilities.

(a) The number of inmates housed in protective management housing units shall not exceed the number of beds in the cell. Exceptions may be made during an emergency situation as approved by the warden or duty warden, but such exceptions shall not continue for more than 24 hours without the specific written authorization of the regional director. Prior to placing inmates in the same cell, a determination shall be made by the housing supervisor that none of the inmates constitute a threat to any of the others and document such on Form DC6-235, Record of Protective Management.

(b) No change.

(c) Prior to placement of an individual in a protective management cell, the cell shall be thoroughly inspected to ensure that the cell is in proper order. The officer conducting the inspection will complete and sign the Cell Inspection, DC6-221, attesting to the conditions of the cell. The inmate housed in that cell shall then be held responsible for the condition of the cell. Form DC6-221 is incorporated by reference in subsection 33-602.220(11)(10), F.A.C.

(d) No change.

(4) Conditions and Privileges.

(a) Clothing – Inmates may wear shower slides or personal canvas shoes while in their housing units, but regulation shoes shall be required for work assignments. Otherwise the clothing for inmates in protective management shall be the same as that issued and exchanged to the general inmate population except when there is an indication of a security or health problem or when additional clothing is required for a work assignment. In such cases the exceptions shall be documented on Form DC6-235, Record of Protective Management, and approved by the chief of security. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or others, ~~or~~ to prevent the destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security. If an inmate's clothing is removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be noted on Form DC6-235, Record of Protective Management, stating the reasons for such denial. Under no circumstances will an inmate be left without a means to cover himself or herself. ~~Form DC6-235 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 2-12-01.~~

(b) through (g) No change.

(h) Counseling Interviews – Counseling shall be provided to protective management inmates in-cell or out of cell when deemed necessary by mental health staff. ~~The ICT will determine whether an inmate in protective management may~~

~~be removed from his or her cell to attend interviews and counseling sessions when they determine that it is safe to do so, or whether counseling must take place in cell.~~

(i) through (j) No change.

(k) Legal Access – inmates in protective management shall have access to the law library during evening or other hours when general population inmates are not present. If security reasons prevent a visit, access shall be provided through correspondence or visits from the inmate research aide law clerk. All steps shall be taken to ensure the inmate is not denied needed legal access while in protective management. Inmates shall be provided paper and writing utensils in order to prepare legal papers. Typewriters or typing services are not considered required items and will not be permitted in protective management housing units. However, an inmate with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer reader). An inmate who is provided an auxiliary aid will be allowed access to a certified research aide law clerk for the purpose of preparing legal documents, legal mail, or filing a grievance.

(l) No change.

(m) Writing utensils – Inmates in protective management shall be allowed to possess pens and pencils of the same type and number as those in general population. If it is determined that there is a safety, security or sanitation risk these items shall be confiscated and stored until the inmate is released from protective management status. The inmate shall be issued a security pen; if a security pen is unavailable the inmate shall be allowed to sign out a regular pen from the housing officer. All care shall be taken to ensure that an indigent inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the department has access to a pen for a time period sufficient to prepare the legal mail documents or grievances. An inmate who has been provided a “writer/reader” shall be allowed access to such for the purpose of preparing correspondence.

(n) through (o) No change.

(p) Exercise – an exercise schedule shall be implemented to ensure a minimum opportunity of three hours per week of exercise out of doors. The ICT is authorized to restrict exercise for an individual inmate when the inmate is found guilty of a major rule violation. In this instance, a major rule violation is defined as: any assault, battery or attempted assault or battery; any spoken or written threat towards any person; inciting, attempting to incite or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives or escape paraphernalia; escape or escape attempt. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. If the inmate requests a physical fitness program handout, the

wellness specialist or the housing officer shall provide the inmate with an in-cell exercise guide and document such on the Daily Record of Protective Management Segregation, Form DC6-235 ~~DC6-229~~. Form DC6-235 ~~DC6-229~~ is incorporated by reference in subsection 33-602.220(10) of this rule. Medical restrictions may also place limitations on exercise periods. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him or her that will accomplish the need for exercise and take into account the particular inmate's limitations. Similar recreational equipment shall be available as is available for general population inmates for the exercise period provided that such equipment does not compromise the safety or security of the institution. The reasons for any exercise restrictions shall be documented on the Report of Protective Management, Form DC6-235.

(q) through (s) No change.

(t) Other privileges shall be restricted on a daily case-by-case basis when such restrictions are necessary for the security, order or effective management of the institution. All such restrictions shall be documented on Form DC6-235, Record of Protective Management, and reported to the ICT. The ICT is authorized to restrict privileges on a continuing basis after a determination that such restrictions are necessary for the security, order or effective management of the institution. The ICT's decision for continuing restriction shall be documented on Form DC6-235, Record of Protective Management.

(5) Work assignments.

(a) Within 10 days of the protective management determination, work opportunities consistent with medical grades shall be available to inmates in protective management during the day, evening or night hours. All inmates shall be provided the opportunity for work assignments regardless of medical grade except when precluded by doctor's orders for medical reasons. Work shall be cancelled for an individual inmate or a work squad when staff concludes the work or work assignment would subject the inmate to danger or if adequate staff protection is not available. Each occurrence of work cancellation will be documented with reasons for the action on Form DC6-210, Incident Report, and shall be reviewed by the warden or ICT the next working following day. Form DC6-210 is incorporated by reference in subsection 33-602.210(9), F.A.C. Refusal of a work assignment shall result in disciplinary action pursuant to Rules 33-601.301-601.314, F.A.C. Inmates who refuse work assignments will not be allowed other housing unit activities. Those who accept work assignments shall be subject to awards of gain time pursuant to Rule 33-601.101, F.A.C., in the same manner as general population.

(b) No change.

~~(e) Other privileges shall be restricted on a daily case-by-case basis when such restrictions are necessary for the security, order or effective management of the institution. All~~

~~such restrictions shall be documented on Form DC6-234, Report of Protective Management, and reported to the ICT. Form DC6-234 is incorporated by reference in rule 33-602.220(10). The ICT is authorized to restrict privileges on a continuing basis after a determination that such restrictions are necessary for the security, order, or effective management of the institution. The ICT's decision for continuing restriction shall also be documented on Form DC6-235, Record of Protective Management.~~

(6) No change.

(7) Contact by Staff.

(a) The following staff members shall be required to officially inspect and tour the protective management unit. All visits by staff shall be documented on Form DC6-228, Inspection of Special Housing Record. The staff member shall also document his or her visit on the Daily Record of Protective Management Segregation, Form DC6-235 ~~DC6-229~~, if, during the visit by staff, any discussion of significance, action or behavior of the inmate occurs or any information is obtained which may have an effect on the status of protective management. These visits shall be conducted at a minimum of:

1. At least every 30 minutes ~~hour~~ by a correctional officer, but on an irregular schedule.

2. through 9. No change.

(b) Any inmate who has demonstrated behavior that is or could be harmful to himself or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229, Daily Record of Segregation, and followed with an Incident Report, Form DC6-210. Forms DC4-650 is incorporated by reference in subsection 33-602.220(11)(10), F.A.C.

(8) Review of Protective management.

(a) through (d) No change.

(e) If the inmate submits a request for release in writing at any time after being placed in protective management, the area housing supervisor shall provide the inmate with a Form DC6-203, Protection Waiver/Appeal Decision Form. Form DC6-203 is incorporated by reference in subsection 33-602.220(11)(10), F.A.C. The inmate shall complete Form DC6-203 and return it to the area housing supervisor for submission to the ICT along with the inmate's written request. The ICT shall docket and review the inmate's request, and

interview the inmate. The ICT shall submit their recommendation along with the DC6-203 and any other documentation to the SCO for final consideration. The SCO review and decision shall be conducted during the next routine on-site visit.

(9) Protective Management Records.

(a) A printed copy of the electronic Report of Protective Management, ~~Form DC6-234~~ shall be kept for each inmate placed in protective management.

(b) An Inspection of Special Housing Record, Form DC6-228 shall be maintained in each protective management area. Form DC6-228 is incorporated by reference in subsection ~~(11)(40)~~ of Rule 33-602.220, F.A.C. Each staff person shall sign the record when entering and leaving the protective management area. Prior to leaving the protective management area, each staff member will indicate any specific problems including any inmate who requires medical attention.

(c) No change.

(10) Form DC6-235, Record of Protective Management, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of the form is _____.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History--New 6-23-83, Formerly 33-3.082, Amended 3-12-84, 7-10-90, 12-4-90, 4-26-98, Formerly 33-3.0082, Amended 2-12-01, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE TITLES:	RULE NOS.:
Definitions	59A-12.002
Administration, Forms, Fees	59A-12.003
Governing Body	59A-12.004
Quality of Care	59A-12.006
Quality Assurance	59A-12.007
Accreditation	59A-12.0071
Accreditation Organizations	59A-12.0072
Subscriber Grievance Procedure	59A-12.010
Internal Risk Management Program	59A-12.012
Statewide Provider and Subscriber Assistance Program Forms	59A-12.020

PURPOSE AND EFFECT: The Agency for Health Care Administration (AHCA) is proposing a workshop to amend Rules 59A-12.002, 59A-12.003, 59A-12.004, 59A-12.006, 59A-12.007, 59A-12.0071, 59A-12.0072, 59A-12.010, 59A-12.012 and 59A-12.020, F.A.C. to implement section 641.56, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Health Maintenance Organizations (HMO) and Prepaid Health Clinics (PHP). These proposed changes will specify: (a) Clarification of the definition of an HMO and PCP medical staff; (b) Requirements to submit an application for a Health Care Provider Certificate and a form to submit for an annual regulatory assessment; (c) Governing Body's responsibility for risk management

programs; (d) Quality of care guidelines and subscribers rights; (e) Quality assurance requirements; (f) Identification of department that determines organizations financial viability; and (g) Reporting requirements for accreditation organizations. SPECIFIC AUTHORITY: 641.56 FS.

LAW IMPLEMENTED: 641, Part III FS.

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

TIME AND DATE: 8:30 a.m. – 4:30 p.m., August 7, 2002

PLACE: 2727 Mahan Drive, Building 3, Room A, 1st Floor Conference Room, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Betty Jean Cettie, Medical/Health Care Program Analyst, Bureau of Managed Health Care, Agency for Health Care Administration, (850)414-8971

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-12.002 Definitions.

(1) All terms defined in the Health Maintenance Organization Act, Chapter 641, F.S., which are used in these rules shall have the same meaning as in the act.

(2) HMO. Health Maintenance Organization shall be abbreviated as HMO in these rules.

(3) PHC. Prepaid Health Clinic shall be abbreviated as PHC in these rules.

(4) PCP. Primary Care Provider shall be abbreviated as PCP in these rules.

~~(5)(4)~~ Emergency Services. Services which are needed immediately because of an injury or unforeseen medical condition as provided for in the subscriber's contract. These must be provided or arranged to be provided on a 24-hour basis by the HMO or PHC, but also may cover inpatient services or outpatient services that are furnished by an appropriate source other than the HMO or PHC when the time required to reach HMO or PHC providers, or alternatives authorized by the HMO or PHC, would mean the risk of permanent damage to the subscriber's health. Notwithstanding the above, these services are considered to be emergency services only as long as transfer of the subscriber to the HMO's or PHC's source of health care or designated alternative is precluded because of risk to the subscriber's health or because transfer would be unreasonable given the distance involved in the transfer and the nature of the medical condition.

~~(6)(5)~~ Medical Staff of the HMO or PHC. A formal organization of employed physicians or a contracted network of providers in an HMO or PHC with the delegated responsibility to maintain acceptable standards in the delivery of health care and to plan for continued betterment of that care.

~~(7)(6)~~ Minimum Services. Minimum services include the following:

(a) Emergency Care. Emergency inpatient, outpatient and physician services shall be available on a 24-hour, 7-day a week basis, either by the HMO or PHC through its own facilities or through arrangements with providers. Emergency resuscitation supplies shall be available. In addition, emergency services, as defined in these rules, shall be covered by the HMO or PHC:-

(b) Inpatient Hospital Services. Inpatient hospital services shall be available on a 24-hour, 7-day a week basis either through the HMO's own facility or through arrangements with hospitals. Inpatient hospital services shall include, for example: room and board, general nursing care, meals and special diets when medically necessary, use of operating room and related facilities, use of intensive care unit and services, x-ray services, laboratory and other diagnostic tests, drugs, medications, biologicals, anesthesia and oxygen services, radiation therapy, inhalation therapy, and administration of whole blood and blood plasma:-~~220~~

(c) Physician Care. Physician care, provided or supervised by physicians licensed under Chapter 458, 459, 460 or 461, F.S., to include PCPs and specialists of sufficient type and number to adequately provide for the contracted services. Physician care shall include consultant and referral services by a physician:-

(d) Ambulatory Diagnostic Treatment. Outpatient diagnostic treatment services with an emphasis directed toward primary care. Ambulatory diagnostic treatment shall include diagnostic laboratory and diagnostic radiological services:- and

(e) Preventive Health Care Services. A program of health evaluation, education and immunizations which is designed to prevent illness and disease and to improve the general health of HMO or PHC subscribers. This program shall include at least the following:

1. Well-child care from birth;
2. Periodic health evaluations for adults;
3. Eye and ear screenings by a physician for children through age 21 ~~17~~ to determine the need for vision or hearing correction; and
4. Pediatric and adult immunizations, in accord with accepted medical practice.

~~(8)(7)~~ Peer Review. Ongoing evaluation of services by Florida licensed health care professionals to achieve and maintain high standards of professional practice within the discipline.

~~(9)(8)~~ Quality of Care. The prevailing professional standard of care for a given health care provider shall be that level of care, skill, and treatment which, in light of all relevant surrounding circumstances, is recognized as acceptable and appropriate by reasonably prudent similar health care providers in the community.

~~(10)(9)~~ Health Care Personnel Engaged to Provide Health Care Services. A health care professional obligated in advance by written contract to provide health care services to an HMO or PHC subscriber. Said contract must include specific hold harmless language relieving the subscriber of any obligation to the provider for unpaid health care costs for covered benefits.

~~(11)(10)~~ ICD-9-CM. The International Classification of Diseases, 9th Revision, Clinical Modifications shall be abbreviated as ICD-9-CM in these rules.

~~(12)(11)~~ Second medical opinion. A consultation by a physician other than the member's primary care physician, whose specialty ~~speciality~~ is appropriate to the need, and whose services are obtained when the member disputes the appropriateness or necessity of a surgical procedure, is subject to a serious injury or illness, including failure to respond to the current treatment plan.

~~(13)(12)~~ Serious Injury or Illness. An injury or illness, the natural history of which, if untreated, is likely to result in death, to progress to a more severe form, or to develop complications.

Specific Authority 641.56 FS. Law Implemented 641.36, 641.51 FS. History--New 1-28-88, Amended 3-11-92, Formerly 10D-100.002, Amended

59A-12.003 Administration, Forms, Fees.

(1) Application. "Application for Health Care Provider Certificate", AHCA Form 3002, Feb.1998, HRS Form 1710, Nov. 87 obtained from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 26, Tallahassee, Florida 32308, which forms are incorporated herein by reference, must be completed in the manner specified within the application in order for each individual item to be considered complete for the purpose of determining that a properly completed application has been filed. The application shall be accompanied by a filing fee of \$1,000.00 payable to ~~the~~ AHCA and shall be completed by each entity desiring to obtain a Health Care Provider Certificate as an HMO or PHC. The application shall specify the contact person or persons for the HMO or PHC. During the review ~~investigation~~ of the entity only contact persons specified within the application shall be allowed access to the application materials submitted.

(2) Application Review Process for Health Care Provider Certificate. Upon receipt of the Application for Health Care Provider Certificate from a proposed HMO or PHC, ~~the~~ AHCA shall review the application within 30 days of receipt. ~~The~~ AHCA shall provide notification to the proposed HMO or PHC of deficiencies in the application within this 30-day period. The applicant has 90 days from the date of the filing of the application to file any additional information requested by ~~the~~ AHCA. By the end of the 90-day period if the additional information has not been received the application will be denied in accordance with Chapter 120, F.S. Within 90 days after the application has been completed ~~the~~ AHCA shall approve or deny the application.

(3) Certificate of Authority. The application for a Health Care Provider Certificate must include a copy of the letter sent to the applicant accepting the receipt of an application for a Certificate of Authority submitted by the organization to the Department of Insurance.

(4)(3) Geographic Area Expansions. The HMO or PHC may not change its geographic area unless it follows the applicable requirements set forth in Section 641.495(2), F.S. Each HMO or PHC shall submit the required notarized "Affidavit by HMO for Expansion of Service Area", AHCA Form 3160-1005, April 2002 HRS Form 1693, Feb. 87, which is hereby adopted and incorporated by reference. Copies may be obtained by writing the AHCA, 2727 Mahan Drive, Mail Stop 26, Tallahassee, Florida 32308.

~~(5)(4) Assessments. Annual Assessment. The Agency for Health Care Administration shall determine the regulatory assessment percentage necessary to be imposed for each calendar year. AHCA Form "Regulatory Assessment Worksheet for Health Maintenance Organizations, Prepaid Health Clinics, and Exclusive Provider Organizations", AHCA Form 3160-1004, July 1995, which is hereby adopted and incorporated by reference, will be provided to the organization for calculating the annual regulatory assessment percentage and premium volume. Copies may be obtained by writing the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 26, Tallahassee, Florida 32308. The annual regulatory assessment shall not exceed the statutory limitations and must be paid by the date specified in the Administrative Assessment Order, on or before December 1 of each year the regulatory assessment percentage necessary to be imposed for that calendar year which will be payable on or before the following April 1. HRS Form 1711, Nov. 87, "Health Maintenance Organizations or Prepaid Health Clinics Regulatory Assessment Work Sheet", which is hereby adopted and incorporated by reference, will be provided to the organization for calculating the annual regulatory assessment based on assessment percentage and premium volume. The annual regulatory assessment shall not exceed the statutory limitations.~~

Specific Authority 641.56, 641.36, 641.41, 641.58 FS. Law Implemented 641.21, 641.47, 120.60(2), 641.22, 641.495 FS. History—New 1-28-88, Formerly 10D-100.003, Amended.

59A-12.004 Governing Body.

(1) Each HMO or PHC shall have a governing body that sets policy and has overall responsibility for the organization including the following:.

(a) Adopting organizational bylaws, rules and regulations or similar form of document which provides a clear concise statement of the mission, goals, and objectives of the organization;

(b) Adopting a quality assurance program that monitors the key areas of health care delivery to identify problems and insure the early recognition of opportunities to improve the delivery of quality health care services; and

(c) Maintaining ultimate responsibility for ongoing quality assurance, risk management programs and credentialing programs.

(2) Nothing in this rule shall prohibit the designation of qualified management personnel to implement the provisions of subsection (1) and to manage the operation of the HMO or PHC in the geographic area or areas serviced. The relationship between management personnel and the governing body shall be set forth in writing including each person's authority, responsibilities and functions.

Specific Authority 641.56 FS. Law Implemented 641.49(3), 641.22, 641.49 FS. History—New 1-28-88, Formerly 10D-100.004, Amended.

59A-12.006 Quality of Care.

Each HMO or PHC shall:

(1) Make available to each member an appropriate health assessment in accordance with preventive health guidelines and professional standards in the community.

(2) Provide for or arrange the following services as a minimum:

(a) Coordination of all necessary care contracted for with the subscriber;

(b) Acute episodic care, with appropriate ancillary services necessary for proper evaluation and treatment, for example:

1. Laboratory studies;
2. Diagnostic radiology;
3. Treatment plan;
4. Specialty consultation referrals.

(c) Chronic disease screening, and follow-up treatment for prevention of complications, for example:

1. Periodic update of history and physical examination;
2. Hypertension follow-up; and
3. Diabetes follow-up.

(d) Health risk appraisal and prevention measures, for example:

1. Dietary counseling ~~eounseling~~;
2. Smoking cessation education;
3. Stress reduction counseling; ~~eounseling and~~
4. Substance abuse education;

(e) Family planning services.

(3) Ensure that the health care services it provides or arranges for are accessible to the subscriber with reasonable promptness. Such services shall include, at a minimum:

(a) Establishment of an appointment system;

(b) A method to distinguish among emergency, urgent, and routine cases.

1. Emergencies will be seen immediately;
2. Urgent cases will be seen within 24 hours;
3. Routine symptomatic cases will be seen within two weeks;
4. Routine non-symptomatic cases will be seen as soon as possible;

(c) A provision that patients with appointments should have a professional evaluation within one hour of scheduled appointment time. If a delay is unavoidable, patient shall be informed and provided an alternative;

(d) Average travel time from the HMO geographic services area boundary to the nearest primary care delivery site and to the nearest general hospital under arrangement with the HMO to provide health care services of no longer than 30 minutes under normal circumstances. Average travel time from the HMO geographic services area boundary to the nearest provider of specialty physician services, ancillary services, specialty inpatient hospital services and all other health services of no longer than 60 minutes under normal circumstances. ~~The~~ AHCA shall waive this requirement if the HMO provides sufficient justification as to why the average travel time requirement is not feasible or necessary in a particular geographic service area;

(e) Provision of accessible hours of operation and after hours emergency services;

(f) Maintenance of staffing patterns within generally accepted HMO or PHC industry norms for meeting projected subscriber needs and for expeditiously satisfying the requirements of the benefit package as offered by the HMO or PHC; and

(g) Maintenance of a professional staff or arrangements with providers, duly licensed as required to practice in Florida.

(4) Make grievance files available during normal business hours for inspection by the agency. ~~Department together with~~ The files shall contain a written summary of the actions taken by the HMO or PHC; including actions taken through the review by the quality improvement process.

(5) Coordinate the overall health care of each member, and, when possible, provide this coordination through a single health care professional, who will maintain a unified health record on the member.

(6) Assure that services provided members through referral sources are reported to the HMO or PHC or a designated health care professional in order that all appropriate medical information is filed in the member's medical record in a timely manner.

(7) Provide a system whereby a member may request and obtain a second medical opinion if the member feels that he is not responding to the current treatment plan in a satisfactory manner after a reasonable lapse of time for the condition being treated.

The primary care physician must be so informed by the member, and a request for a consultation initiated. Such a consultation shall be provided upon authorization by the Medical Director.

~~(8) Inform subscribers of their rights and responsibilities set forth in Section 381.026, F.S., as well as the rights and responsibilities of the managed care organization incorporated in the member's handbook. Assure that physicians and hospitals treat all HMO and PHC patients with equal dignity and consideration as their non-HMO and non-PHC patients. If the department determines that a physician or hospital is not treating HMO and PHC patients with equal dignity and consideration, the AHCA shall notify the HMO or PHC immediately.~~

Specific Authority 641.56 FS. Law Implemented 641.49, 641.54, 641.495(3), 641.515 FS. History—New 1-28-88, Amended 3-11-92, Formerly 10D-100.006, Amended.

59A-12.007 Quality Assurance.

(1) Each HMO or PHC shall have an ongoing quality assurance program designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care and resolve identified problems at the prevailing professional standard of care.

(2) The quality assurance plan shall be in writing and shall describe the program's objectives, organization and problem solving activities.

(3) The scope of the program shall include, at a minimum, the following:

- (a) Evaluation of clinical performance (peer review);
- (b) Review of medication usage;
- (c) Evaluation as to appropriate use of tests and studies, for example: lab, x-ray and EKG;
- (d) Evaluation of subscriber grievances;
- (e) A utilization review process;
- ~~(f)~~(e) Evaluation of outcomes of care using criteria developed by physicians and other health professionals to evaluate patient care patterns and clinical performance for health services provided; and
- ~~(g)~~(f) Written procedures for taking appropriate remedial action whenever, as determined under the quality assurance program, inappropriate or substandard services have been provided or services which should have been provided were not.

(4) All findings, conclusions, recommendations, actions taken and results of actions taken shall be documented and reported through organizational channels that have been established.

Specific Authority 641.56 FS. Law Implemented 641.49(3)(o), 641.495, 641.51 FS. History—New 1-28-88, Amended 3-11-92, Formerly 10D-100.007, Amended _____.

59A-12.0071 Accreditation.

As a condition of doing business in the state, each HMO or PHC shall apply for accreditation within 1 year and be accredited within 2 years of the organization’s receipt of its Certificate of Authority. HMOs and PHCs with existing Certificates of Authority must apply for accreditation within 1 year and be accredited within 2 years of the effective date of this rule. All HMOs and PHCs must undergo reaccreditations not less than once every 3 years. Accreditation and reaccreditation must be awarded by an accreditation organization approved by the agency pursuant to Rule 59A-12.0072, F.A.C.

(1) The agency will provide technical assistance, upon request by an HMO or PHC, in order to assist new or existing organizations to develop and maintain quality assurance systems ~~and for the purpose of complying with the accreditation requirement.~~

(2) The agency will monitor and determine the accreditation status of all existing HMOs and PHCs on an ongoing basis and group them into the following categories:

- (a) Three year accreditation;
- (b) Less than three year accreditation;
- (c) Not applied and surveyed for accreditation within the appropriate time frame;
- (d) Applied for accreditation but not surveyed within the appropriate time frame;
- (e) Surveyed, findings of the accreditation agency not final;
- (f) Failed accreditation survey;
- (g) New HMO or PHC, accreditation not currently due.

(3) The agency shall verify the compliance of HMOs and PHCs with the accreditation requirement with the accreditation organizations and shall initiate action for HMOs and PHCs classified under (2)(c), (d), and (f) above. For those HMOs and PHCs under (2)(e) above, the agency shall not take administrative action until receipt of the final determination of accreditation from either the HMO, PHC or the accrediting body.

(4) The agency shall file an administrative order to show cause against those HMOs and PHCs under paragraphs (2)(c), (d), and (f) which are not in compliance with the accreditation requirement.

(5) The penalties to be assessed against organizations not achieving accreditation will be as follows:

ACCREDITATION STATUS

PENALTY

<p>Not applied for accreditation within the time frames of this rule</p> <p>Applied, not surveyed within the time frames of this rule</p> <p>Failed initial or renewal accreditation survey</p> <p>Failed follow-up Accreditation survey conducted subsequent to a failed accreditation survey</p>	<p>Suspension of enrollment for a period not exceed one year or until accreditation is received if less than one year; Two counts of willful violation as specified under ss. 641.52(5), F.S.</p> <p>Suspension of enrollment for a period not to exceed one year or until accreditation is received if less than one year; One count of willful violation as specified under ss. 641.52(5), F.S.</p> <p>No fine;</p> <p>Suspension of the enrollment beyond the current enrollment level for a period not to exceed one year or until accreditation is received if less than one year;</p> <p>Revocation of the Health Care Provider Certificate</p>
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(6) For those HMOs and PHCs failing an accreditation survey the agency shall assess the need to mitigate the penalties specified under subsection(5) based upon:

- (a) The potential threat to subscribers’ health, safety, and welfare as determined by assessing compliance with standards specified in Rule 59A-12, F.A.C. The agency shall also assess the findings of the accreditation survey;
- (b) The financial viability of the organization as determined by the Department of Insurance; and
- (c) The extent of the organization’s efforts to initiate corrective action.

(7) Those HMOs and PHCs classified under (2)(c), (d), or (f) will be surveyed by the agency to ensure compliance with minimum standards for a Health Provider Certificate specified in Rule 59A-12, F.A.C.

(8) For those HMOs and PHCs failing the initial accreditation survey the agency shall require the HMO or PHC to enter into a corrective action process for the purpose of achieving accreditation.

(9) The agency shall monitor the progress of those organizations not in compliance in cooperation with the accreditation organization to ensure that HMOs and PHCs come into compliance with the accreditation requirement.

(10) Those HMOs and PHCs failing an initial or renewal accreditation survey must receive at least accreditation under paragraph (2)(b) during a subsequent accreditation survey by the original accrediting organization. Accreditation must be

received within one year of the final accreditation decision by the accrediting agency or within a time frame mutually agreeable to the agency, the accreditation organization, and the HMO or PHC. An HMO or PHC may, at any time, seek accreditation from another accreditation organization provided that the HMO or PHC enters into a corrective action process under subsection (8) to achieve accreditation with the original accreditation organization.

~~(11) The Agency shall conduct annual validation surveys on accredited HMOs and PHCs to ensure ongoing compliance with accreditation standards. Selection of the organizations to be surveyed shall be based on the following information:~~

~~(a) Reports received from the accreditation organization, Department of Insurance, or other state or federal regulatory agency regarding the quality of care provided by the organization;~~

~~(b) Quality of care grievance reports received pursuant to s. 641.511, F.S.;~~

~~(c) Performance data submitted by the HMO pursuant to ss. 408.704(4), F.S.;~~

~~(d) Quality of care complaints received from subscribers or providers by the agency.~~

Specific Authority 641.56 FS. Law Implemented 641.495, 641.512, 641.515(1), 641.52(1)(e), 641.52(1)(g) FS. History—New 3-11-92, Formerly 10D-100.0071, Amended 11-21-94, _____.

59A-12.0072 Accreditation Organizations.

The accreditation organization must have nationally recognized experience in HMO accreditation activities and in the appraisal of medical practice and quality assurance in a HMO setting. As a minimum requirement for approval of the accreditation organization, the following criteria must be met:

(1) The accreditation organization must allow representatives from the department to accompany the accreditation organization throughout the accreditation process, but the department representatives shall not participate in the final accreditation or assessment determination.

(2) The accreditation organization must have at least 3 years of experience in reviewing all of the types of HMOs commonly found doing business in the State of Florida.

(3) The accreditation organization must have experience in conducting accreditation reviews for HMOs in at least 5 states of the United States or 2 regions of the Health Care Financing Administration, United States Department of Health and Human Services.

(4) Standards for accreditation must be developed with the input of the medical community, the HMO industry and health care consumers.

(5) The accreditation program shall, at a minimum, include standards for the following aspects of HMO operations:

- (a) Quality Assurance Program;
- (b) Provider Credentialing;

(c) Utilization Review Program;

(d) HMO Member Rights and Responsibilities;

(e) Medical Records;

(f) HMO Governance; and

(g) Preventive Health Services.

(6) The accreditation program may include standards for the following services:

(a) Clinical laboratory services;

(b) Diagnostic and therapeutic radiology services;

(c) Pharmacy;

(d) Plant, technology, and safety management;

(e) Surgical and anesthesia services.

(7) The standards for accreditation shall be reviewed and updated at regular intervals not to exceed 2 years by the accreditation organization.

(8) The accreditation organization shall be required to submit its standards for HMO accreditation to the agency department every 3 years for approval.

(9) Accreditation review teams shall include at least 1 physician experienced in HMO quality assurance program management. Reviewers shall undergo formal training in using the established standards for the HMO reviews.

(10) The accreditation organization shall maintain an internal quality assurance program to ensure the quality and continuity of the review program.

(11) The accreditation organization shall not currently be involved in the operation of the HMO or PHC, nor in the delivery of health care services to its subscribers.

(12) The accreditation organization shall not have contracted with or conducted consultations with the HMO or PHC seeking accreditation within the last 2 years for other than accreditation purposes.

Specific Authority 641.56 FS. Law Implemented 641.512 FS. History—New 3-11-92, Formerly 10D-100.0072, Amended.

59A-12.010 Subscriber Grievance Procedure.

Each HMO or PHC shall establish a subscriber grievance procedure as specified under Section 641.511, Florida Statutes provided for by the Department of Insurance rule, Rule 4-31.078, F.A.C.

Specific Authority 641.56 FS. Law Implemented 641.495(8), 641.311 FS. History—New 1-28-88, Formerly 10D-100.010, Amended.

59A-12.012 Internal Risk Management Program.

(1) Every health maintenance organization shall, as a part of its administrative function, establish an internal risk management program. Such program shall include as a minimum:

(a) The investigation and analysis of the frequency and causes of general categories and specific types of incidents;

(b) The development of appropriate measures to minimize the risk of injuries and incidents to patients;

(c) The analysis of patient grievances which relate to patient care and the quality of medical services; and

(d) The development and implementation of an incident reporting system based upon the affirmative duty of all health care providers and all agents and employees of the health care facility to report injuries and incidents. The risk management program shall be the ultimate responsibility of the governing body of the HMO.

(2) Every ~~staff model and combination of individual practice association and staff model~~ HMO which has an annual premium volume of \$10 million or more shall employ or contract with a licensed risk manager who shall be responsible for implementation and oversight of the organization's internal risk management program. A part-time risk manager shall not be responsible for risk management programs in more than four organizations or facilities. Every individual practice association model and every HMO with an annual premium volume of less than \$10 million shall designate an officer or employee of the HMO to serve as risk manager.

(3) Incident Reporting System. An incident reporting system shall be established for each HMO. Procedures shall be detailed in writing and disseminated to all employees of the HMO. All new employees, within 30 days of employment, shall be instructed in the operation and responsibilities of the incident reporting system. At least annually all non physician personnel employed by the organization working in clinical areas and providing patient care shall receive 1 hour of risk management and risk prevention education and training including the importance of accurate and timely incident reporting. The incident reporting system shall include the prompt, within 3 calendar days, reporting of incidents to the risk manager. Incident reports shall be on a form developed by the HMO for the purpose and shall contain at least the following information:

(a) The patient's name, date of birth, sex, physical findings or diagnosis and, if hospitalized; locating information, admission time and date, and the facility's name;

(b) A clear and concise description of the incident including time, date, exact location, and coding elements as needed for the annual report based on ICD-9-CM;

(c) Whether or not a physician was called and, if so, a brief statement of said physician's recommendations as to medical treatment, if any;

(d) A listing of all persons known to be involved directly in the incident, including witnesses, along with locating information for each; and

(e) The name, signature and position of the person completing the report, along with date and time that the report was completed.

(4) Incident Report and Patient Grievance Review and Analysis. The HMO shall be responsible for regular and systematic review of all incident reports and written patient

grievances for the purpose of identifying trends or patterns as to time, place or persons and, upon emergence of any trend or pattern in incident occurrence, shall develop recommendations for appropriate corrective action and risk management prevention education and training. Summary data shall be systematically maintained for 3 years.

(5) Fifteen Day Reports. If an adverse or untoward incident, whether occurring in the facilities of the organization or arising from health care prior to admission to the facilities of the organization or in the facility of one of its providers, results in:

(a) The death of a patient; or

(b) Severe brain or spinal damage to a patient; or

(c) A surgical procedure being performed on the wrong patient; or

(d) A surgical procedure unrelated to the patient's diagnosis or medical needs being performed on any patient, the organization shall report this incident to the department within 15 calendar days of its occurrence. The report shall be made on HRS Form 1654, "Code 15", effective 12-89 which is incorporated by reference. Any reportable incidents, pursuant to this section that are submitted more than 15 calendar days from occurrence by the organization must be justified in writing by the organization administrator.

(6) Summary Reports. At least quarterly or more often as may be required by the governing body, the risk manager shall provide a summary report to the governing body, which includes information about activities of risk management.

(7) System Review by ~~the~~ AHCA. Evidence of the incident reporting and analysis system and copies of summary reports and evidence of recommended and accomplished corrective actions shall be made available for review to ~~the~~ AHCA upon request during the normal business hours.

Specific Authority 641.55, 641.56 FS. Law Implemented 641.44, 641.45 FS. History—New 1-28-88, Amended 3-11-92, Formerly 10D-100.012, Amended

59A-12.020 Statewide Provider and Subscriber Assistance Program Forms.

The following is a list of the forms utilized by the Division of Managed Care and Health Quality in its dealings with Participants in the Statewide Provider and Subscriber Assistance Program, which are hereby incorporated by reference in this rule. A copy of these forms may be obtained by writing to the Statewide Provider and Subscriber Assistance Program, 2727 Mahan Drive, Building 1, Suite 339, Mail Stop 26, Tallahassee, Florida 32308.

FORM NO./REVISION DATE	TITLE
AHCA Form 3160-0006, 05/00	Agency for Health Care Administration Statewide Provider and Subscriber Assistance Program Quarterly Report of Subscriber Grievances
AHCA Form 3160-0007, 05/00	Statewide Provider and Subscriber Assistance Program Request for Review and Release Form
AHCA Form 3160-0008, 05/00	Agency for Health Care Administration Statewide Provider and Subscriber Assistance Program HMO Response Form

AHCA Form 3160-0010, 05/00 Statewide Provider and Subscriber Assistance Program Hearing Information Sheet
 AHCA Form 3160-0011H, 05/00 Statewide Provider and Subscriber Assistance Program HMO/Subscriber Hearing Response Form
 AHCA Form 3160-0011S, 05/00 Statewide Provider and Subscriber Assistance Program Subscriber/Provider Hearing Response Form
 Specific Authority 408.15 FS. Law Implemented 408.7056 FS. History—New 9-17-00, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE CHAPTER TITLE: Ron Silver Senior Drug Program
 RULE CHAPTER NO.: 59G-12

RULE TITLES: Purpose
 Definitions
 Eligibility/Enrollment
 Program Administration
 Program Forms
 RULE NOS.: 59G-12.001
 59G-12.002
 59G-12.003
 59G-12.004
 59G-12.005

PURPOSE AND EFFECT: The purpose of this rule is to provide a framework by which the Agency for Health Care Administration will administer subsections (1) and (2) of Section 409.9065, Florida Statutes, the Ron Silver Senior Drug Program.

SUBJECT AREA TO BE ADDRESSED: Ron Silver Senior Drug Program.

SPECIFIC AUTHORITY: 409.9065(4)(b) FS.

LAW IMPLEMENTED: 409.9065(4)(b) FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.)

TIME AND DATE: 1:00 p.m., August 5, 2002

PLACE: Conference Room C, Bldg 3, 2727 Mahan Drive, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Matthew Dull, Medicaid Pharmacy Services, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-4441

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

CHAPTER 59G-12 – RON SILVER SENIOR DRUG PROGRAM.

59G-12.001 Purpose.

The purpose of these rules is to implement the Ron Silver Senior Drug Program (program) to be administered by the Agency for Health Care Administration as directed in subsections (1) and (2) of Section 409.9065, Florida Statutes.

The program will provide a pharmacy benefit to low-income elderly residents of Florida to help address the need for prescription drug coverage.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History—New _____.

59G-12.002 Definitions.

(1) The Agency for Health Care Administration (agency) is the single state Medicaid agency and the state agency designated to administer the Ron Silver Senior Drug Program, which will be known as the ‘Silver Saver’ program.

(2) The Department of Children and Families, in accordance with Section 409.902, Florida Statutes, will determine the eligibility of individuals applying for enrollment in the Ron Silver Senior Drug Program.

(3) The Department of Elder Affairs will assist the Agency for Health Care Administration in designing and implementing outreach and education for the program through the SHINE (Serving Health Insurance Needs of Elders) toll-free hotline and other outreach and educational initiatives.

(4) The Ron Silver Senior Drug Program is a Medicaid program providing prescribed drug benefits to individuals aged 65 and older meeting certain other eligibility criteria and who do not otherwise receive a pharmacy benefit from Medicaid. The program is being implemented under an approved Federal, Section 1115 waiver. The program shall be known as the ‘Silver Saver’ program.

(5) Under the Silver Saver Program eligible and enrolled individuals may receive a pharmacy benefit of up to \$160 per month.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History—New _____.

59G-12.003 Eligibility/Enrollment.

For state fiscal year 2002-03, enrollment in the Silver Saver Program will be limited to a monthly enrollment ceiling of 58,472. An individual may be determined eligible for the program but not enrolled if there is no available enrollment space. Enrollment will occur each month comparing enrollment against the enrollment ceiling. If additional enrollment spaces are available because of terminations, eligibles will be added to the enrollment roster in the date order of eligibility determinations. An individual will not have access to the pharmacy benefits in this program until determined both eligible and enrolled. Enrollment will begin in the month in which the agency notifies an individual that he is enrolled.

(1) To be eligible for the Silver Saver Program an individual must meet the following criteria:

(a) be a Florida resident and age 65 or older;

(b) be eligible for Medicare;

(c) have an income level between 88 and 120 percent of the federal poverty level; and

(d) be already enrolled in the Medicaid program under the Qualified Medicare Beneficiaries eligibility category, the Specified Low-Income Medicare Beneficiaries eligibility category, or meet the income and other qualifying criteria for either category but has not been subject to an assets test in determining eligibility. If eligibility was established without an assets test the individual is eligible for a drug only benefit and not the other benefits afforded to Qualified Medicare Beneficiaries or Specified Low-Income Medicare Beneficiaries.

(2) To be enrolled in the Silver Saver Program an individual must be determined eligible for the program, notified by the agency of enrollment in the program and activation of the drug benefit, and provided with a Medicaid identification card if the enrollee does not already have one.

(3) Eligibility for the Silver Saver Program will be determined by the Department of Children and Families.

(4) Individuals who meet the eligibility requirements are not mandated to participate in the program.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History--New

59G-12.004 Program Administration.

(1) The agency shall administer the Silver Saver Program.

(2) The agency will implement the beneficiary cost-sharing requirement as follows:

(a) No premium, enrollment fee or annual deductible will be charged to the beneficiary; and

(b) A mandatory three-tiered co-payment as follows: \$2.00 for generic drugs; \$5.00 for brand name drugs listed on the Medicaid Preferred Drug List (PDL); and \$15.00 for brand name drugs not listed on the Medicaid PDL.

(3) All current Medicaid pharmacy benefit management programs will be used with this population, including, a limit of four brand-name prescriptions per month with prior authorizations required for exceptions to the limit, clinical and PDL prior authorizations, drug utilization review (DUR), intensified benefits management and other cost control measures:

(4) All drugs must be purchased through Medicaid participating pharmacies.

(5) A Medicaid participating pharmacy is not required to dispense a Medicaid reimbursable drug until the beneficiary has met his cost-sharing requirement.

(6) All drugs will qualify for all federal and state supplemental rebate agreements.

(7) Medicaid will be considered the payer of last resort as any other insurance benefits must be used prior to payment by Medicaid.

(8) The agency, through the Medicaid fiscal agent, will maintain a waiting list for individuals determined to be eligible by the Department of Children and Families but who cannot be enrolled due to the enrollment ceiling.

(9) The agency will review the status of eligibles each month and move eligible individuals into enrollment status as openings occur.

(10) The Department of Children and Families, in accordance with Section 409.902, Florida Statutes, shall:

(a) Determine eligibility;

(b) Develop and distribute applications for the program; and

(c) Receive and process applications to determine eligibility.

(11) The Department of Elder Affairs will assist the agency in coordinating outreach to and education for potential eligibles through the SHINE (Serving Health Insurance Needs of Elders) toll-free hotline and other marketing and educational approaches.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History--New

59G-12.005 Program Forms.

The following forms shall be used by the Silver Saver program, and are hereby incorporated by reference and available through either the agency or the Department of Children and Families:

(1) Silver Saver Application form, developed by the Department of Children and Families.

(2) Recipient notifications of eligibility and enrollment, developed by the Department of Children and Families and the agency, respectively.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History--New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: RULE NO.:

Definitions 61G15-18.011

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 471.003(2)(f), 471.008, 471.013(1)(a)1.,2. FS.

LAW IMPLEMENTED: 471.003(2)(f), 471.005(6), 471.013(1)(a)1.,2., 471.025(3), 471.033(1)(j) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Inactive Registration
 RULE NO.: 61J1-2.005

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to inactive registration.

SPECIFIC AUTHORITY: 475.614, 475.619 FS.

LAW IMPLEMENTED: 475.613(2), 475.618, 475.619 FS

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, August 6, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Application by Individuals
 RULE NO.: 61J1-3.001

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to application submissions for licensure.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.624 FS

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, August 6, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Where to Apply
 RULE NO.: 61J1-3.002

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statute giving the Department the authority to perform these functions rather than the Division.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the application process for licensure.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.615 FS

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, August 6, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Continuing Education
 RULE NO.: 61J1-4.003

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Temporary Practice
 RULE NO.: 61J1-7.005

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to comply with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to obtaining application forms for submission for temporary licensure.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.630 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, August 6, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Probation
 RULE NO.: 61J2-24.006

PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend provisions relating to failure to timely comply with the requirements of probation to comply with the statutory authority.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to probation requirements.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.227, 475.25 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, August 21, 2001

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-31R

RULE CHAPTER TITLE: Water Resource Implementation Rule
 RULE CHAPTER NO.: 62-40

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The proposed rule will substantively amend many sections of Chapter 62-40. Topics include watershed management, "local sources first," minimum flows and levels, regional water supply planning, water shortages, reservations of water, water conservation, reuse of reclaimed water, the Florida Water Plan, and District Water Management Plans.

For more information, call Arnetria Thomas, (850)488-0784. The Department will hold rule development workshops on August 8, 9, and 13, 2002.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Determination of Probable Cause
 RULE NO.: 64B5-13.001

PURPOSE AND EFFECT: The Board proposes to amend rule text to clarify Probable Cause Panel membership.

SUBJECT AREA TO BE ADDRESSED: Probable Cause Panel membership.

SPECIFIC AUTHORITY: 456.073(4), 466.004(4) FS.

LAW IMPLEMENTED: 456.073(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-13.001 Determination of Probable Cause.

(1) No change.

(2) The probable cause panel shall be appointed by the Chairman and shall be composed of three members, two of which must be dentists who hold valid and active dental licenses in this State. At least two members of the probable cause panel must be present to constitute a quorum. If only two members are present, the determination of probable cause shall require the affirmative vote of both members present.

(a) One or two members may be former dentists ~~or consumer~~ Board members.

(b) At least one member must be a current Board member ~~who holds a valid and active license in this State.~~

(c) through (e) No change.

(3) No change.

Specific Authority 456.073(4), 466.004(4) FS. Law Implemented 456.073(4) FS. History—New 11-11-79, Amended 12-7-81, 7-13-82, Formerly 21G-13.01, Amended 1-18-89, Formerly 21G-13.001, Amended 11-22-93, Formerly 61F5-13.001, 59Q-13.001, Amended 9-27-2001, Amended.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: Standards for Onsite Sewage Treatment and Disposal Systems
RULE CHAPTER NO.: 64E-6

PURPOSE AND EFFECT: Develop rules to address comments from the Joint Administrative Procedures Committee, incorporate necessary technical changes and incorporate modifications proposed through the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include: existing system evaluation and modification standards and procedures; permitting, construction and inspection standards for system abandonment; system construction permit application requirements; portable restroom and holding tank permitting, construction, inspection and operating standards; issuance and renewal of contractor registration certificates; standards of practice and disciplinary guidelines for registered septic tank contractors and master septic tank contractors; and issuance and renewal of certificates of partnerships and corporations.

SPECIFIC AUTHORITY: 154.06, 381.0011, 381.006, 381.0065, 489.553, 489.557 FS.

LAW IMPLEMENTED: 154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.00655, 381.0066, 381.0067, 386.041, 386.051, 489.552, 489.553, 489.554, 489.555, 489.556, 489.557, 489.558 FS.

IF REQUESTED 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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Food Stamp Employment and Training
RULE NO.: 65A-1.605

PURPOSE AND EFFECT: The proposed rule amendment provides for policy changes to the Food Stamp Employment and Training (FSET) program as required under Chapter 445, F.S., the Workforce Innovation Act of 2000, and changes to federal regulations in 7 CFR 273.7, published June 19, 2002, in the Federal Register. The Act provides authority for the Agency for Workforce Innovation (AWI) to provide FSET services through an Interagency Agreement with the Department of Children and Family Services (DCFS).

SUBJECT AREA TO BE ADDRESSED: The amendment provides for deletion of obsolete references to the Department of Labor and Employment Security and designates AWI as the state agency responsible for the provision of FSET program services. It also provides for DCFS to determine food stamp eligibility; impose penalties for mandatory participants who fail to comply with FSET work requirements without good cause; to lift sanctions upon notification of compliance in accordance with federal Food Stamp Program regulations in 7 CFR s. 273.7; and, form revisions to be incorporated by reference to reflect statutory and regulatory changes.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31, 445.004 FS.

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

TIME AND DATE: 9:00 a.m., August 6, 2002

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Audrey Mitchell, 1317 Winewood Blvd., Bldg. 3, Room 421, Tallahassee, FL 32399-0700, Telephone (850)488-3090
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLES:	RULE NOS.:
Definitions	65A-1.701
SSI-Related Medicaid Coverage Groups	65A-1.710
SSI-Related Medicaid Non-Financial Eligibility Criteria	65A-1.711
SSI-Related Medicaid Resource Eligibility Criteria	65A-1.712
SSI-Related Medicaid Income Eligibility Criteria	65A-1.713
Income and Resource Criteria	65A-1.716

PURPOSE AND EFFECT: Rules 65A-1.701, 65A-1.712, 65A-1.713 and 65A-1.716 are amended to revise the percentage of the monthly poverty income guidelines that is used in the MEDS-AD Medicaid program as the maximum income for applicants. The 2002 legislature amended s. 409.904(1), F.S., to reduce the percentage of the federal poverty index used to determine maximum income applicable in the MEDS-AD program from 90% to 88%. This legislative action is effective July 1, 2002.

Rules 65A-1.710, 65A-1.711, 65A-1.712 and 65A-1.713 are amended to implement the Ron Silver Senior Drug Program. This program provides certain senior Florida residents who are eligible for Medicare Part A with prescription drug coverage. This legislative action is effective August 1, 2002.

SUBJECT AREA TO BE ADDRESSED: These proposed amendments bring the percentage of the federal poverty guidelines used as maximum income applicable to the MEDS-AD Medicaid program to the level required by 2002 legislative action. Additionally, they implement the Ron Silver Senior Drug Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.9065, 409.919 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., August 5, 2002
PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY TEXT, IF AVAILABLE, IS: Audrey

Mitchell, Program Administrator, Building 3, Room 421, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, Telephone (850)488-3090

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Family Day Care Standards and Large Family Child Care Homes	65C-20

PURPOSE AND EFFECT: The modifications to the rules will implement legislative changes related to child care standards and training, implement changes in state standards regarding health related issues for child care, transportation of children in care and child safety standards.

SUBJECT AREA TO BE ADDRESSED: Family Day Care Standards and Large Family Child Care Homes.

SPECIFIC AUTHORITY: Chapter 2002-170, LOF., 402.305(2) FS.

LAW IMPLEMENTED: Chapter 2002-170, LOF., 402.305(2) FS.

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

TIME AND DATE: 10:00 a.m., August 6, 2002
PLACE: Hillsborough Workforce Center, 9215 N. Florida Ave., Suite 101, Excellence and Diversity Conference Room, Tampa, Florida 33612

TIME AND DATE: 10:00 a.m., August 7, 2002
PLACE: Family Central, 840 S. W. 81st Ave., 2nd Floor, North Lauderdale, Florida 33068

TIME AND DATE: 10:00 a.m., August 8, 2002
PLACE: Kids Incorporated of the Big Bend, 1170 Capital Circle, N. E., Room PDC1, Tallahassee, Florida 32301

The purpose of these workshops will be to draft rules in Chapter 65C-20, Florida Administrative Code, to address the areas of training, health related requirements, record keeping, and transportation.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Suzanne Bellamy Woodcock, Government Operations Consultant II, 1317 Winewood Blvd., Building 6, Room 392, Tallahassee, FL 32399, (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Child Care Standards	65C-22

PURPOSE AND EFFECT: The modifications to the rules will implement legislative changes related to child care standards and training, implement changes in state standards regarding health related issues for child care, transportation of children in care and child safety standards.

SUBJECT AREA TO BE ADDRESSED: Child Care Standards.

SPECIFIC AUTHORITY: Chapter 2002-170, LOF., 402.305(2) FS.

LAW IMPLEMENTED: Chapter 2002-170, LOF., 402.305(2) FS.

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

TIME AND DATE: 10:00 a.m., August 6, 2002

PLACE: Hillsborough Workforce Center, 9215 N. Florida Ave., Suite 101, Excellence and Diversity Conference Room, Tampa, Florida 33612

TIME AND DATE: 10:00 a.m., August 7, 2002

PLACE: Family Central, 840 S. W. 81st Ave., 2nd Floor, North Lauderdale, Florida 33068

TIME AND DATE: 10:00 a.m., August 8, 2002

PLACE: Kids Incorporated of the Big Bend, 1170 Capital Circle, N. E., Room PDC1, Tallahassee, Florida 32301

The purpose of these workshops will be to draft rules in Chapter 65C-22, Florida Administrative Code, to address the areas of training, health related requirements, record keeping, and transportation.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Suzanne Bellamy Woodcock, Government Operations Consultant II, 1317 Winewood Blvd., Building 6, Room 392, Tallahassee, FL 32399, (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE CHAPTER TITLE: Specialized Child Care Facilities for the Care of Mildly Ill Children
RULE CHAPTER NO.: 65C-25

PURPOSE AND EFFECT: The modifications to the rule will adopt changes in child care standards for health related issues and record keeping for child care.

SUBJECT AREA TO BE ADDRESSED: Specialized Child Care Facilities for the Care of Mildly Ill Children.

SPECIFIC AUTHORITY: Chapter 2002-170, LOF., 402.305(2) FS.

LAW IMPLEMENTED: Chapter 2002-170, LOF., 402.305(2) FS.

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

TIME AND DATE: 10:00 a.m., August 6, 2002

PLACE: Hillsborough Workforce Center, 9215 N. Florida Ave., Suite 101, Excellence and Diversity Conference Room, Tampa, Florida 33612

TIME AND DATE: 10:00 a.m., August 7, 2002

PLACE: Family Central, 840 S. W. 81st Ave., 2nd Floor, North Lauderdale, Florida 33068

TIME AND DATE: 10:00 a.m., August 8, 2002

PLACE: Kids Incorporated of the Big Bend, 1170 Capital Circle, N. E., Room PDC1, Tallahassee, Florida 32301

The purpose of these workshops will be to draft rules in Chapter 65C-25, Florida Administrative Code, to address the areas of health related requirements and record keeping.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Suzanne Bellamy Woodcock, Government Operations Consultant II, 1317 Winewood Blvd., Building 6, Room 392, Tallahassee, FL 32399, (850)488-4900

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE TITLE: Repeal, Amendment, and Readoption of Sections of Chapter 70-973, Laws of Florida (1970), as amended by Chapter 73-652, Laws of Florida (1973), Volusia County Special Act
RULE NO.: 68B-3.008

PURPOSE AND EFFECT: The purpose of this rule development effort is to expand the list of gears allowable in Volusia County inland saltwaters to include pinfish traps as allowed by Section 370.1105(1)(b), Florida Statutes, and recreational blue crabs traps meeting the requirements of Rule Chapter 68B-45, F.A.C. Additionally, language regarding commercial blue crab traps considered archaic is being deleted from the rule, again referring to the specifications in Rule Chapter 68B-45, F.A.C. The effect of this effort will be to promote uniformity of trapping gears across the state.

SUBJECT AREA TO BE ADDRESSED: Traps fisheries of Volusia County.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.; s. 2, Ch. 83-134, Laws of Fla., as amended by Ch. 84-121, Laws of Fla.

LAW IMPLEMENTED: Art. IV, Sec 9, Fla. Const.; s. 2, Ch. 83-134, Laws of Fla., as amended by Ch. 84-121, Laws of Fla.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Roy Crabtree, Division of Marine Fisheries, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-3.008 Repeal, Amendment, and Readoption of Sections of Chapter 70-973, Laws of Florida (1970), as amended by Chapter 73-652, Laws of Florida (1973), Volusia County Special Act.

(1) through (2) No change.

(3) This section intended to readopt certain provisions of Chapter 70-973, Laws of Florida (1970), as amended by Chapter 73-652, Laws of Florida (1973), as a Commission rule. As of the effective date of this section, the aforesaid Chapter 70-973, Laws of Florida (1970), as amended by Chapter 73-652, Laws of Florida (1973), as readopted, shall read as follows:

(a) It is unlawful for any person, firm or corporation to harvest or attempt to harvest marine species of fish in the inland salt waters of Volusia County in any way or with any appliance other than with the ordinary cast net, rod and reel, pinfish trap meeting the specifications of s. 370.1105(1)(b), Florida Statutes, or hook and line except as provided otherwise in Rule 68B-3.008, F.A.C. Legal size flounders may be taken by the means of a barbed spear, with not more than three (3) prongs.

(b) through (g) No change.

(h) No person, firm or corporation shall set or place, or cause to be set or placed, any trap ~~or other device~~ for the taking of crabs for any purpose in the inland salt waters of Volusia County, unless such trap meets all the requirements of Rule Chapter 68B-45, F.A.C. ~~or device is buoyed with a device other than glass, attached to each such trap or device used for taking crabs, buoy to be of sufficient strength and buoyancy to continuously remain afloat and must be of such hue and brilliancy as to be easily seen and located. Provided further, that each crab trap or device used for taking crabs must have a permit number attached permanently both to the trap and to the buoy. This permit number shall be issued by the Department of Environmental Protection (formerly the Department of Natural Resources) upon the receipt of application for such number by the owner of such trap or device. The design of the application and of the permit numbers shall be determined by said department. The trap permit number must be painted in legible figures not less than three (3) inches high on each buoy marking the set of any trap or other device used for taking crabs.~~ A person may use traps for taking crabs for personal consumption if such person meets all the requirements for blue crab harvest with a trap for other than commercial purposes as established by Rule Chapter 68B-45, F.A.C. ~~without a buoy and without a permit if the traps or lines attached to the traps~~

~~are held by the person and provided the size of the traps does not exceed twenty-four (24) inches in their largest dimension when closed or forty-eight (48) inches in the largest dimension when open.~~ No trap may be abandoned or discarded in or along the shore of the waters of Volusia County. Not more than two hundred (200) crab traps shall be fished under one (1) permit. No buoyed crab traps shall be left unattended for more than seventy-two (72) hours, weather permitting. No buoyed crab traps shall be placed within one hundred (100) yards of any bridge or dock where fishing is legal from that bridge or dock except that persons with written permission of the owner of a dock may place legal traps closer to that dock.

Specific Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 10-19-89, Amended 1-9-91, 1-1-92, 7-1-92, 11-26-92, 10-3-94, 9-30-96, 7-30-97, Formerly 46-3.008, Amended

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE:

RULE NO.:

Uniform Primary and General Election Ballot

1S-2.032

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to prescribe additional requirements for uniform primary and general election ballots.

SUMMARY: The rule provides guidance on clear and unambiguous ballot instructions and directions, individual race layout and overall ballot layout.

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: 101.151(8) FS.

LAW IMPLEMENTED: 101.151(8) FS.

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

TIME AND DATE: 3:00 p.m. – 5:00 p.m., August 9, 2002

PLACE: Room 100, Collins Building, 107 West Gaines St., Tallahassee, FL 32399-0250

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Sarah Jane Bradshaw, (850)245-6200, at least three days in advance of the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sarah Jane Bradshaw, Division of Elections, Department of State, Room 100 Collins Building, 107 West Gaines St., Tallahassee, Florida 32399-0250, (850)245-6200

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.032 Uniform Primary and General Election Ballot.

(1) No change.

(2) The title shall be printed across the top of an optical scan ballot and on the first ballot screen of a touchscreen ballot in all caps bold.

(a) The title of the presidential preference primary ballot shall read as follows:

~~Line one~~ OFFICIAL PRESIDENTIAL PREFERENCE
PRIMARY BALLOT

~~Line two~~ _____ PARTY
~~Line three~~ _____ COUNTY, FLORIDA
~~Line four~~ _____ (date) _____

(b) The title of the primary ballot shall read as follows:

~~Line one~~ OFFICIAL PRIMARY BALLOT
~~Line two~~ _____ PARTY
~~Line three~~ _____ COUNTY, FLORIDA
~~Line four~~ _____ (date) _____

(c) The title of the general election ballot shall read as follows:

~~Line one~~ OFFICIAL GENERAL ELECTION BALLOT
~~Line two~~ _____ COUNTY, FLORIDA
~~Line three~~ _____ (date) _____

(3) Ballot instructions shall be printed directly under the title on the front side of an optical scan paper ballot. For a touchscreen ballot, the ballot instructions may appear at any point before the listing of candidates or may be prominently posted in each voting booth.

(a) For optical scan voting systems, the following shall apply:

1. The ballot instructions for those certified voting systems using ovals to be filled in next to the voter's choice, shall read as follows:

a.

- TO VOTE, COMPLETELY FILL IN THE OVAL ● NEXT TO YOUR CHOICE.
- Use only the marking device provided or a number 2 pencil.
- If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count.

b. In a general election, if there are write-in candidates, add the following:

- To vote for a candidate whose name is not printed on the ballot, fill in the oval, and write in the candidate's name on the blank line provided for a write-in candidate.

2. The ballot instructions for those certified voting systems using an arrow to point to the voter's choice, shall read as follows:

a.

- TO VOTE, COMPLETE THE ARROW → POINTING TO YOUR CHOICE.
 - Use only the marking device provided or a number 2 pencil.
 - If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count.
- b. In a general election, if there are write-in candidates, add the following:
- To vote for a candidate whose name is not printed on the ballot, complete the arrow, and write in the candidate's name on the blank line provided for a write-in candidate.
- (b) For certified touch screen voting systems the following shall apply:

1. For the Global ES 2001 Blended system, the instructions shall be as follows:

a.

- Make your selection by touching the screen on the candidate's name or anywhere in the candidate area or on the Yes or No position until the X appears.
- If you change your mind, touch the candidate's name or the Yes or No position again to undo the mark.
- Touch ~~the NEXT button~~ at the bottom right of the screen to move to the next ballot page.
- Touch ~~the PREVIOUS button~~ at the bottom left of the screen to move back one page.
- Touch ~~the CAST BALLOT button~~ on the last ballot screen to record your vote.
- To begin voting, touch ~~the START button~~. (This instruction may be modified to instruct the voter to touch ~~the NEXT button~~, if necessary, because of the placement of the instructions.)

b. In a general election, if there are write-in candidates, add the following prior to the cast ballot instruction:

- To vote for a candidate whose name is not printed on the ballot, touch WRITE-IN and a touch keyboard will appear. Key in the candidate's name on the keyboard and then touch RECORD WRITE-IN.

2. For the ES&S iVotronic, the instructions shall be as follows:

a.

- Make your selection by touching your choice on the screen on the box to the right of the candidate or response of your choice or anywhere in the candidate area until it becomes highlighted the X appears.
- If you change your mind, touch the new choice and the highlight X will appear on your new choice or If you change your mind, touch the same choice again to undo the highlight, as appropriate.

- Touch the ~~NEXT~~ or ~~NEXT PAGE~~ button at the bottom right of the screen to move to the next ballot page.
- Touch the ~~PREVIOUS~~ or ~~PREVIOUS PAGE~~ button at the bottom ~~left~~ right of the screen to move back one page.
- Touch REVIEW or REVIEW BALLOT on the last ballot page to review your selections.
- Press the flashing red VOTE button at the top of the machine to cast your ballot.
- ~~To begin voting, touch the NEXT button.~~
 - b. In a general election, if there are write-in candidates, add the following prior to the cast ballot instruction:
 - To vote for a candidate whose name is not printed on the ballot, touch the ~~WRITE-IN candidate box~~ and a touch keyboard will appear. Type ~~Key~~ in the candidate's name and then touch ACCEPT.
- 3. For the Sequoia AVC Edge, the instructions shall be as follows:
 - a.
 - Insert your Voter Card into the bright yellow slot located at the bottom left of the voting machine. Push it all the way in until you feel it "click."
 - Touch anywhere in the box that contains the name of your choice. Confirm that a green check mark appears in the circle located in the box in which your choice appears.
 - You may change your vote by touching the same selection again. The candidate is unselected and all circles for that contest appear again.
 - Write-in a qualified candidate, during a General Election only, by touching Write-In on the candidate list. When the on-screen keyboard appears, key in the candidate's name, then touch OK. The write-in candidate's name now appears on the list of candidates.
 - Continue to the following page by touching NEXT at the bottom right of the screen.
 - To return to the previous page, touch BACK at the bottom left of the screen.
 - Review a summary of all your votes on the REVIEW page. To make a change, touch the office or issue to return to the ballot page for that race.
 - Complete your voting by touching the yellow square on the final screen. Your ballot is now cast. Your voter card will eject. Return it to a poll worker.
 - ~~Make your selection by touching the screen on the circle to the right of the candidate or response of your choice or anywhere in the candidate area until the check mark appears.~~
 - ~~If you change your mind, touch the check mark again to undo the mark.~~
 - ~~Touch the NEXT button at the bottom right of the screen to move to the next ballot page.~~
 - ~~Touch the BACK button at the bottom left of the screen to move back one page.~~

- ~~Touch the yellow CAST VOTE button in the middle of the last screen to cast your ballot.~~
- ~~To begin voting, touch the NEXT button.~~
 - b. In a general election, if there are write-in candidates, add the following prior to the cast vote instruction:
 - ~~To vote for a candidate whose name is not printed on the ballot, touch WRITE-IN on the bottom of the list of candidates and a touch keyboard will appear. Key in the candidate's name on the keyboard, then touch OK.~~
 - (4) Following the instructions, the headings, office titles, and candidates shall be listed in the order provided in s. 101.151, F.S. Nonpartisan offices shall appear following the partisan offices and before constitutional amendments or other issues. The headings and office titles shall be in all caps bold. The last name of the candidate shall be in all caps. The first name shall be in upper and lower case.
 - (5) through (13) No change.
 - (14) If in any election there are more candidates than will fit in one column or screen, or a candidate's name is so long that the party abbreviation will not fit to the right of the candidate's name, or a candidate's name is too long to fit on one line in the minimum font size, the supervisor of elections shall certify that fact and provide a copy of the proposed ballot to the Division of Elections for approval prior to the printing or distribution of the ballot. Likewise, if circumstances dictate that a supervisor of elections must deviate from the rule in any other respect, the supervisor must certify the facts of the circumstances and obtain the approval of the Division of Elections prior to the printing or distribution of the ballot.
 - (15) through (24) No change.

Specific Authority 101.151(8) FS. Law Implemented 101.151(8) FS. History--New 6-7-02, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Sarah Jane Bradshaw, Operations and Management Consultant, Division of Elections, Department of State
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: L. Clayton Roberts, Director, Division of Elections, Department of State
 DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Orientation
 RULE NO.: 33-302.109
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise an incorporated form for consistency with Rule 33-302.101, F.A.C.

SUMMARY: The proposed rule revises Form DC3-246 to provide correct information as to the filing of supervised offender grievance appeals in accordance with Rule 33-302.101, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.109 Offender Orientation.

(1) through (5) No change.

(6) The correctional probation officer shall instruct on and review the information contained in the Instructions to the Offender, Form DC3-246. Form DC3-246 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is July 19, 2001.

(a) through (c) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 7-19-01, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 28, 2002

DEPARTMENT OF CORRECTIONS

RULE TITLE:

Elderly Offender Housing

RULE NO.:

33-601.217

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to set forth criteria for the assignment of elderly offenders to the department's geriatric facility designated by s. 944.804, F.S.

SUMMARY: The proposed rule sets forth criteria for the assignment of elderly offenders to the department's geriatric facility designated by s. 944.804, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09, 944.804 FS.

LAW IMPLEMENTED: 944.09, 944.804 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.217 Elderly Offender Housing.

(1) Definitions.

(a) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor and chief of security, responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification office (SCO).

(b) State Classification Office (SCO) – refers to a staff member at the central office level who is responsible for the review of inmate classification decisions. Duties include approving or rejecting ICT recommendations.

(c) Elderly Offender – an inmate age 50 or older in a state correctional institution or facility operated by the Department of Corrections or the Correctional Privatization Commission.

(d) River Junction Work Camp – a geriatric facility designated by s. 944.804, F.S., for generally healthy elderly offenders who can perform general work appropriate for their physical and mental condition.

(e) Inmate Support Group – a group of inmates under the age of 50 who are needed to supplement the elderly inmate work assignments.

(2) Placement criteria. Inmates shall be recommended for placement at River Junction Work Camp through routine classification assignment.

(a) Inmates shall meet the following criteria for housing at RJCI:

1. Age 50 or older (other than inmate support group inmates);

2. Medium, minimum or community custody;

3. Have not received three or more major disciplinary reports within the last six months;

appurtenant work or works, including dredging or filling, as prescribed by District rules. An Individual Permit is required for the establishment and operation of mitigation banks.

(4) through (6) No change.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171, 373.4136, 373.414, 373.418 FS. Law Implemented 373.106, 373.118, 373.171, 373.216, 373.219, 373.308, 373.323, 373.413, 373.4136, 373.416, 373.426, 373.414, 373.418, 380.06(9) FS. History—New 10-1-84, Amended 12-22-94, 10-16-96, 2-14-00,_____.

40D-1.603 Permit Application Procedures.

(1) No change.

(2) No later than 30 days after receipt of an initial or modification of an application for an individual surface water management permit, an individual Environmental Resource Permit or an individual water use permit application for withdrawals of 500,000 gpd annual average daily or greater pursuant to Chapter 40D-2, F.A.C., the District shall publish notice thereof in a newspaper having general circulation as defined in Chapter 50, Florida Statutes. Upon receipt of an application for an initial or modification of a ~~standard~~ general Environmental Resource Permit pursuant to Chapter 40D-40, F.A.C., a general surface water management permit pursuant to Chapter 40D-40, F.A.C., (January 11, 1993) or a noticed general surface water management permit pursuant to Chapter 40D-400, F.A.C. (~~January 11, 1993~~) or for a general water use permit for less than 500,000 gpd annual average daily pursuant to Chapter 40D-2, F.A.C., the District shall post notice thereof in the District's headquarters and in each of the District's service offices. In the event that after posting of notice an application for a general permit is modified such that it is an application for an individual permit, notice of the application shall be published in a newspaper as provided above. In addition, the District shall provide a letter giving notice of receipt of the application to any person who has filed a written request within the immediately preceding six months for notification of any pending applications affecting the particular designated area. Each notice and letter shall state that interested persons shall have the opportunity to inspect a copy of the application and submit written comments concerning the application. The District may request persons submitting objections or comments to furnish additional information. In addition, each notice and letter will advise that if notice of agency action or opportunity to request an administrative hearing pursuant to Chapter 120, Florida Statutes, regarding a permit application is desired, a written request referencing the permit application number must be filed with and received by the Processing and Records Section by the date specified in the letter, newspaper notice or the posted notice as applicable pursuant to this subsection. The date specified in such notice or letter to obtain notice of agency action or to request a hearing shall be no less than 14 days from the date of mailing, publication or posting as applicable. Upon request, the District will provide the applicant with a copy of all objections and comments received.

(3) through (7) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.116, 373.118, 373.229, 373.413 FS. History—New 10-1-84, Amended 5-10-88, 12-22-94, 10-19-95, 3-31-96, 12-16-97, 7-2-98, 7-22-99, 11-8-00,_____.

40D-1.607 Permit Processing Fee.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. These fees are assessed in order to defray the cost of evaluating, processing, advertising, mailing, compliance monitoring and inspection, required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure to pay the application fees established herein is grounds for the denial of an application or revocation of a permit. The District's permit application processing fees are as follows:

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

~~7. Application for Noticed General Permit pursuant to Chapter 40D-40, F.A.C. \$200.00~~

~~7.8. Application for Standard General Permit for Minor Surface Water Systems \$200.00~~

~~8.9. Application for Standard General Permit for Minor Surface Water System Modification \$100.00~~

10. through 14. renumbered 9. through 13. No change.

(b) through (c) No change.

(2) through (3)(d) No change.

(e) SINGLE FAMILY DWELLING UNITS: Applications for Chapter 40D-40 ~~Standard~~ General or Chapter 40D-400.475(f) Noticed General Permits for construction of a single family dwelling unit involving wetlands that is not part of a larger common plan of development or sale proposed by the applicant.

(f) No change.

(4) For projects grandfathered pursuant to Section 373.414, F.S., the conceptual, individual or general surface water management permit application fee shall be the same as the conceptual, individual or ~~standard~~ general environmental resource permit application fees listed in this subsection.

(5) through (10) No change.

(11) Chapter 40D-40, F.A.C., ~~standard~~ general site conditions assessment permit:

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

2. Modification to convert to a Chapter 40D-4 or 40D-40, F.A.C., construction permit:

a. When the construction permit applicant is the original permittee for a valid site conditions assessment permit, the processing fee amount due shall be the full application fee for a Chapter 40D-4, F.A.C., individual construction permit or a Chapter 40D-40, F.A.C., ~~standard~~ general construction permit,

as applicable; if a construction permit is issued, a credit equal to the basic fee amount paid in connection with the site conditions assessment permit shall be reimbursed after submittal of the project Statement of Completion and as-built information by the original permittee, and operation approval by the District.

b. When the construction permit applicant is not the original permittee, and the applicant has a valid site conditions assessment permit that was transferred, the processing fee amount due shall be the full application fee for a Chapter 40D-4, F.A.C., individual construction permit or a Chapter 40D-40, F.A.C., ~~standard~~ general construction permit, as applicable; but the permit application processing fee credit in subparagraph 2.a. shall not apply.

(12) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.109, 373.421(2) FS. History—Readopted 10-5-74, Amended 12-31-74, 10-24-76, 7-21-77, Formerly 16J-0.111, Amended 10-1-88, 1-22-90, 12-27-90, 11-16-92, 1-11-93, 3-23-94, Formerly 40D-0.201, Amended 12-22-94, 10-19-95, 3-31-96, 7-23-96, 10-16-96, 10-26-00, 3-15-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jack Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board, Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 5, 2002

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Consumptive Use of Water
RULE CHAPTER NO.: 40D-2

RULE TITLE: Publications Incorporated by Reference
RULE NO.: 40D-2.091

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to amend provisions in the District’s water use permitting rules to make them consistent with proposed amendments to the District procedural rules that establish a process for referring denials of general permits to the Governing Board for final action.

SUMMARY: The proposed amendments address the application review process set forth in Section 1.6 of the Basis of Review for Water Use Permit Applications, which is incorporated by reference into Rule 40D-2.091, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District’s determination that the proposed revisions to Rule 40D-2.091,

F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Application” _____ April 14, 2002, is hereby incorporated by reference into this Chapter and is available from the District upon request.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, _____.

Water Use Permit Information Manual Basis of Review

1.6 APPLICATION REVIEW PROCESS

Once the permit application and appropriate information supplements are received, District staff will identify any deficiencies in the application and request any needed information within 30 days of receipt. District staff will evaluate the application in terms of water needs and potential impact and may request clarification of the information submitted. District staff will work with the Applicant to obtain all of the information necessary to support the application. However, it is the Applicant’s responsibility to provide the information requested. Staff will notify the Applicant when all information has been received and the application is complete. Once the application is complete, the District must issue or deny the permit within 90 days. Typically, permits authorizing withdrawals < 500,000 gpd will be issued or ~~denied~~ within 60 days.

The District has established two procedures for issuing permits, based on the quantity of water permitted. The Governing Board must approve all permits authorizing annual

average withdrawals \geq 500,000 gpd. District staff typically issues permits authorizing withdrawals of $<$ 500,000 gpd unless the permit involves unusual circumstances. Permits which do not require Governing Board approval may be issued in a shorter period of time than those which must be approved by the Governing Board.

If a permit requires Governing Board approval, District staff will prepare a staff report and recommendation. This information is delivered to the permit applicant and interested persons and constitutes proposed agency action. Any person whose substantial interest may be affected by action on a permit and objects to it may file a petition for hearing within 14 days of receipt of the proposed agency action. Procedures for filing a petition for hearing are described in Part V of Chapter 40D-1, F.A.C. (See Rules 40D-1.521 and 40D-1.571). If no objection is filed, the permit will be acted on at the next Governing Board meeting indicated in the notice. If a valid objection is received, a hearing may be scheduled or the objection may be resolved through negotiations.

For permits which do not require Governing Board approval, District staff prepares the permit which constitutes final agency action. Objectors may file a petition for hearing within 14 days of receipt of final agency action. If no request for hearing is timely filed, the permit stands as issued by District staff.

General water use permits may be issued by District staff for applications which meet the following criteria:

1. The average annual daily withdrawal is less than 500,000 gpd;
2. The application meets the Conditions for Issuance set forth in Section 40D-2.301.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 5, 2002

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Individual Environmental Resource Permits	40D-4
RULE TITLES:	RULE NOS.:
Definitions	40D-4.021
Permits Required	40D-4.041
Conditions for Issuance of Permits	40D-4.301
Additional Conditions for Issuance of Permits	40D-4.302

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to satisfy the statutory requirement that the District establish a process for referring denials of general permits to the Governing Board for final action.

SUMMARY: The proposed rule amendments will satisfy the statutory requirement by providing that general permits are issued by staff but go before the Governing Board for denial. In addition, the proposed amendments will clarify language in portions of the rules by deleting the term "standard" and making consistent references to either General Permits or Noticed General Permits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rules 40D-4.021, 40D-4.041, 40D-4.301 and 40D-4.302, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.016, 373.044, 373.113, 373.118, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.042, 373.403, 373.409, 373.413, 373.414, 373.416, 373.419, 373.426, 373.427 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 RULES IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-4.021 Definitions.

When used in this Chapter and Chapters 40D-40 and 40D-400:

(1) through (14) No change.

(15) "Noticed General Permit" means an Environmental Resource Permit issued or denied by staff.

(16)(15) "General Permit" means an Environmental Resource Permit issued or denied by District staff or denied by the Governing Board. General Permits are issued as either Noticed General or Standard General permits.

(17)(16) "Individual Permit means an Environmental Resource Permit issued or denied by the District Governing Board.

(17) through (21) renumbered (18) through (22) No change.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.403, 373.419 FS. History-Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02,

40D-4.041 Permits Required.

(1) No change.

(2) The District issues the following types of Environmental Resource Permits:

(a)1. ~~Standard~~ General permits are issued pursuant to Chapter 40D-40, F.A.C.

2. through (c) No change.

(d) Site conditions assessment permits are optional ~~standard~~ general permits issued pursuant to Chapters 40D-4 and 40D-40, F.A.C., and the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District, as the first phase of construction permitting which identify and document the boundaries of certain existing topographic and environmental site conditions existing within a project area. At a minimum, all site conditions assessment permits shall evaluate, and identify if present, the landward extent of wetlands and other surface waters; the level and landward extent of the 100 year floodplain; seasonal high water levels and existing watershed delineations. In the permit application, the applicant may request that the District evaluate additional site conditions boundaries. A site conditions assessment permit does not authorize construction, alteration, operation, or abandonment of a surface water management system or establishment of a mitigation bank. However, a currently valid site conditions assessment permit can be formally modified by the permittee to apply for either an individual or a general construction and operation permit.

(3) No change.

(4) A ~~Standard~~ General Permit for Minor Surface Water Management Systems is required for a surface water management system, otherwise exempt from permitting under subsections 40D-4.051(3) or (4), unless the system is exempt by statute or rule from storm water quality regulation or has received storm water quality review and approval by the District or by a DEP permit, license or certification.

(5) through (6) No change.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.413, 373.416, 373.426, 373.427 FS. History-Readopted 10-5-74, Amended 12-31-74, 9-4-77, 6-7-78, Formerly 16J-4.04, 16J-4.10(1),(2),(4), Amended 10-1-84, 3-1-88, 10-3-95, 7-23-96, 10-16-96, 4-17-97, 10-11-01,_____.

40D-4.301 Conditions for Issuance of Permits.

(1) In order to obtain a ~~standard~~ general, individual, or conceptual permit under this chapter or Chapter 40D-40, F.A.C., an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a surface water management system:

(a) through (4) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.042, 373.403, 373.413, 373.416, 373.426, 373.427 FS. History-Readopted 10-5-74, Amended 12-31-74, 6-7-78, Formerly 16J-4.06(3),(4),(5),(6),(8), Amended 10-1-84, 6-2-85, 4-2-87, 3-1-88, 10-3-95, 10-16-96,_____.

40D-4.302 Additional Conditions for Issuance of Permits.

(1) In addition to the conditions set forth in ~~Rule section~~ 40D-4.301, F.A.C., in order to obtain a ~~standard~~ general, individual, or conceptual permit under this chapter an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, and abandonment of a system:

(a) through (2) No change.

Specific Authority 373.016, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.042, 373.409, 373.413, 373.414, 373.416, 373.426 FS. History-New 10-3-95, Amended_____.

Environmental Resource Permitting Manual Basis of Review.

CHAPTER ONE – INTRODUCTION

1.2 Application Review Process – The District issues three types of environmental resource permits as authorized by Part IV of Chapter 373, Florida Statutes: individual including conceptual, ~~standard~~ general, and noticed general permits.

Noticed general permits and general permits are issued by staff, while Governing Board action is required for individual permits.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 5, 2002

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
General Environmental	
Resource Permits	40D-40
RULE TITLES:	RULE NOS.:
Policy and Purpose	40D-40.011
General Environmental Resource Permits	40D-40.040
General Permit for Site Condition Assessment	40D-40.044
Content of Application for General Permits	40D-40.112
Conditions for Issuance of General Permit for Minor Surface Water Management Systems	40D-40.301
Conditions for Issuance of General Permits	40D-40.302
Duration of Permits	40D-40.321
Modification of Permits	40D-40.331
General Conditions	40D-40.381

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to clarify language in portions of the rules by deleting the term “standard” and making consistent references to either General Permits or Noticed General Permits.

SUMMARY: The proposed amendments delete the term “standard” from references to General Permits in Rule Chapter 40D-40, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District’s determination that the proposed revisions to Rules 40D-40.011, 40D-40.040, 40D-40.044, 40D-40.112, 40D-40.301, 40D-40.302, 40D-40.321, 40D-40.331, 40D-40-381, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.113, 373.118, 373.149, 373.421(2) FS.

LAW IMPLEMENTED: 373.103(1), 373.117, 373.413, 373.413(1), 373.414, 373.416, 373.419, 373.427, 373.429 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 RULES IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-40.011 Policy and Purpose.

The rules in this chapter grant ~~standard~~ general environmental resource permits for certain specified surface water management systems which have been determined to be not harmful to the water resources of the District and to be not inconsistent with the objectives of the District. The purpose of this chapter is to set forth the requirements for qualifying for a ~~standard~~ general permit and the conditions under which they may be exercised. Non-exempt surface water management systems which do not qualify for a noticed general environmental resource permit pursuant to Chapter 40D-400, F.A.C., or a ~~standard~~ general permit under this chapter are required to obtain individual permits. The District reserves the right to require an individual permit for any surface water management system which: does not comply with the provisions of this chapter; may be harmful to the water resources of the District; or is inconsistent with the overall objectives of the District.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.103(1), 373.413(1), 373.416, 373.419, 373.429 FS. History–New 10-1-84, Amended 3-1-88, 10-3-95,_____.

40D-40.040 ~~Standard~~ General Environmental Resource Permits.

(1) Three types of ~~Standard~~ General Environmental Resource Permits are issued pursuant to this Chapter and Chapter 40D-4, F.A.C. They are:

(a) ~~Standard~~ General Environmental Resource Permit for Minor Surface Water Management Systems. The conditions for issuance for this permit are contained within section 40D-40.301;

(b) ~~Standard~~ General Environmental Resource Permit for Surface Water Management Systems. The conditions for issuance of this permit are contained within section 40D-40.302; and

(c) ~~Standard~~ General Environmental Resource Permit for Site Conditions Assessment. The conditions for issuance of this permit are contained within section 40D-40.302.

(2) ~~Standard~~ General Environmental Resource Construction and Operation Permits are required prior to the construction, alteration, removal, maintenance, operation or abandonment of certain surface water management systems.

(3) Site Conditions Assessment Permits are optional ~~standard~~ general permits that are issued as the first phase of construction permitting which identify and document the boundaries of certain existing site conditions found within a project area. At a minimum, all site conditions assessment permits shall evaluate, and identify if present, the landward extent of wetlands and other surface waters; the level and landward extent of the 100 year floodplain; seasonal high water levels; and existing watershed delineations. Additional site conditions boundaries may be requested by the applicant and evaluated for permitting by the District. A site conditions assessment permit does not authorize construction, alteration, operation, or abandonment of a surface water management system or establishment of a mitigation bank, but it can be formally modified by the permittee to apply for either an individual or a general construction and operation permit.

(4) An activity which requires both a ~~standard~~ general environmental resource permit or a permit under subsections 373.414(11)-(16), F.S., and a proprietary authorization under Chapter 253 or 258, F.S., shall be subject to the requirements and procedures in Section 373.427, F.S., Chapters 18-20 and 18-21, F.A.C., and Rules 62-312.065 and 62-343.075, F.A.C.

Specific Authority 373.044, 373.113, 373.118, 373.421(2) FS. Law Implemented 373.413, 373.414, 373.416, 373.419, 373.427 FS. History–New 10-3-95, Amended 7-23-96, 10-16-96, 7-2-98,_____.

40D-40.044 ~~Standard~~ General Permit for Site Conditions Assessment.

(1) This ~~standard~~ general permit identifies and documents the boundaries of certain existing topographic and environmental site conditions within the applicant's project area that are measurably associated with waters, as described in the application.

(2) through (5) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History--New 7-23-96, Amended _____.

40D-40.112 Content of Application for ~~Standard~~ General Permits.

(1) To apply for a ~~standard~~ general permit, including an application for a ~~standard~~ general permit for minor surface water management systems, the applicant shall file with the District the Application form identified in Chapter 40D-1, F.A.C., and other required documents, information and fees.

(2) No change.

(3) A complete application for a ~~standard~~ general permit for construction and operation shall also constitute an application for certification of compliance with state water quality standards where necessary pursuant to Section 401, Public Law 92-500, 33 U.S.C. Section 1341. Issuance of the construction and operation permit shall constitute certification of compliance with water quality standards unless the permit is issued pursuant to the net improvement provision of Section 373.414(1)(b), F.S., or the permit specifically states otherwise.

(4) If a ~~standard~~ general permit application involves activities located in, on, or over wetlands or other surface waters, as delineated by the methodology authorized in subsection 373.421(1), F.S., then, within three business days of receipt of the application, the District shall forward a copy to the appropriate office of the U.S. Army Corps of Engineers unless specifically authorized by the Corps to do otherwise.

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

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History--New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 10-16-96, _____.

40D-40.301 Conditions for Issuance of ~~Standard~~ General Permit for Minor Surface Water Management Systems.

(1) To obtain this ~~standard~~ general permit, an applicant must provide reasonable assurance that the following conditions are met and certify that:

(a) through (j) No change.

(2) Applicants required to obtain a permit by subsection 40D-4.041(4) may obtain this ~~standard~~ general permit if the applicant provides reasonable assurance and certifies that the conditions in paragraphs 40D-40.301(1)(f), (i), (j) and 40D-4.301(4) are met.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.427 FS. History--New 3-1-88, Amended 10-3-95, 10-16-96, _____.

40D-40.302 Conditions for Issuance of ~~Standard~~ General Permits.

In order to qualify for a ~~standard~~ general permit for construction and operation under this chapter, the applicant must give reasonable assurances that the surface water management system meets all conditions of subsection 40D-40.302(1) and all thresholds and conditions of at least one other subsection. To obtain a ~~standard~~ general site conditions assessment permit under this chapter, the applicant must provide reasonable assurances that all conditions of subsection 40D-40.302(5) are met.

(1) through (5) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History--New 10-1-84, Amended 3-1-88, 5-10-88, 9-13-88, 10-3-95, 7-23-96, _____.

40D-40.321 Duration of Permits.

Unless revoked or otherwise modified, the duration of a ~~standard~~ general permit issued pursuant to this Chapter is as specified in Rule 40D-4.321, F.A.C.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416, 373.419(2) FS. History--New 10-1-84, Amended 3-1-88, 10-3-95, _____.

40D-40.331 Modification of Permits.

A request for modification to renew or extend a permit issued under this chapter shall be made in accordance with this rule. Requests to modify permits shall be made:

(1) In accordance with Rules 40D-4.091, 40D-4.331, 40D-40.040, 40D-40.112, 40D-40.301 and 40D-40.302 for ~~standard~~ general construction and operation permits and as applicable for all site conditions assessment permits; or

(2) By letter for ~~standard~~ general construction and operation permits provided the requested modification does not exceed the conditions of subsection 40D-4.331(2)(b).

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416(1), 373.429 FS. History--New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 4-17-97, _____.

40D-40.381 General Conditions.

The ~~standard~~ general permits issued pursuant to this chapter shall be subject to the following limiting conditions:

(1) through (2) No change.

(3) All ~~standard~~ general permits shall be subject to other reasonable conditions as are necessary to assure that the permitted system will not be inconsistent with the overall objectives of the District and will not be harmful to the water resources of the District.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.117, 373.413, 373.414, 373.416, 373.419 FS. History--New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jack Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 5, 2002

LAND AND WATER ADJUDICATORY COMMISSION

Bartram Springs Community Development District

RULE CHAPTER TITLE: Bartram Springs Community Development District
RULE CHAPTER NO.: 42HH-1

RULE TITLES: Establishment 42HH-1.001
Boundary 42HH-1.002
Supervisors 42HH-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district (CDD), the Bartram Springs Community Development District ("District"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by SouthStar Development Partners, Inc., requests that the Commission establish by rule the Bartram Springs CDD. A Notice of Receipt of Petition for the District was published in the May 17, 2002, edition of the Florida Administrative Weekly. The land area proposed to be served by the District will consist of approximately 1,025 acres. All proposed lands in the District are within the boundaries of the City of Jacksonville, Florida, a consolidated government which has jurisdiction over and extends to the limits of Duval County. The proposed District is generally located west of U.S. 1, east of Interstate 95, and south of St. Augustine Road in Duval County. There are no out-parcels located within the external boundaries of the parcel of land to be included within the District. The lands to be included within the proposed District are zoned Planned Unit Development/Multi-Use. The proposed District is bounded by office, commercial, multi-family, and agricultural uses. The future general distribution, location and extent of the public and private land uses under the Planned Unit Development/Multi-Use designation (City of Jacksonville Comprehensive Plan) currently include residential, recreation, and commercial elements. The proposed land uses within the District are subject to the approved Bartram Park Development of Regional Impact (DRI) Development Approval issued by the City of Jacksonville, and, to the extent applicable, the Bartram Park Development of Regional Impact Development Order issued by St. Johns County. The proposed commercial development within the District contemplates the construction of facilities on approximately three acres of land. Approximately 1,400 single-family residential units and 300 multi-family units are presently planned for development within the District. The Petitioner either owns or has written

consent to establish the District from the owners of 100% of the real property located within the District. The District, if established, intends to participate in the construction of certain road and entranceway improvements. The District is also expected to provide certain stormwater and recreation amenity improvements for the lands within the District, as well as wetland restoration and funding for a roadway planning, development, and engineering study.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Petitioner has prepared a Statement of Estimated Regulatory Costs (SERC). The complete text of the SERC is contained as Exhibit 11 to the petition to establish the District. The Petitioner, SouthStar Development Partners, Inc., presently intends for the District to participate in the construction of certain road and entranceway improvements as contemplated in the Bartram Park Development of Regional Impact Development Order. The District is also expected to provide certain stormwater, utility and recreation improvements for the lands within the District, as well as wetland restoration and funding for a roadway planning, development, and engineering study. The District intends to finance these infrastructure improvements through special assessment or other revenue bonds. Repayment of those bonds will be through non-ad valorem assessments levied against all benefitted properties within the District. The current and future property owner will be responsible for payment of these assessments on the basis of the amount of benefitted property owned. In exchange for payment of these special assessments, there are substantial potential benefits to be derived by the property owners. All of the current and future landowners within the boundaries of the proposed District will be required to comply with the administrative rule. The cost of implementing this rule to the City of Jacksonville, its residents and to all applicable state agencies for processing the documents is nominal. The City of Jacksonville was paid a \$15,000.00 processing fee to offset the cost of review of the petition to establish the District. Administrative costs will be incurred by the Florida Land and Water Adjudicatory Commission, the Division of Administrative Hearings, the Bureau of Local Government Finance/Office of the Comptroller, and the Florida Department of Community Affairs. Other than administrative costs, no costs will be incurred by the State of Florida or the general citizenry from the establishment or operations of the District. Adoption of the proposed administrative rule will have no negative impact on state or local revenues. The impact of District establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the

rule, is as economically viable as establishing the District. Creation of the District should not have a negative impact on small counties because Duval County is not a "small county" as defined by Section 120.52, F.S. Analysis provided by the SERC is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Developer's Engineer and other professionals associated with the Developer.

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 twenty-one (21) days of this notice.

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

TIME AND DATE: 10:00 a.m., Monday, August 12, 2002

PLACE: Room 1703G, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least 2 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cheryl G. Stuart, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500 or Barbara Leighty, Senior Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

42HH-1.001 Establishment.

The Bartram Springs Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

42HH-1.002 Boundary.

The boundaries of the District are as follows:

A portion of Sections 28, 29, 32 and 33, together with a portion of Section 48, of the Christopher Minchin Grant, all lying in Township 4 South, Range 28 East, Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the corner common to said Sections 32 and 33, Township 4 South, Range 28 East, said Duval County and Sections 4 and 5, Township 5 South, Range 28 East, St. Johns County, Florida, said corner also lying on the county line dividing said Duval and St. Johns Counties; thence North 89° 04' 41" East, along said county line, 3281.18 feet; thence North 00° 55' 19" West, departing said county line, 5.00 feet to the Point of Beginning.

From said Point of Beginning, thence South 89° 04' 41" West, 3281.22 feet to a point lying on the line common to said Sections 32 and 33; thence South 89° 33' 42" West, departing said common line, 699.85 feet to the Easterly limited access right of way line of State Road No. 9B, a variable width right of way as established on State Road Department Right of Way Map Section 72002-2513, dated 09-08-92; thence Northwesterly and Northeasterly, along said Easterly limited access right of way line, the following courses: (1) North 40° 25' 37" West, 2161.10 feet to the Point of Curvature of a curve, concave Northeasterly having a radius of 2744.79 feet; (2) along the arc of said curve, through a central angle of 14° 47' 23", an arc length of 708.51 feet to the Point of Tangency of said curve, said arc being subtended by a chord bearing and distance of North 33° 01' 55" West, 706.55 feet; (3) North 25° 38' 14" West, 2143.97 feet to the Point of Curvature of a curve, concave Easterly having a radius of 1789.86 feet; (4) along the arc of said curve through a central angle of 37° 18' 23", an arc length of 1165.41 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 06° 59' 02" West, 1144.93 feet; (5) North 10° 17' 40" East, along a non-tangent bearing, 500.14 feet; (6) North 11° 40' 10" East, 1913.60 feet to a point lying on the Southerly line of the North 1/2 of said Section 29; thence North 88° 42' 41" East, departing said Easterly limited access right of way line and along last said line, 2914.25 feet to the Southwest corner of the Northwest 1/4 of said Section 28; thence North 89° 02' 27" East, along the Southerly line of the Northwest 1/4 of said Section 28, a distance of 233.49 feet to a point lying on the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as now established; thence South 41° 00' 02" East, along said Westerly right of way line, 1203.71 feet to a point lying on the Westerly line of the Easterly 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 28; thence South 00° 59' 05" East, departing said Westerly right of way line and along said Westerly line of the Easterly 1/4, a distance of 424.47 feet to the Southwest corner of said East 1/4 of the Northwest 1/4 of the Southwest 1/4; thence North 88° 54' 34" East, along the Southerly line of said East 1/4, a distance of 355.82 feet to a point lying on the aforementioned Westerly right of way line; thence South 41° 00' 02" East, along said Westerly right of way line, 6946.50 feet; thence South 81° 44' 38" West, departing said Westerly right of way line, 1239.95 feet; thence North 89° 51' 10" West, 1102.07 feet; thence South 10° 16' 03" West, 955.68 feet to the Point of Beginning. Containing 1025.40 acres, more or less.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

42HH-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: J. Thomas Gillette, III, L. Alfredo Rodriguez-Walling, Walter Kehoe, Thaddeus D. Rutherford, and Leo W. Johns.

permitholder shall provide a current version of the pari-mutuel rules and statutes for patron examination at a convenient location on the permitholder's premises.

(4) The permitholder shall ensure that no minor is allowed to:

- (a) Wager or cash tickets;
- (b) Use patron-operated wagering devices; or
- (c) Participate in computerized account betting; ~~or~~
- ~~(d) Participate in messenger betting.~~

(5)(a) No pari-mutuel tickets shall be sold except through properly designated totalisator terminals or via the following authorized methods:

- ~~1. Messenger betting;~~
- ~~1.2. Advanced and future bets;~~
- ~~2.3. Computerized account betting;~~
- ~~3.4. Betting utilizing credit vouchers; and~~
- ~~4.5. Betting utilizing portable terminals.~~

(b) All ticket sales shall be for cash or cash equivalent.

(6) The duty of the licensed pari-mutuel tellers shall not be compromised and they shall not at any time serve as an agent or an employee of a patron with respect to pari-mutuel wagering. The permitholders shall inform their tellers of this and all applicable rules and statutes.

(7) Payment of winning and refundable pari-mutuel tickets shall be made only upon presentation and surrender of the tickets. Damaged tickets with complete and legible identification numbers or bar codes may be honored without presentation of a formal claim.

(8) Any claim by a person that a wrong ticket has been delivered to him must be made prior to the stop bet command being issued for the race for which the wrong ticket was sold.

(9) No later than the opening of the starting box at greyhound tracks, all pari-mutuel machines shall be locked by the division judge via a control linked to the totalisator system.

~~(10) At the start of the first serve motion in any jai alai game, the outcome upon which pari-mutuel wagers are made, all pari-mutuel machines shall be locked by the division judge via a control linked to the totalisator system.~~

~~(10)(11) No later than the opening of the starting gate at thoroughbred tracks or crossing of the starting line at harness tracks, all pari-mutuel machines shall be locked by the state steward via a control linked to the totalisator system.~~

~~(11)(12) As an alternate emergency procedure, if the division judge or steward fails to close pari-mutuel wagering, it shall become the responsibility of the permitholder's judges or stewards. A report of such circumstances shall be made to the division within 48 hours by all the participating judges or stewards.~~

(12) At the start of the first serve motion in any jai alai game, the outcome upon which pari-mutuel wagers are made, all pari-mutuel machines shall be locked by the permitholder's announcer via a control linked to the totalisator system.

(13) As an alternate emergency procedure, in any jai alai game, if the permitholder's announcer fails to close pari-mutuel wagering, it shall become the responsibility of the permitholder's pari-mutuel manager. The participating announcer and pari-mutuel manager shall make a report of such circumstances to the division within 48 hours.

~~(14)(13) If, then, the permitholder's judges, or stewards, jai alai announcer, or pari-mutuel manager fail to close the wagering or if the command is issued but fails to take hold, the responsibility shall fall to the totalisator operator at the facility conducting the live event or importing the contest from out of state as a primary guest. For this purpose the totalisator operator shall have the ability to monitor each contest being conducted live, or imported if a primary guest, at that facility.~~

~~(a) The pari-mutuel wagering specialist located in or adjacent to the room where the totalisator is located shall have the ability to monitor each contest being conducted live at the facility, each contest imported from out of state as a primary guest, and each intertrack wagering contest.~~

~~(b) The pari-mutuel wagering specialist shall monitor the start of each contest for the timely issuance of the stop bet command. In the event that the stop bet command is not implemented, the pari-mutuel wagering specialist shall direct the totalisator to close the wagering, and the totalisator operator shall do so.~~

~~(15)(e) The totalisator system shall be capable of identifying the source of the stop bet command and shall log the origin automatically.~~

~~(16)(14) Upon investigation, any wager which has been determined to have been purchased after the contest has started shall be disallowed and the bettor will not receive any winnings related to the disallowed wager. The disallowed winnings shall be treated as an underpayment to the public and within seven 7 days of the incident shall be added into the net wagering pool chosen by the permitholder and approved by the division. The add_in must be done prior to the stop bet of the race and the pool matrix shall not be affected in any way. If the addition to the pool is not possible because of the end of the meet, the underpayment shall be carried over to the next meet and added to the first performance.~~

~~(17)(15) Each permitholder must install and maintain in good working order a suitable communications system between the totalisator room and state judge's/steward's stand, or the announcer stand in jai alai and the office of mutuel operations and totalisator room.~~

~~(18)(16) With respect to the operation of the mutuels department, should any emergency arise not covered by these rules and an immediate decision is necessary, the Mutuels Manager shall make the decision and render a written report to the division within 48 hours concerning the incident.~~

~~(17) Betting through the use of licensed messengers is permitted. Seven days prior to the implementation of messenger wagering, the permitholder shall provide to the division a copy of the operational procedures.~~

~~(a) All messenger bets shall be recorded on messenger sales receipts.~~

~~(b) Permitholder messenger receipt specifications shall as a minimum contain the following:~~

- ~~1. Pre-printed sequential unique control numbers;~~
- ~~2. The name of the permitholder and, where applicable the intertrack and interstate host;~~
- ~~3. The date of the sale;~~
- ~~4. The race number;~~
- ~~5. A complete record and description of the wager sold, including the type of wager, denomination and total amount of the sale.~~

~~(c) Specific pari-mutuel terminals shall be designated for messenger sales.~~

~~(d) An issued messenger receipt shall be considered a valid wager regardless of whether the ticket was issued and the issuing messenger shall initial the receipt. The permitholder shall honor all winning receipts at the tote established price irrespective of whether or not the wager and its value entered the system. This caveat shall be legibly printed on the receipt.~~

~~(e) All cashed winning messenger receipts shall be attached with the corresponding receipt in the messenger receipt book.~~

~~(f) All losing tickets shall be attached to the corresponding receipt in the messenger receipt book.~~

~~(g) The permitholder shall maintain a log of the receipts issued to and returned by each messenger.~~

~~(h) The permitholder shall maintain as part of its messenger betting records the printing manifests evincing the beginning and ending numbers and the total amount of receipts printed for the printing order. The manifests shall be available to the division's representative upon request.~~

~~(i) The sale of or transfer to minors of messenger receipts is prohibited. This caveat shall be printed legibly on the receipt.~~

~~(j) At permitholder facilities where messenger betting is offered, an explanation of how to read a messenger receipt shall be printed in the official program or on the back of the messenger receipt.~~

Specific Authority 550.0251(3),(7), 550.105(2)(b), ~~550.105(2)(e)~~; 550.155(1), 550.495(4) FS. Law Implemented 550.0251, 550.0425, 550.105, 550.155, 550.495 FS. History—New 10-20-96, Amended 12-15-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kim Binkley-Seyer, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 12, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Sold Signs
RULE NO.: 61J2-10.035

PURPOSE AND EFFECT: The purpose of this proposed rulemaking is to repeal the above referenced rule because it lacks statutory authority.

SUMMARY: Repeals rule relating to "sold" signs.

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.25 FS.

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, August 21, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-10.035 Sold Signs.

Specific Authority 475.05 FS. Law Implemented 475.25 FS. History-New 11-16-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

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

DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2001

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Notices, Current Address of Licensees
RULE NO.: 64B3-1.006

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: The Board makes technical corrections and requires each licensee to provide the Department with the current mailing address and primary practice location.

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

SPECIFIC AUTHORITY: 456.035 FS.

LAW IMPLEMENTED: 456.073(1), 483.817, 483.819 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-1.006 Notices, Current Address of Licensees.

Each person holding a license issued pursuant to Chapter 483, Part III Florida Statutes, must maintain on file with the Department Board the current mailing address and primary practice location at which any notice required by law may be served by the Board or its agent. Within sixty days of changing this address, whether or not within this state, the licensee shall notify the Department Board in writing of the new address at which the licensee may be served with notices or other documents.

Specific Authority 456.035 FS. Law Implemented 456.073(1), 483.817, 483.819 FS. History--New 3-15-93, Formerly 21KK-1.006, 61F3-1.006, 59O-1.006, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE:
Board Meetings

RULE NO.:
64B3-1.008

PURPOSE AND EFFECT: The Board proposes to delete unnecessary rule text.

SUMMARY: The Board is deleting (1) through (5) from this rule.

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

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

SPECIFIC AUTHORITY: 456.011, 483.805 FS.

LAW IMPLEMENTED: 286.0105, 456.011 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

~~64B3-1.008 Quorum; Meetings; Board Meetings; Notice of Meetings; Agenda.~~

~~(1) Four appointed Board members shall constitute a quorum which shall be necessary to conduct official Board business. Fifty one percent or more of the appointed Board members of a committee shall constitute a quorum which shall be necessary to conduct official business of the committee. A majority vote of the members of a quorum shall be necessary for any official action by the Board or committee.~~

~~(2) The Board shall hold such meetings during the year as necessary, including an annual meeting at which the chairperson and vice chairperson shall be elected from the membership and shall serve for a term of one year. The chairperson or a quorum of the Board shall have authority to call other meetings.~~

~~(3) Except in an emergency, the Board shall give at least seven days notice to the public generally of any meeting by publication in the Florida Administrative Weekly. The notice shall state the date, time and place of the meeting, a brief description of the purpose of the meeting and the address and telephone number where persons may contact the Board to obtain a copy of the agenda. Each notice shall include the advice that, if a person decides to appeal any decision of the Board with respect to any matter considered at such meeting, he will need a record of the proceeding and that, for such purpose, he may need to insure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.~~

~~(4) The Board shall prepare an agenda in time to ensure that a copy may be received at least seven days before the event by any person in the state who requests a copy and pays the reasonable cost per copy. After the agenda has been made available, change shall be only for good cause as determined by the presiding Board member and stated on the record. Notification of such change shall be at the earliest practicable time.~~

~~(5) Notwithstanding the provisions of subsections (2) and (3), the Board may hold an emergency meeting if an immediate danger to the public health, safety, or welfare requires emergency action.~~

~~(1)(6) For purposes of Board member compensation pursuant to Section 456.011(4), Florida Statutes, "other business involving the Board" is defined to include:~~

- ~~(a) Board meetings;~~
- ~~(b) Meetings of committees of the Board;~~
- ~~(c) Meetings of a Board member with staff at the request of the Board or the Department;~~
- ~~(d) Probable cause panel meetings;~~
- ~~(e) Attendance at legislative workshops or committee meetings at the request of the Board or Department;~~
- ~~(f) Attendance at meetings of National Associations as an authorized representative of the Board;~~
- ~~(g) Attendance at continuing education programs for the purpose of auditing a Board-approved provider when such attendance has been approved by the Board;~~
- ~~(h) Attendance at any function authorized by the Board or Department.~~

~~(2)(7)(a) Board members shall attend all regularly scheduled Board meetings unless prevented from doing so by reason of court order, subpoena, business with a court which has the sole prerogative of setting the date of such business, death of a family member, illness of the Board member, or hospitalization of the member's immediate family.~~

~~(b) No Board member shall be absent from three consecutive regularly scheduled Board meetings unless the absence is excused for one of the reasons stated in paragraph (a) of this rule. An absence for any reason other than the reasons stated in paragraph (a) constitutes an unexcused absence for the purpose of declaring a vacancy on the Board. An otherwise excused absence is not excused if the Board member fails to notify the Board office of the impending absence prior to the regularly scheduled Board meeting at which the absence will occur or unless the failure to notify the Board office is the result of circumstances surrounding the reason for the absence which the Board itself excuses after the absence has occurred.~~

~~(c) "Family" consists of immediate family, nieces, nephews, cousins, and in-laws.~~

~~(d) "Immediate family" consists of spouse, child, parents, parents-in-law, siblings, grandchildren, and grandparents.~~

Specific Authority 456.011, 483.805 FS. Law Implemented 286.0105, 456.011 FS. History--New 3-15-93, Formerly 21KK-1.008, 61F3-1.008, Amended 2-7-95, Formerly 59O-1.008, Amended 3-20-01.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 21, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Probable Cause Determinations

RULE NO.: 64B3-1.015

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: The Board is deleting language relating to the composition of the probable cause panel.

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

SPECIFIC AUTHORITY: 456.073, 483.805(4) FS.

LAW IMPLEMENTED: 456.073, 483.825 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-1.015 Probable Cause Determinations.

(1) The determination as to whether probable cause exists that a violation of the provisions of Chapters 456 and 483, Part III Florida Statutes, and the rules promulgated thereto has occurred shall be made by a majority vote of a probable cause panel of the Board.

(2) There shall be one probable cause panel of the Board. The probable cause panel shall be composed of two members, one of whom may be a licensee who was a past Board member who is not currently appointed to the Board and one of whom shall be a current consumer member of the Board.

(3) through (4) No change.

Specific Authority 456.073, 483.805(4) FS. Law Implemented 456.073, 483.825 FS. History—New 3-15-93, Formerly 21KK-1.015, 61F3-1.015, 59O-1.015, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: General Requirements of Clinical Laboratory Personnel Training Programs

RULE NO.: 64B3-3.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: The Board is deleting a reference to the inspection of training programs. The Board is adding that accredited programs or those pending national accreditation need only submit proof of accreditation status with the application.

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

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

LAW IMPLEMENTED: 483.800, 483.809, 483.811 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) No change.

(2) Each program and program affiliate shall be in compliance with the provisions of Chapter 483, Part I, F.S., and Chapter 59A-7, F.A.C.

~~(3) Each program is subject to on-site inspection by the Department.~~

~~(3)(a)(4)~~ Programs shall submit a self-study at the time of the initial application and shall update the self-study within six (6) months of any major change in curriculum, sponsorship, faculty, student enrollment or clinical sites. The self study document shall be prepared on a form provided by the Department entitled Clinical Laboratory Training Program Self Study Document, DH 1261 10/98, effective 1-11-99, which is hereby incorporated by reference and may be obtained from the Board office. If the program is accredited by the National Accrediting Agency for Clinical Laboratory Science (NAACLS), the Council on Accreditation of Allied Health Education Programs (CAAHEP), or the Accrediting Bureau of Health Education Schools (ABHES), proof of accreditation may be substituted in lieu of the self study document.

(b) Programs that are nationally accredited or pending national accreditation shall only be required to submit proof of accreditation status with the application.

(5) No change.

(6) Each training program shall:

(a) through (n) No change.

(o) Ensure that each student receives a copy of Chapter 483, Parts I and Part III, F.S., Chapter 456, F.S., and Chapters 59A-7 and 64B3, F.A.C.

(7) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 59O-3.001, Amended 1-11-99, 11-15-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Scope of Practice Relative to Specialty of Licensure

RULE NO.: 64B3-10.005

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: Histology technicians shall be required to work under general supervision rather than direct supervision.

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

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure.

The following rules are not intended to prevent collection and storage of specimens or the performance of manual pretesting procedures by persons who are exempt by statute or statutorily authorized within their scope of practice. Clinical laboratory personnel qualified as a physician director, a licensed director, supervisor, technologist or technician in the specialty or specialties indicated can perform testing identified as being within the specialty. Tests which are not yet classified shall be assigned by the Board upon review.

(1) through (10) No change.

(11) The purpose of the specialty of histology is to process cellular and tissue components through methods of fixation, dehydration, embedding, microtomy, frozen sectioning, staining, and other related procedures and techniques employed in the preparation of smears, slides, and tissues. This specialty also encompasses methods for antigen detection and other molecular hybridization testing methods where the purpose is analysis and/or quantification of cellular and tissue components for interpretation by a qualified physician. Technicians licensed in histology are limited to the performance of specimen processing, embedding, cutting, routine and special histologic staining, frozen sectioning and mounting of preparations under the general direct supervision of a director, supervisor, or technologist.

(12) through (18) No change.

Specific Authority 483.805(4) FS. Law Implemented 483.813, 483.823, 483.825 FS. History—New 2-7-95, Amended 3-28-95, 7-12-95, 12-4-95, Formerly 590-10.005, Amended 3-19-98, 1-28-99, 11-24-99, 2-15-01, 2-20-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Continuing Education

RULE NO.: 64B3-11.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The Board clarifies that the continuing education exemption is for “first time ever” licensees in the field of clinical laboratory personnel. An added category of licensure is exempt from one-hour of continuing education for that biennium. Unnecessary provisions are deleted.

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

SPECIFIC AUTHORITY: 456.013, 483.821 FS.

LAW IMPLEMENTED: 456.013, 483.821 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.001 Continuing Education.

(1) through (3) No change.

(4) Applicants initially licensed (first time ever) are exempt from the continuing education requirements for that biennium, with the exception of completing any statutorily mandated courses. Licensees adding a category to an existing license are exempt from the required 1 contact hour of continuing education in that category ~~Individuals initially licensed by a state or national examination taken within the biennium are exempt from the continuing education requirements for that biennium.~~

(5) Only agencies of the state or federal government that offer courses in those subject areas listed in subsection 64B3-11.002(1)(2), F.A.C., shall be deemed as alternate providers. A licensee that intends to use a course offered by such an alternate provider toward his or her continuing

education requirements is responsible for maintaining documentation to verify the date, location, attendance, and subject matter of such course.

(6) Courses intended for use as continuing education taken at a regionally accredited college or university are to be submitted to the Board and shall be:

(a) Documented by an official transcript.

~~(b) Designated by the licensee in a letter to the board office.~~

~~(c) Received by March 31 of even numbered years.~~

~~(b)(4)~~ Successfully completed.

~~(c)(e)~~ In the subject matter areas specified in subsection 64B3-11.002(1)(2), F.A.C.

~~(f) In noncompliance with the renewal requirements of Rule 64B3-8, F.A.C., if submitted after the biennium ends.~~

~~(d)(g)~~ Credited as one semester hour equals 15 contact hours and one quarter hour equals 10 contact hours.

(7) No change.

~~(8) A licensee who does not complete the continuing education requirement or comply with an audit request shall be disciplined for failure to complete the continuing education requirements.~~

Specific Authority 456.013, 483.821 FS. Law Implemented 456.013, 483.821 FS. History--New 2-22-94, Amended 7-13-94, Formerly 61F3-11.001, Amended 12-11-94, 3-28-95, 12-4-95, 7-1-97, Formerly 59O-11.001, Amended 3-19-98, 12-13-99, 3-20-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Removal of Amalgam Fillings

RULE NO.: 64B5-17.014

PURPOSE AND EFFECT: The Board proposes a new rule to address the removal of amalgam fillings.

SUMMARY: The rule will require any dentist removing amalgam fillings for the purported purpose of providing alternative or complementary health care to comply with the disclosure provisions of Section 456.41, Florida Statutes.

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

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

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.028(1),(l),(w),(x),(y), 456.41 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.014 Removal of Amalgam Fillings.

(1) The Board of Dentistry has determined that claims regarding amalgam fillings as a causal factor in systemic illnesses are not supported by the Food and Drug Administration, the U.S. Public Health Service, or the National Institutes of Health. The Board therefore deems that the removal of amalgam fillings for the purported purpose of curing or preventing systemic illness constitutes alternative or complementary health care. In compliance with Section 456.41, Florida Statutes, any dentist performing such alternative or complementary health care treatment shall inform the patient of the following:

(a) The nature of the treatment and the benefits and risks associated with the treatment; and,

(b) The dentist's education, experience and credentials regarding the complementary or alternative treatment option.

(2) Each dentist shall indicate on the patient's record the method(s) by which the requirements of Section 456.41, Florida Statutes, were met.

Specific Authority 466.004 FS. Law Implemented 466.028(1),(l),(w),(x),(y), 456.41 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 14, 2002

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE: Biomedical Waste

RULE CHAPTER NO.: 64E-16

RULE TITLES: Permits

RULE NOS.: 64E-16.011

Enforcement and Penalties

64E-16.013

PURPOSE AND EFFECT: The amendments to paragraphs 64E-16.11(1)(b) through (e), F.A.C., will incorporate application forms that must be submitted to obtain a

biomedical waste generator, storage, treatment, or community sharps collection program permit. Incorporation of this language will facilitate the permitting process for regulated facilities. Deletion of subsection 64E-16.013(3), F.A.C., will remove the length of time for which a permit may be suspended. The removal of this language will delete a rule that lacks statutory authority.

SUMMARY: Paragraphs 64E-16.011(1)(b) through (c), F.A.C., require facilities seeking a generator, storage, treatment, or community sharps collection program permit to submit an application to the department. The amendments to these rules specify the department form that must be used to apply for applicable permits.

Subsection 64E-16.013(3), F.A.C., addresses the length of time for which a biomedical waste permit may be suspended. Placing a length of time on the suspension exceeds the statutory authority for suspension. Deletion of this language will remove a rule that lacks statutory authority.

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

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

SPECIFIC AUTHORITY: 381.0006, 381.0098 FS.

LAW IMPLEMENTED: 381.0006, 381.0098 FS.

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

TIME AND DATE: 10:00 a.m., Friday, August 9, 2002

PLACE: Division of Environmental Health, Bureau of Facility Programs, 4042 Bald Cypress Way, Conference Room 240 P, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edward J. Golding, Bureau of Facility Programs, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710, (850)245-4277

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-16.011 Permits.

(1) No change.

(a) No change.

(b) Application for an initial biomedical waste generator permit or exemption from permitting shall be submitted to the department on form DH 4089, herein incorporated by reference. Biomedical waste treatment facilities which were constructed prior to December 31, 1995, or for which an operation permit was submitted to the Department of Environmental Protection prior to December 31, 1995, shall meet the requirements of this chapter at the time of renewal of their existing permit.

(c) Application for an initial biomedical waste storage facility permit shall be submitted on form DH 4107, herein incorporated by reference.

(d) Application for an initial biomedical waste treatment facility permit shall be submitted to the department on form DH 4111, herein incorporated by reference. Renewals will not be considered complete without the submission of an annual report submitted on form DH 4110, herein incorporated by reference.

(e) Application for an initial biomedical waste sharps collection program permit shall be submitted to the department on form DH 4108, herein incorporated by reference.

(c) through (d) renumbered (f) through (g) No change.

(2) No change.

Specific Authority 381.0006, 381.0098 FS. Law Implemented 381.0006, 381.0098 FS. History--New 12-14-92, Amended 1-23-94, 6-3-97, Formerly 10D-104.0076, Amended.

64E-16.013 Enforcement and Penalties.

(1) through (2) No change.

~~(3) No permit shall be suspended under this section for a period of more than 12 months. Should the current permit expire during the suspension period, the biomedical waste facility may apply for renewal at the end of the suspension period.~~

Specific Authority 381.0006, 381.0098(5) FS. Law Implemented 381.012, 381.0025, 381.006, 381.061, 381.0098, 381.002(13) 395.1011, 775.082, 775.083 FS. History--New 6-19-89, Amended 12-14-92, 1-23-94, 6-3-97, Formerly 10D-104.008, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edward Golding

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Leslie Harris, Environmental Administrator, Bureau of Facility Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2001

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE: CLEAN INDOOR AIR ACT RULE CHAPTER NO.: 64E-25

RULE TITLES: PROCEDURES TO BE FOLLOWED BY DOH RULE NOS.:

Personnel When Investigating Florida Clean Indoor Air Act Complaints and Notifying Alleged Violators 64E-25.001

On-Site Investigations of Public Places 64E-25.002

DOH Procedures for Responding to Complaints and Complaint Referrals Involving Public Places 64E-25.003

PURPOSE AND EFFECT: The proposed rule amendments will inform the public how to file a complaint regarding noncompliance of the Florida Clean Indoor Air Act. Also, the amendments will outline procedures for conducting onsite investigations that will be more coherent than they are now.

SUMMARY: The proposed rule amendments will outline procedures to be followed by DOH personnel when investigating Florida Clean Indoor Air Act complaints and notifying alleged violators. Informs the public how to make a complaint regarding violations of the rule.

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

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

SPECIFIC AUTHORITY: 386.207 FS.

LAW IMPLEMENTED: 381.0012, 386.205, 386.206 FS.

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

TIME AND DATE: 2:00 p.m., Friday, August 9, 2002

PLACE: Division of Environmental Health, Bureau of Facility Programs, 4042 Bald Cypress Way, Conference Room 240P, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Arnold, Bureau of Facility Programs

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-25.001 Procedures to be Followed by DOH Personnel When Investigating Florida Clean Indoor Air Act Complaints and Notifying Alleged Violators.

(1) During inspections, DOH environmental health personnel ~~department inspectors~~ shall: ~~(a) Document all observed violations of the Florida Clean Indoor Air Act (FCIAA) according to the requirements of Chapter 64E-25, F.A.C., and~~

~~(b) Issue a letter of complaint to the proprietor or other person in charge of a public place observed to be in violation on Form DOH 1026, a copy of which may be obtained from the Department of Health, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710, and which is incorporated herein by reference.~~

(2) Upon completion of the onsite inspection, environmental health personnel will complete the required sections of the Request for Inspection Form, DH 1026, 1/97, and which is incorporated herein by reference, reporting that: Should observed violations not be corrected in writing to the Department within 30 days of the next inspection, in the

~~absence of good cause shown, an administrative penalty shall be assessed in accordance with Chapter 120, F.S., and Section 64E-25.004, F.A.C.~~

~~(a) The facility is not in compliance with the FCIAA and an extension should be granted, or~~

~~(b) The facility is not in compliance with the FCIAA and administrative proceedings should be initiated, or~~

~~(c) The facility is in compliance with the FCIAA and the case should be closed.~~

~~(3) The county health department director will forward the completed inspection form to the Bureau of Facility Programs, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710.~~

~~(4) Upon receipt of the county health department director's report the Bureau of Facility Programs will:~~

~~(a) Grant an extension citing the period of the extension and the action needed to comply with the FCIAA. Should observed violations not be corrected within 7 days of the next inspection, in the absence of good cause shown, an administrative penalty shall be assessed in accordance with Chapter 120, F.S., and Section 64E-25.004, F.A.C., or~~

~~(b) Initiate administrative procedures according to the provisions of Chapter 120, F.S., or~~

~~(c) Close the case.~~

Specific Authority ~~420.535~~, 386.207 FS. Law Implemented ~~420.535~~, 381.0012, 386.205, 386.206 FS. History—New 2-27-94, Amended 4-2-96, Formerly 10D-105.008, Formerly 64D-1.001, Amended.

64E-25.002 On-Site Investigations of Public Places.

During inspections or investigations of any Clean Indoor Air Act complaint, DOH personnel shall document all observed violations of Section 386.205 or 386.206, F.S. Such violations include the following:

(1) through (11) No change.

(12) If smoking is allowed in common areas (section 386.203(6), F.S.) of a public place then a violation of Section 386.205(2)(a), F.S., exists and will be documented as: "Smoking areas designated in common areas expected to be used by the public."

Specific Authority ~~420.535~~, 386.207 FS. Law Implemented 386.205, 386.206 FS. History—New 2-27-94, Amended 2-19-96, 4-2-96. Formerly 10D-105.009, Formerly 64D-1.002, Amended.

64E-25.003 DOH Procedures for Responding to Complaints and Complaint Referrals Involving Public Places.

(1) To report a violation of the Florida Clean Indoor Air Act, the public may call the FCIAA office at 1-800-337-3742 or correspond via e-mail <http://www9.myflorida.com/environment/facility/fciao/fciaareq/htm>. If mailing a complaint, the FCIAA program office will need the following information: Name of public place (where violation is occurring), mailing address, city, and zip code, nature of

violation(s), and if possible, the name of the person in charge. Mail to the Bureau of Facility Programs, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399-1710.

(2)(4) In responding to complaints concerning alleged violations of Sections 386.205 or 386.206, F.S., in public places not inspected by DBPR, DOH personnel will, by certified mail:

(a) Issue a letter of noncompliance complaint to the proprietor or other person in charge of the affected public place indicating that alleged complaints have been received.

(b) through (d) No change.

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

~~(4) Upon completion of the on-site inspection, inspectors will complete the required sections of the Inspection Form, reporting that:~~

~~(a) The facility is not in compliance with the FCIAA and an extension should be granted, or~~

~~(b) The facility is not in compliance with the FCIAA and administrative proceedings should be initiated, or~~

~~(c) The facility is in compliance with the FCIAA and the case should be closed.~~

~~(5) The county health department director will forward the completed inspection form to the Bureau of Facility Programs, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1710.~~

~~(6) Upon receipt of the county health department director's report the Bureau of Facility Programs will:~~

~~(a) Issue a letter of extension citing the period of the extension and the action needed to comply with the FCIAA or,~~

~~(b) Initiate administrative procedures according to the provisions of Chapter 120, F.S., or~~

~~(c) Close the case.~~

Specific Authority ~~120.535~~, 386.207 FS. Law Implemented ~~120.535~~, 381.0012, 386.205, 386.206 FS. History—New 2-27-94, Amended 4-2-96, Formerly 10D-105.010, Formerly 64D-1.003, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Donna Arnold

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eric Grimm, Chief, Bureau of Facility Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 3, 2002

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE NO.: 3D-20.0022
RULE TITLE: Proof of Ownership and Entitlement to Unclaimed Property

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 22, May 31, 2002, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF INSURANCE

RULE NOS.: 4-204.001, 4-204.002, 4-204.004, 4-204.006, 4-204.010, 4-204.012, 4-204.022, 4-204.025
RULE TITLES: Purpose and Scope, Definitions, Form Filings, Forms Review, Viatical Settlement Contracts and Forms Related Thereto, Viatical Settlement Purchase Agreements, Required Business Records in General, Department Forms

NOTICE OF ADDITIONAL HEARING

PROPOSED RULE DEVELOPMENT PUBLICATION: Vol. 26 No. 41, October 13, 2001

PROPOSED RULE HEARING PUBLICATION: Vol. 27, No. 45, November 9, 2001

PURPOSE AND EFFECT: To promulgate a rule chapter to implement the Viatical Settlement Act, Part X of Chapter 626, Florida Statutes. The rule is mandatory.

SUMMARY: This rule is mandated by the Viatical Settlement Act, Part X of Chapter 626, Florida Statutes. The rule contains, among other things, definitions of terms used in the act, disclosure for purchases of viatical settlements, record keeping requirements related to executed viatical settlement contracts and viatical settlement purchase agreements, collection of data, advertising and reporting of life expectancies. There have been to (2) previous workshops on this matter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 626.9921, 626.9922, 626.9923, 626.99235, 626.99236, 626.9924, 626.9925 FS.

LAW IMPLEMENTED: 626.9911, 626.9922, 626.9923, 626.99235, 626.99236, 626.9924, 626.9925, 626.99277 FS.

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

TIME AND DATE: 9:30 a.m., September 5, 2002

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

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 the contact person above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ted Straughn, Specialty Insurers, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0331, (850)413-2474

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-220.001	Pre-qualification and Licensure of Emergency Adjusters

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 21, May 24, of the Florida Administrative Weekly:

Paragraph (8) "8/98" is changed to "6/02."

This change is being made to incorporate the latest revision of the form.

The remainder of the rule reads as previously published.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:	RULE TITLE:
5E-2.0311	Pesticides

NOTICE OF CHANGE

The Department of Agriculture and Consumer Services announces the cancellation of one of the negotiated rulemaking meetings which appeared in the April 26, 2002 issue of the Florida Administrative Weekly, Vol. 28, No. 17.

Specifically, the July 25, 2002 meeting scheduled at the Hurston South Tower, 400 West Robinson Street, Orlando, Florida 32301, is hereby cancelled. If necessary, a new meeting will be announced at a later date.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5L-3	Aquaculture Best Management Practices

RULE NO.:	RULE TITLE:
5L-3.004	Aquaculture Best Management Practices Manual

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule, as noticed in Vol. 28, No. 26, June 28, 2002, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-22.010	Qualifying Activities for Laws and Rule Requirements
61G15-22.011	Board Approval of Continuing Education Providers

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 28, No. 20, May 17, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from staff at the Joint Administrative Procedures Committee.

Rule 61G15-22.010, Subsection (4) shall now read as follows:

(4) All consultant engineers used by the Board in the resolution of Board business, including rule making and prosecution of discipline cases and complaints, shall receive credit for four (4) PDH's in laws and rules of the Board by specific approval of the Board of a written list of such consultants during each biennium.

Rule 61G15-22.011, Subsection (10) shall now read as follows:

(10) The following providers shall be approved as providers until July 1, 2006, and the Board shall accept their courses for continuing education credit.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.015
 RULE TITLE: Notices of Satisfactory Course Completion

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 28, No. 22, May 31, 2002, issue of the Florida Administrative Weekly. The changes are pursuant to the orders of the Florida Real Estate Commission and for the purpose of publishing the specific text changes to the rule as amended and proposed by the Florida Real Estate Commission.

61J2-3.015 Notices of Satisfactory Course Completion.

(1) through (5) No change.

(6)(a) All providers of continuing education and post-licensing courses shall provide to all licensees who successfully complete ~~the relevant~~ course a certificate of completion which shall indicate the course title and number, the provider's name and number, the licensee's or registrant's name and license or registration number, the course dates, and total number of hours the student successfully completed ~~by specifying the number of core law and specialty course hours and listing each subject which the course covered.~~

(b) through (f) No change.

~~(7)(6) All~~ All The course completion reports shall contain the following information: ~~for the type of course being completed.~~ Name and address of the school; course title and number of hours; start, completion and exam date; student's name, address, ~~social security number,~~ and where applicable, student's license number; ~~and~~ the authorized signature for the school; and the following language:

(a) through (e) No change.

~~(f) Each course completion report shall contain the following information:~~

The student named in this report has completed the referenced course in accordance with the requirements of the Florida Real Estate Commission. The school must give the student ~~(The original course completion report is to be given to the student and both the student and the school must retain a copy for at least five years retained by the school.~~

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.15, Amended 10-13-88, 12-29-91, 6-7-92, 6-28-93, Formerly 21V-3.015, Amended 9-11-94, 12-30-97, 1-18-00, 10-15-00.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.004
 RULE TITLE: Standards for the Prescription of Obesity Drugs

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 28, No. 8, February 22, 2002 issue of the Florida Administrative Weekly. The changes are in response to comments from the Joint Administrative Procedures Committee and from a Public Hearing requested by the Florida Osteopathic Medical Association held on June 7, 2002.

The changes are as follows:

1. The introductory paragraph shall read as follows:

The prescription of medication for the purpose of enhancing weight loss should only be performed by osteopathic physicians with training and experience to treat obesity. All licensees are expected to abide by the following guidelines and standards in the utilization of any drug or synthetic compound for the purpose of providing medically assisted weight loss.

2. Subparagraph (1) shall read as follows:

(1) To justify the use of weight loss enhancers as set forth above, the patient must have a Body Mass Index (BMI) of 30 or above, or a BMI of greater than 25 with at least one comorbidity factor, or a measurable body fat content equal to or greater than 25% of total body weight for male patients or 30% of total body weight for women. The prescription of such weight loss enhancers is not generally appropriate for children. Any time such prescriptions are made for children, the prescribing osteopathic physician must obtain a written informed consent from the parent or legal guardian of the minor patient in addition to complying with the other guidelines and standards set forth in this rule. BMI is calculated by use of the formula BMI = kg/m². The osteopathic physician may deviate from these guidelines in individual cases where two or more comorbidity factors are present.

3. Subparagraph (2) is deleted.

4. Subparagraph (3) is renumbered to subparagraph (2) and shall read as follows:

(2) An initial evaluation of the patient shall be conducted prior to the prescribing, ordering, dispensing, or administering of any drug or synthetic compound and such evaluation shall include an appropriate physical and complete history; appropriate tests related to medical treatment for weight loss; and appropriate medical referrals as indicated by the physical, history, and testing; all in accordance with general medical standards of care.

(a) through (b) No change.

5. Subparagraph (4) is renumbered to subparagraph (3) and shall read as follows:

(3) Prescriptions or orders for any drug or synthetic compound for the purpose of assisting in weight loss must be in writing and signed by the prescribing osteopathic physician.

Initial prescriptions or orders of this type shall not be called into a pharmacy by the osteopathic physician or by an agent of the osteopathic physician.

6. Subparagraph (5) is renumbered to subparagraph (4) No change.

7. Subparagraph (6) is renumbered to subparagraph (5) and shall read as follows:

(5) Each osteopathic physician who is prescribing, ordering, or providing weight loss enhancers to patients must assure that such patients undergo an in-person re-evaluation within 2 to 4 weeks of receiving a prescription, order, or dosage. The re-evaluation shall include the elements of the initial evaluation and an assessment of the medical effects of the treatment being provided. Any patient that continues on a drug or synthetic compound assisted weight loss program shall be re-evaluated at least once every 3 months.

8. Subparagraph (7) is renumbered to subparagraph (6) and shall read as follows:

(6) Each osteopathic physician who prescribes, orders, dispenses, or administers any drug or synthetic compound for the purpose of assisting a patient in weight loss shall maintain medical records in compliance with Rule 64B15-15.004, Florida Administrative Code, and must also reflect compliance with all requirements of this rule.

9. Subparagraph (8) is renumbered to subparagraph (7) and shall read as follows:

(7) Each osteopathic physician who prescribes, orders, dispenses, or administers weight loss enhancers for the purpose of providing medically assisted weight loss shall provide to each patient a legible copy of the Weight-Loss Consumer Bill of Rights as set forth in Section 501.0575(1)(a) through (e)3., Florida Statutes.

10. Subparagraph (9) is renumbered to subparagraph (8) No change.

11. Specific Authority citations shall now read as follows: 459.005, 459.0135 FS.

12. Law Implemented citation shall now read as follows: 459.0135 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Osteopathic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-3.001
 RULE TITLE: Licensure as a Physical Therapist by Examination

NOTICE OF PUBLIC HEARING

The Board of Physical Therapy Practice hereby gives notice of a public hearing on the above-referenced rules to be held on August 2, 2002 at 11:00 a.m., at the Crowne Plaza Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812. This public hearing is being held to consider credentialing, the feasibility of a credentialing agency approval process, and in response to comments received from the staff of the Joint Administrative Procedures Committee. The rules were originally published in Vol. 28, No. 22, May 31, 2002 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-4.001
 RULE TITLE: Licensure as a Physical Therapist Assistant by Examination

NOTICE OF PUBLIC HEARING

The Board of Physical Therapy Practice hereby gives notice of a public hearing on the above-referenced rules to be held on August 2, 2002 at 11:00 a.m., at the Crowne Plaza Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812. This public hearing is being held to consider credentialing, the feasibility of a credentialing agency approval process, and in response to comments received from the staff of the Joint Administrative Procedures Committee. The rules were originally published in Vol. 28, No. 22, May 31, 2002 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board 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).

**Section IV
Emergency Rules**

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Administration of the Ron Silver Senior Drug Program	59GER02
RULE TITLES:	RULE NOS.:
Purpose	59GER02-01
Definitions	59GER02-02
Eligibility/Enrollment	59GER02-03
Program Administration	59GER02-04
Program Forms	59GER02-05

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: The immediate implementation of this program will provide a benefit of life-saving drugs to beneficiaries who would not otherwise be able to afford the drugs.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The lack of prescription drug coverage for individuals aged 65 and older is a widely publicized problem with noted health hazards. Implementing this emergency rule will allow the agency to provide this benefit to nearly 59,000 low-income elderly.

SUMMARY OF THE RULE: This rule establishes the framework for implementing the Ron Silver Senior Drug Program, which will provide a pharmacy benefit to low-income elderly residents of Florida.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Matthew Dull, Project Manager, Medicaid Pharmacy Services, 2727 Mahan Drive, Tallahassee, FL 32308, (850)487-4441

THE FULL TEXT OF THE EMERGENCY RULES IS:

CHAPTER 59GER02 – ADMINISTRATION OF THE RON SILVER SENIOR DRUG PROGRAM.

59GER02-01 Purpose.

The purpose of these rules is to implement the Ron Silver Senior Drug Program (program) to be administered by the Agency for Health Care Administration as directed in subsections (1) and (2) of Section 409.9065, Florida Statutes. The program will provide a pharmacy benefit to low-income elderly residents of Florida to help address the need for prescription drug coverage.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History–New 7-10-02.

59GER02-02 Definitions.

(1) The Agency for Health Care Administration (agency) is the single state Medicaid agency and the state agency designated to administer the Ron Silver Senior Drug Program, which will be known as the ‘Silver Saver’ program.

(2) The Department of Children and Families, in accordance with Section 409.902, Florida Statutes, will determine the eligibility of individuals applying for enrollment in the Ron Silver Senior Drug Program.

(3) The Department of Elder Affairs (DOEA) will assist the Agency for Health Care Administration in designing and implementing outreach and education for the program through the SHINE (Serving Health Insurance Needs of Elders) toll-free hotline and other outreach and educational initiatives.

(4) The Ron Silver Senior Drug Program is a Medicaid program providing prescribed drug benefits to individuals aged 65 and older meeting certain other eligibility criteria and who do not otherwise receive a pharmacy benefit from Medicaid. The program is being implemented under an approved Federal, Section 1115 waiver. The program shall be known as the ‘Silver Saver’ program.

(5) Under the Silver Saver Program eligible and enrolled individuals may receive a pharmacy benefit of up to \$160 per month.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History–New 7-10-02.

59GER02-03 Eligibility/Enrollment.

For state fiscal year 2002-03, enrollment in the Silver Saver Program will be limited to a monthly enrollment ceiling of 58,472. An individual may be determined eligible for the program but not enrolled if there is no available enrollment space. Enrollment will occur each month comparing enrollment against the enrollment ceiling. If additional enrollment spaces are available because of terminations, eligibles will be added to the enrollment roster in the date order of eligibility determinations. An individual will not have access to the pharmacy benefits in this program until determined both eligible and enrolled. Enrollment will begin in the month in which the agency notifies an individual that he is enrolled.

(1) To be eligible for the Silver Saver Program an individual must meet the following criteria:

(a) Be a Florida resident and age 65 or older;

(b) Be eligible for Medicare;

(c) Have an income level between 88 and 120 percent of the federal poverty level; and

(d) Be already enrolled in the Medicaid program under the Qualified Medicare Beneficiaries eligibility category, the Specified Low-Income Medicare Beneficiaries eligibility category, or meet the income and other qualifying criteria for either category but has not been subject to an assets test in determining eligibility. If eligibility was established without an

assets test the individual is eligible for a drug only benefit and not the other benefits afforded to Qualified Medicare Beneficiaries or Specified Low-Income Medicare Beneficiaries.

(2) To be enrolled in the Silver Saver Program an individual must be determined eligible for the program, notified by the agency of enrollment in the program and activation of the drug benefit, and provided with a Medicaid identification card if the enrollee does not already have one.

(3) Eligibility for the Silver Saver Program will be determined by the Department of Children and Families.

(4) Individuals who meet the eligibility requirements are not mandated to participate in the program.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History—New 7-10-02.

59GER02-04 Program Administration.

(1) The agency shall administer the Silver Saver Program.

(2) The agency will implement the beneficiary cost-sharing requirement as follows:

(a) No premium, enrollment fee or annual deductible will be charged to the beneficiary; and

(b) A mandatory three-tiered co-payment as follows: \$2.00 for generic drugs; \$5.00 for brand name drugs listed on the Medicaid Preferred Drug List (PDL); and \$15.00 for brand name drugs not listed on the Medicaid PDL.

(3) All current Medicaid pharmacy benefit management programs will be used with this population, including a limit of four brand-name prescriptions per month with prior authorizations required for exceptions to the limit, clinical and PDL prior authorizations, drug utilization review (DUR), intensified benefits management and other cost control measures.

(4) All drugs must be purchased through Medicaid participating pharmacies.

(5) A Medicaid participating pharmacy is not required to dispense a Medicaid reimbursable drug until the beneficiary has met his cost-sharing requirement.

(6) All drugs will qualify for all federal and state supplemental rebate agreements.

(7) Medicaid will be considered the payer of last resort as any other insurance benefits must be used prior to payment by Medicaid.

(8) The agency, through the Medicaid fiscal agent, will maintain a waiting list for individuals determined to be eligible by the Department of Children and Families but who cannot be enrolled due to the enrollment ceiling.

(9) The agency will review the status of eligibles each month and move eligible individuals into enrollment status as openings occur.

(10) The Department of Children and Families, in accordance with Section 409.902, Florida Statutes, shall:

(a) Determine eligibility;

(b) Develop and distribute applications for the program; and

(c) Receive and process applications to determine eligibility.

(11) The Department of Elder Affairs will assist the agency in coordinating outreach to and education for potential eligibles through the SHINE (Serving Health Insurance Needs of Elders) toll-free hotline and other marketing and educational approaches.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History—New 7-10-02.

59GER02-05 Program Forms.

The following forms shall be used by the Silver Saver program, and are hereby incorporated by reference and available through either the agency or the Department of Children and Families:

(1) Silver Saver Application form, developed by the Department of Children and Families.

(2) Recipient notifications of eligibility and enrollment, developed by the Department of Children and Families and the agency, respectively.

Specific Authority 409.9065(4)(b) FS. Law Implemented 409.9065(4)(b) History—New 7-10-02.

THIS RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE
EFFECTIVE DATE: July 10, 2002

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE CHAPTER TITLE: Restrictions on the Import of Cervids into the State of Florida

RULE TITLES:	RULE NOS.:
Definitions	68AER02-1
General Requirements for Importation	68AER02-2
General Requirements for Intrastate Movement	68AER02-3
Requirements and Exceptions	68AER02-4
Cervidae Herd Health Plan	68AER02-5
Exceptions	68AER02-6
Effective Date	68AER02-7

SPECIFIC FACTS AND REASON FOR THE FINDING AN IMMEDIATE DANGER THE PUBLIC HEALTH, SAFETY AND WELFARE: Chronic Wasting Disease (CWD) has been found to be present in Cervidae (deer, elk) in a number of Western and Mid western states in the United States. Captive and free ranging elk, white-tailed deer mule deer and black-tailed deer have been diagnosed with CWD in these states. CWD is a progressive neurological, debilitating disease that belongs to a family of diseases known as Transmissible Spongiform Encephalopathies, or prion diseases, and attacks the brains of live animals, eventually leading to death. The means of transmission or origin of CWD is not known.

Additionally, there is no known prevention and treatment regimen, nor is there presently a live animal diagnostic test. This disease has potential catastrophic consequences for native white-tailed deer (*Odocoileus virginianus*) herds in the State of Florida if the disease is allowed to be introduced and disseminated.

At present, private deer breeders and hunting preserves in Florida are permitted to import a number of out-of-state cervids into Florida. This importation jeopardizes the native herd as well as captive animals.

REASON FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The emergency rule establishes strict conditions for the importation of cervids and is the only sure way to prevent the introduction of a disease which would potentially decimate captive and native cervids. The emergency rule is fair under the circumstances because any outbreak of CWD in the State of Florida would devastate the commercial interests inherent in public hunting and captive wildlife facilities; such an outbreak having the potential to require elimination of certain deer herds, including captive stock, within certain geographic areas of the state. The proposed rule shall be imposed and enforced fairly and equally among all private and public participants in the importation of cervids.

SUMMARY OF THE RULE: The emergency rule would place conditions upon the importation of cervids into the State of Florida. The emergency rule would also place conditions on the intrastate movement of cervids in Florida.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: James V. Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE EMERGENCY RULES IS:

68AER02-1 Definitions.

For the purpose of this emergency rule, the following words shall have the meaning indicated:

(1) Brucellosis. An infectious disease of animals and humans caused by bacteria of the genus *Brucella*. The disease is characterized by abortion and impaired fertility in its principal animal hosts.

(2) Cervid(ae). Any member of the family Cervidae which includes deer, elk, moose, or their hybrids or related species. Cervidae mentioned in this rule are privately or publicly maintained or held for economic or other purposes within a perimeter fence or confined space.

(3) Cervidae Herd Health Plan. The Cervidae Herd Health Plan is a written herd management agreement between FDACS and the herd owner.

(4) Chronic Wasting Disease (CWD). CWD is a progressive neurological, debilitating disease affecting cervidae. CWD belongs to a family of diseases known as Transmissible Spongiform Encephalopathies (TSEs) or prion diseases.

(5) FDACS. Florida Department of Agriculture and Consumer Services.

(6) FWC. Florida Fish and Wildlife Conservation Commission.

(7) Import, Imported, Importation. The movement of animals into the State of Florida, from another state, United States territories or a foreign country.

(8) Intrastate Movements. Cervidae movement within the State of Florida from one county to another or within the same county.

(9) Movement Risk Assessment. Cervids are classified for movement as follows: High Risk cervids are from herds where CWD has been diagnosed or from herds that have been exposed to CWD. Medium Risk cervids are from herds without known exposure in states where CWD has been diagnosed in captive or free-ranging cervids but do not originate in a prescribed physical proximity where CWD has been diagnosed. Low Risk cervids are from CWD monitored herds in states where CWD has not been diagnosed but which have a surveillance/ prevention program(s).

(10) Official Certificate of Veterinary Inspection (OCVI). A legible certificate made on an official form from the state of origin or from the United States Department of Agriculture (USDA), issued by an authorized representative, and approved by the chief animal health official of the state of origin.

(11) Trace-forward herd. A herd that has received an animal from a CWD positive herd within sixty (60) months prior to the diagnosis of CWD in the positive herd.

(12) Trace-back herd. A herd in which a CWD positive animal resided in any of the sixty (60) months prior to diagnosis of CWD in the positive herd.

(13) Tuberculosis. A disease in cattle, captive cervids, bison, and goats caused by the bacteria *Mycobacterium bovis*.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-3-02.

68AER02-2 General Requirements for Importation.

(1) Notwithstanding any other FWC rules, all cervidae for importation shall originate from a herd which has a CWD surveillance/prevention program approved by FDACS and currently holds a CWD-free status. The originating herd status must be CWD free for sixty (60) months prior to importation of any animals into Florida.

(2) OCVI Required. Notwithstanding any other FWC rules, all cervidae imported into the state must be accompanied by an OCVI, except cervidae consigned directly to a recognized slaughtering establishment which are accompanied by permission from the FDACS State Veterinarian or

authorized representative as denoted in subsection (3). The OCVI shall be attached to the waybill or be in the possession of the driver of the vehicle or person otherwise in charge of the animals. The OCVI shall accompany the animals to their final destinations in Florida. No person, firm, or association shall have charge, custody, or control of animals imported in violation of this emergency rule.

(a) All information required on the OCVI shall be fully completed by the issuing veterinarian and shall include the following:

1. The name, address and phone number of the consignor;
2. The name, address and phone number of the consignee;
3. The point of origin;
4. The point of destination;
5. The date of examination;
6. The number of animals examined;
7. The individual permanent identification number or other identification approved by the FDACS, for each animal;
8. The sex, age, breed and species of each identified animal;
9. Test results and herd or state status on CWD, brucellosis and tuberculosis as specified in this emergency rule;
10. A statement by the issuing veterinarian that the animals identified on the OCVI are free of signs of infectious, communicable or neurologic disease, and;
11. The phone number of the issuing veterinarian.

(b) A copy of the OCVI, approved by the chief animal health official of the state of origin, shall be forwarded immediately to the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, Tallahassee, Florida.

(c) The OCVI shall be void 30 days after issuance.

(3) All person importing cervidae shall have permission from the FDACS State Veterinarian or authorized representative prior to animal importation. This permission shall be recorded by a number or certificate which shall accompany the OCVI during any animal movement.

(4) Consignee shall possess, and provide for inspection, a valid FWC license or permit to possess wildlife, as required by rule or law.

(5) Consignee must be in compliance with the requirements of an approved FDACS Cervidae Herd Health Plan.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-3-02.

68AER02-3 General Requirements for Intrastate Movement.

(1) Animals which are not required to have an OCVI and animals being transported totally within the state shall be accompanied by evidence of ownership or authority for possession of the animals or a notarized affidavit of authority to transport. These documents shall disclose:

(a) The name, address and phone number of the consignor;
(b) The name, address and phone number of the consignee;

(c) The point of origin;

(d) The point of destination, and;

(e) The individual permanent identification number or other identification approved by the FDACS, for each animal;

(2) All persons moving cervidae shall possess permission from the FDACS State Veterinarian or authorized representative prior to animal movement. This permission shall be recorded by a number or certificate which shall accompany the animals during movement.

(3) Consignee and consignor shall possess, and provide for inspection, a valid FWC license or permit to possess wildlife, as required by rule or law.

(4) Consignee and consignor must be in compliance with the requirements of an approved FDACS Cervidae Herd Health Plan.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 7-3-02.

68AER02-4 Requirements and Exceptions.

(1) Chronic Wasting Disease Test. No test is presently required for importation. To date, there is no approved live animal test to detect CWD in cervidae. A positive diagnosis is based on post mortem brain testing at a CWD certified laboratory.

(2) Tuberculosis Test.

(a) Cervidae from an Accredited Tuberculosis-Free Herd. No test is required for cervidae which originate from an Accredited Tuberculosis-Free Herd program that is approved by FDACS.

The statement of herd status shall be recorded on the OCVI accompanying the cervidae.

(b) Cervidae not known to be affected with or exposed to tuberculosis may be imported if they:

1. Are under one (1) month of age, or

2. Originate from a herd which has been classified negative to an official tuberculosis test of all eligible animals conducted within the past twelve (12) months, and the animals to be imported have been classified negative to an official tuberculosis test, conducted within ninety (90) days prior to importation, or

3. Have been classified negative to two (2) official tuberculosis tests conducted not less than ninety (90) days apart; the second test was conducted within ninety (90) days prior to importation; and the animals were isolated from all other members of the herd during the testing period.

(c) The tuberculosis test results must be recorded on the OCVI accompanying the cervidae.

(3) Brucellosis Test.

(a) Cervidae from an Accredited Brucellosis-Free Herd. No test is required for cervidae which originate from an Accredited Brucellosis-Free Herd program that is accepted by FDACS. The statement of herd status shall be recorded on the OCVI accompanying the cervidae.

(b) Cervidae not known to be affected with or exposed to brucellosis may be imported if they:

1. Are less than one (1) month of age, or
2. Have a negative official brucellosis test conducted within ninety (90) days prior to importation.

(c) The brucellosis test results must be recorded on the OCVI accompanying the cervidae.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-3-02.

68AER02-5 Cervidae Herd Health Plan.

The Cervidae Herd Health Plan is a written herd management agreement between FDACS and the herd owner. This plan is based upon a thorough epidemiological investigation and risk assessment of the herd and their facility. This plan analyzes the risk of continued disease transmission by clinical and subclinical animals and/or environmental contamination. This plan sets out specific actions to be followed to monitor or survey the herd for specific disease(s) or eradicate specific disease(s) from the herd.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-3-02.

68AER02-6 Exceptions.

Exceptions to the movement requirements in this rule shall be determined by the FDACS State Veterinarian or authorized representative. Cervids that are classified by the Movement Risk Assessment as Low Risk for CWD may be considered for waiver of this rule based upon sound scientific information then available as determined by the FDACS State Veterinarian or authorized representative. Cervids that are classified as High Risk for CWD or Medium Risk for CWD shall not be subject to a waiver from this rule.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-3-02.

68AER02-7 Effective Date.

This emergency rule shall take effect at 12:01 a.m on July 3, 2002 and shall remain in effect through September 30, 2002, inclusive.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-3-02.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 12:01 a.m., July 3, 2002

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN that on June 24, 2002, the Florida Department of Agriculture and Consumer Services, Division of Standards, Bureau of Liquefied Petroleum Gas Inspections received a petition from the Florida Propane Gas Association requesting an emergency temporary waiver of the requirements of Section 2-3.1.5, National Fire Protection Association Standard #58, 1998 edition, adopted pursuant to Section 5F-11.002, Florida Administrative Code, relating to overfill prevention devices in propane cylinders of 30-40 lbs. propane capacity. The emergency temporary waiver is requested through October 1, 2002, on the basis of unavailability of the required devices.

A copy of the petition can be obtained from: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32399-1650.

The Department will accept comments concerning the Petition for 14 days from the publication of this notice. To be considered, comments must be received on or before 5:00 p.m. on the 14th day after publication of this notice at the Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32399-1650.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Florida Power Corporation's petition for waiver of Rule 25-6.1353, Florida Administrative Code, filed February 19, 2002, in Docket No. 020112-EI was approved by the Commission at its May 21, 2002 Agenda Conference. Order No. PSC-02-0782-PAA-EI, issued June 10, 2002 memorialized the decision. The rule addresses the annual filing of forecasted earnings surveillance reports. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on March 15, 2002.

A copy of the Order can be obtained from either the Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

DEPARTMENT OF THE LOTTERY

NOTICE IS HEREBY GIVEN THAT the Department of the Lottery has received a Petition for Waiver of Rule 53ER02-12(5), F.A.C., *Procedures for Awarding Prizes*, from the following petitioner:

Petitioner	Date Filed
Vivian Diane Tromblay, Lake Park, Florida	June 26, 2002

Emergency Rule 53ER02-12, F.A.C., sets forth the provisions for payment of prizes to players.

A copy of the Petition can be obtained from: Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

NOTICE IS HEREBY GIVEN THAT the Department of the Lottery has received a Petition for Waiver of Rule 53ER02-12(5), F.A.C., *Procedures for Awarding Prizes*, from the following petitioner:

Petitioner	Date Filed
Julius Weinstock, Boca Raton, Florida	June 12, 2002

Emergency Rule 53ER02-12, F.A.C., sets forth the provisions for payment of prizes to players.

A copy of the Petition can be obtained from: Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP received on June 27, 2002, a petition from Chevron Products Company (Facility No. 088518982) for a waiver pursuant to subparagraph 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEP received on June 27, 2002, a petition from Chevron Products Company (Facility No. 178508140) for a waiver pursuant to subparagraph 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT ON July 1, 2002, the Department of Health, Board of Occupational Therapy Practice filed an Order disposing of an emergency petition for variance from its continuing education rule requirements as filed by

Elma J. Teeters. The Petition was filed with the Board on June 21, 2002, and noticed in the Florida Administrative Weekly on July 5, 2002, Vol. 28, No. 27.

The Order provides in summary that Petitioner failed to meet the minimum requirement for filing a petition for variance and failed to demonstrate an emergency situation. Accordingly, the petition for emergency variance has been denied. The denial is without prejudice to the filing of a proper non-emergency petition for variance.

A copy of the Order may be obtained from: Deputy Agency Clerk, Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C01, Tallahassee, Florida 32399-3251, (850)245-4121.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed by Anthony J. Fischetto, Ed.D. The Board considered the Petition at its meeting held on March 22, 2002, in Miami, Florida. The Board's Order, filed on April 15, 2002, grants the petition for waiver or variance finding that the underlying purpose of the statute, as implemented by paragraph 64B19-11.0035(5)(j), F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed on behalf of James B. Goebel, Ph.D. The Board considered the Petition at its meeting held on April 12, 2002, by telephone conference call. The Board's Order, filed on April 19, 2002, grants the petition for waiver or variance finding that the underlying purpose of the statute, as implemented by paragraph 64B19-11.0035(5)(j), F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed by Mark David Shermis, Ph.D. The Board considered the Petition at its meeting held on March 22, 2002, in Miami, Florida. The Board's Order, filed on April 15, 2002, grants the petition for waiver or variance finding that the underlying purpose of the statute, as implemented by paragraph 64B19-11.0035(5)(j), F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed on behalf of Amy E. Boyers, Ph.D. The Board considered the Petition at its meeting held on June 7, 2002, in Tampa, Florida. The Board's Order, filed on June 18, 2002, grants the petition for waiver or variance finding that the underlying purpose of the statute, as implemented by subsections 64B19-11.007(1) and (3), F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed by Christine Higgins, Ph.D. The Board considered the Petition at its meeting held on January 31, 2002, by telephone conference call. The Board's Order, filed on April 24, 2002, denies the petition for waiver or variance finding that the Petitioner has not presented sufficient evidence that she meets the requirements of §120.542(2), F.S.; that the underlying purpose of the statute has not been met; and that the Petitioner has not demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF INSURANCE

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

DATE AND TIME: August 15, 2002, 9:00 a.m.

PLACE: Monroe County Harvey Government Center, 1200 Truman Avenue, Key West, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Request from Eaton Manor and Artist House Key West, Inc. for the Historical Building Task Force to hold a public hearing under subsection (4) of Section 509.215, Florida Statutes, to determine whether those establishments should be granted a special exception to the requirements of Section 509.215, Florida Statutes, relating to firesafety.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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 Millicent King at the above address or by calling (850)413-3619.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Pesticide Review Council to which all persons are invited.

DATE AND TIME: Thursday, July 25, 2002, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Auditorium, 1911 Southwest 34th Street, Gainesville, Florida 32608-1201

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.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail L-29, Tallahassee, Florida 32399-1650.

The Florida **State Fair Authority** announces a schedule of meetings of the Amphitheater Negotiation Committee.

DATES AND TIME: Tuesday, July 23, 2002; Wednesday, July 24, 2002; Thursday, July 25, 2002; Tuesday, August 13, 2002; Wednesday, August 14, 2002; Thursday, August 15, 2002; Tuesday, August 20, 2002; Wednesday, August 21, 2002; Thursday, August 22, 2002, 9:30 a.m.

PLACE: Florida State Fairgrounds, Administration Office, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss contract negotiations with Clear Channel Entertainment regarding the possible construction of an amphitheater on the Florida State Fairgrounds.

AGENDA: A copy of the agendas may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, Post Office Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821, as soon as possible.

DEPARTMENT OF EDUCATION

NOTICE OF CHANGE – The Florida **Department of Education**, Charter School Review Panel announces a public meeting to which all persons are invited. (This meeting was previously scheduled for July 11, 2002.)

DATE AND TIME: Thursday, August 1, 2002, 9:00 a.m. – 3:00 p.m.

PLACE: Four Corners Charter School, Middle School Media Center, 9100 Teacher Lane, Davenport, Florida 33837, (407)787-4300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Charter School Review Panel will discuss recent developments regarding Florida charter schools.

An agenda will be available one week prior to the meeting. To obtain a copy of the agenda, please call or write the: Choice Office, Room 522, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)414-0780 or Suncom 994-0780.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Karen L. Hines-Henry at the above address or telephone numbers.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 24, 2002, 10:00 a.m.

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Building, 777 Glades Road, Boca Raton, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Academic and Student Affairs.

A copy of the agenda may be obtained by contacting: Dr. Kenneth Jessell, Florida Atlantic University, 777 Glades Road, Boca Raton, Florida 33431, (561)297-2011.

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 Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD number (561)297-2130.

The Florida **Higher Education Facilities Financing Authority** will hold a meeting on:

DATE AND TIME: Tuesday, July 23, 2002, 11:00 a.m. – 4:00 p.m.

PLACE: Nova Southeastern University, Fort Lauderdale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board workshop and to conduct regular board business.

For more information or to obtain a copy of the agenda, please contact: Jennifer Mock, Independent Colleges and Universities of Florida, 111 South Monroe St., Ste. 2000A, Tallahassee, Florida 32301, (850)681-3188.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling Jennifer Mock, (850)681-3188.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a public hearing to receive input from all interested parties on the Low-Income Home Energy Assistance Program (LIHEAP) state administrative plan for federal fiscal year (FFY) 2003 to which all interested parties are invited.

PUBLIC HEARING FOR THE LIHEAP STATE PLAN FOR FFY 2003

DATE AND TIME: August 6, 2002, 9:30 a.m. – 11:00 a.m.

PLACE: Florida Department of Community Affairs, Conference Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the State Administrative Plan for FFY 2003 which will be submitted to the United States Department of Health and Human Services.

A copy of the state plan and agenda may be obtained by writing: Department of Community Affairs, Lena A. Price, Planning Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, by telephoning (850)488-7541, by Fax (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the Community Assistance Section, (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Building Commission** announces the following meeting of the Educational Technical Advisory Committee to which all persons are invited.

DATE AND TIME: July 27, 2002, 10:00 a.m.

PLACE: Rosen Center, 9840 International Drive, Orlando, Florida 32819, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Building Code Training Program.

A copy of the Committee meeting agenda may be obtained by sending a request in writing: Charles Hickey, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or looking on the web site at www.florida-building.org.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Mr. Hickey, Department of Community Affairs, (850)487-1824, at least ten days before the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, Florida's Turnpike Enterprise in cooperation with the Federal Highway Administration announces a scoping meeting as required by 40 CFR 1501.7 to which all persons are invited.

DATE AND TIME: July 25, 2002, 1:30 p.m.

PLACE: Citrus County Government Center, 3600 West Sovereign Path, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, is conducting an Environmental Impact Study for the proposed extension of the Suncoast Parkway (SR 589) into Citrus County, Florida, from its present terminus at U.S. 98 in Hernando County, to U.S. 19 south of the Citrus-Levy County line, a distance of approximately 30 miles. To ensure that all significant issues related to the proposed action are identified, a scoping process is being carried out. As part of this process, a formal scoping meeting will be held on July 25, 2002, at the Citrus County Government Center, 3600 W. Sovereign Path, Lecanto, FL 34461, 1:30 p.m. Although its purpose is to solicit input from local, state and federal agencies and affected parties, the meeting is open to the public.

Questions concerning this scoping meeting should be addressed to: Mr. Marvin L. Williams, District Transportation Engineer, Federal Highway Administration, 227 N. Bronough Street, Room 2015, Tallahassee, Florida 32301-2015, (850)942-9650, Extension 3029 or Ms. Catherine J. Bradley, Project Development Engineer, Florida's Turnpike, P. O. Box 613069, Ocoee, Florida 34761, (407)532-3999, Extension 3802.

The meeting is being conducted pursuant to the provisions of 40 CFR 1501.7 and is 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.

Anyone requesting special accommodations under the Americans with Disabilities Act of 1990 should contact Catherine Bradley, P.E., Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069, (407)532-3999, Extension 3802. 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: Mr. Carl Gibilaro, P.E., Project Manager, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069.

The **Department of Transportation**, District 7 announces a public hearing to which all persons are invited.

DATE AND TIMES: August 8, 2002, 4:30 p.m. – 7:30 p.m. (with formal portion beginning at 6:00 p.m.)

PLACE: Frank W. Springstead High School, 3300 Mariner Boulevard, Spring Hill, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the proposed capacity improvements to County Line Road (C.R. 578), WPI Segment No. 257298 1, Federal-Aid Number 7822 001 S. The limits of the project corridor are from U.S. 19 (S.R. 55) to U.S. 41 (S.R. 45) in Pasco and Hernando Counties, Florida. Included as a part of this project is a segment of roadway on new alignment, referred to as the Ayers Road Extension, from the C.R. 578/Suncoast Parkway interchange to the vicinity of U.S. 41 and Ayers Road.

Persons who may require special accommodations under the Americans With Disabilities Act of 1990 should contact Mike Seifert, P.S.M., P.E., Project Manager, 1(800)226-7220, (813)975-6922.

A copy of the agenda may be obtained by writing: Kenneth Hartmann, P.E., District Secretary, Florida Department of Transportation, 11201 N. McKinley Drive, MS #7-500, Tampa, Florida 33612-6456.

DEPARTMENT OF CITRUS

NOTICE OF AMENDMENT – The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, July 17, 2002, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balance scorecards,

licensing, rulemaking, modifying the Department's symbol program and other matters that are addressed during monthly meetings of the Commission. The Commission will also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Equalization Tax litigation and the Treasa Towson litigation. The parties attending the closed session will be John R. Alexander, Walter L. Brewer, Tristan G. Chapman, Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, William E. Kemper, W. Lindsay Raley, Jr., Daniel R. Richey, Nancy J. Schafer, Ray Smith, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monterey Campbell, Esq., Eric Taylor, Esq. and Mia L. McKown, Esq.

The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission.

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 at (863)499-2510.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, July 31, 2002, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

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

PUBLIC SERVICE COMMISSION

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

Docket No. 011605-EI – Review of investor-owned electric utilities' risk management policies and procedures.

DATE AND TIME: August 5, 2002, 1:30 p.m.

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

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

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

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

DATE AND TIME: August 6, 2002, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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, Statement of Agency Organization and Operations), by contacting: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, (850)413-6770. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, 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 appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (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: August 6, 2002, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

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

Docket No. 020099-TP – Complaint of ALEC, Inc. for enforcement of interconnection agreement with Sprint-Florida, Incorporated and request for relief.

DATE AND TIME: August 7, 2002, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the complaint of ALEC, Inc. for enforcement of interconnection agreement with Sprint-Florida, Incorporated and request for relief, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on July 22, 2002. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any

person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Black Business Investment Board**, Inc. announces a teleconference meeting of the Compensation Committee.

DATES AND TIME: Monday, July 29, 2002; Friday, August 9, 2002; Monday, August 12, 2002, 10:00 a.m.

PLACE: Teleconference Meeting, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and recommend to the Board's chairman an employee compensation package for the President of the Florida Black Business Investment Board, Inc.

A copy of the agenda may be obtained by contacting: Florida Black Business Investment Board, Inc., 1711 S. Gadsden Street, Tallahassee, Florida 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at this meeting, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceeding is made, which record should include the testimony and evidence upon which the appeal is to be based.

REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council** announces a meeting of the Executive Committee to which all persons are invited.

DATE AND TIME: Monday, August 5, 2002, 10:00 a.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Blvd., Hollywood, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Executive Committee meeting on monthly Council business.

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.

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:

PUBLIC HEARING

DATE AND TIME: August 5, 2002, 8:30 a.m.

PLACE: County Center, Planning Commission Board Room, 18th Floor, 601 E. Kennedy Boulevard, 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. Executive Director's Report.
13. Employee Comment.
14. General Public Comment.
15. Discussion and Presentations.
16. Monthly Information Reports.
17. Other Information Items.
18. 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 900, Tampa, FL 33602, (813)223-6831, Ext.2111.

Section 286.0105, Florida Statutes, states that if a person decided 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 Lauren Skiver, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TTD).

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces a rule development workshop to which all persons are invited.

DATE AND TIME: Friday, July 26, 2002, 10:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a public workshop to discuss proposed changes to Chapter 40B-4, F.A.C., which sets forth requirements for environmental resource and works of the District permits.

A Notice of Rule Development announcing the proposed changes was published in the November 30, 2001, issue of the Florida Administrative Weekly.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this workshop may contact Lisa Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Southwest Florida Water Management District (SWFMWD)** announces the following public meeting to which all interested persons are invited:

SWFWMD TAMPA FACILITIES MEETING

DATE AND TIME: Thursday, July 25, 2002, 1:00 p.m.

PLACE: SWFWMD, Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Construction options for the Tampa facility.

SWFWMD TAMPA FACILITIES MEETING

DATE AND TIME: Friday, July 26, 2002, 9:00 a.m.

PLACE: SWFWMD, Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Construction options for the Tampa facility.

WATER ASSET MANAGEMENT SEMINAR

DATES AND TIMES: July 28, 2002, 6:00 p.m. – 8:30 p.m.; July 29, 2002, 8:00 a.m. – 5:30 p.m.

PLACE: Hyatt Regency Hotel, Two Tampa City Center, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water asset management issues.

These are public meetings and agendas are available by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 Extension 4604 (Florida only), TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

NOTICE OF CHANGE – The Southwest Florida Water Management District (SWFWMD) announces the following public meetings to which all interested persons are invited:

The following meeting, scheduled for Monday, July 22, 2002, has been cancelled and will be rescheduled at a later date:

SWFWMD GOVERNING BOARD AND TAMPA BAY WATER BOARD OF DIRECTORS JOINT WORKSHOP

SWFWMD TAMPA FACILITIES MEETING

DATE AND TIME: Thursday, July 25, 2002, 4:00 p.m. (Note: This is a change of time from what was originally noticed.)

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Construction options for the Tampa facility.

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, July 30, 2002, 8:30 a.m. (Note: This is a change of time from the published year-long calendar)

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting, public hearing and committee meetings.

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, July 31, 2002, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

TOUR OF LAKE HANCOCK

DATE AND TIME: Friday, August 2, 2002, 8:30 a.m.

PLACE: Departing from SWFWMD Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of Lake Hancock to assess water quality conditions.

WITHLACOCHEE RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, August 6, 2002, 8:30 a.m.

PLACE: Lecanto Government Center, 3600 W. Sovereign Path, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2003 final millage and budget.

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, August 6, 2002, 1:30 p.m. (Note: This is a change of time from the published year-long calendar.)

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2003 final millage and budget.

NORTHWEST HILLSBOROUGH BASIN BOARD MEETING

DATE AND TIME: Thursday, August 8, 2002, 1:00 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2003 final millage and budget.

ALAFIA RIVER BASIN BOARD MEETING (Note: This is a change of time and location from what was originally scheduled in the year-long calendar.)

DATE AND TIME: Thursday, August 8, 2002, 7:00 p.m.

PLACE: Brandon Culture Center, 619 Vonderburg Drive, Brandon, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2003 final millage and budget.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, August 9, 2002, 9:00 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2003 final millage and budget. Agricultural Irrigation Expo to follow Board meeting.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, August 13, 2002, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2003 final millage and budget.

PINELLAS-ANCLOTE RIVER BASIN BOARD

DATE AND TIME: Wednesday, August 14, 2002, 9:30 a.m.

PLACE: West Pasco Government Center, 7530 Little Road, New Port Richey, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2003 final millage and budget.

These are public meetings and agendas are available by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces a public meeting:

DATE AND TIME: Tuesday, July 30, 2002, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Governing Board Room, 2379 Broad Street, Brooksville, FL 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governing Board agenda for its meeting on July 30, 2002 announced in the Florida Administrative Weekly, Vol. 28, No. 29, dated July 19, 2002 includes continuation of the rulemaking for Category 3 lake levels and rules for the Southern Water Use Caution Area.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax (352)754-6878, Suncom 663-6878.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

GREEN INDUSTRY ADVISORY COMMITTEE

DATE AND TIME: Thursday, August 1, 2002, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

AGRICULTURAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, August 6, 2002, 4:00 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community and Legislative Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disability Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District**, Land Resources Department announces a public meeting that 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: Monday, July 30, 2002, 1:00 p.m.

PLACE: South Florida Water Management District, Headquarters, Egret Conference Room, 3rd Floor North East End, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Appraisal Review Committee will hold a meeting to approve new appraiser applications.

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 Committee decision require a record of the proceedings. Although Appraiser Review Committee 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 Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Ken Daw, Chief Appraiser, Real Estate Operations Division, MSC 3330, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

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: Thursday, July 31, 2002, 9:00 a.m. – 4:00 p.m. or earlier

PLACE: South Florida Water Management District, Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: SFWMD Governing Board Budget and Planning Workshop.

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 Committee decision require a record of the proceedings. Although Appraiser Review Committee 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 Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence, may contact Aaron Basinger, Budget Director, MSC 6260, 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: August 1, 2002, 9:00 a.m.

PLACE: Fort Myers Service Center, 2301 McGregor Boulevard, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Meeting of the Southwest Florida Study Team for the Southwest Florida Feasibility Study.
2. Meeting of the Southwest Florida Resource Team for the Southwest Florida Feasibility Study.

A copy of the agenda may be obtained by writing: South Florida Water Management District, 2301 McGregor Boulevard, Fort Myers, Florida 33919.

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 Paula Moree, District Clerk, (561)682-6447, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Janet Starnes, Fort Myers Service Center, 2301 McGregor Boulevard, Fort Myers, Florida, (941)338-2929.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: August 1, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: South Florida Water Management District, Headquarters, Storch Room, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical Oversight Committee meeting: tentative agenda includes:

1. Water Quality Conditions Reports to the TOC.
2. Modifications to Monitoring Programs, Manatee Bay.
3. Elimination of Atmospheric Deposition Monitoring; Continuing Discussion.
4. Evaluation of the Phosphorus Concentrations in the Refuge and Shark River Slough.
5. Interim Operation Plan for the Cape Sable Seaside Sparrow.
6. Status Report on Phosphorus Control Programs.
7. TOC Discussion of Compliance Methodology for P Load Reduction Targets of the Settlement Agreement.
8. Public Comments.

A copy of the agenda may be obtained at the 1) District Website <http://www.sfwmd.gov/agenda.html> or 2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office 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 the Assistant District Clerk, (561)686-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Dr. Garth Redfield, Environmental Monitoring and Assessment Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6611.

The **South Florida Water Management District** announces the following public meetings and hearings, which may be conducted by means of or in conjunction with communications technology, to which all persons are invited:

DATE AND TIME: August 14, 2002, 9:00 a.m.

PLACE: South Florida Water Management District, Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- A. Regular Governing Board Workshop/Meeting to discuss and consider District business including regulatory and non-regulatory matters.
- B. Conduct meeting of the Audit Committee, 2:00 p.m.

DATE AND TIME: August 15, 2002, 8:30 a.m.

PLACE: South Florida Water Management District, Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board meeting for consideration of regulatory and non-regulatory matters, including public hearings.

NOTE: Except for public hearings, any item which appears on the agenda for any of the Governing Board meetings that appear in this notice may be discussed and considered at any of the Governing Board Meetings that appear in this notice. The order of items appearing on the agendas is subject to change during the meetings.

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 or may be acquired via the SFWMD, web site at <http://www.sfwmd.gov/agenda.html>.

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 testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Deputy District Clerk, (561)682-6447, at least two business days in advance to make appropriate arrangements.

NOTE: All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board Members.

Any item which appears on the agenda for the Governing Board Workshop/Meeting or Regular Meeting may be considered at the August 14, 2002, Workshop Meeting or August 15, 2002, Regular Meeting meetings of the Governing Board.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the Chair(s) and Governing Board(s). Except for Governing Board hearings that involve the issuance of final orders based on recommended orders received from the Florida Division of Administrative Hearings, public comment will be taken after each presentation and before any Governing Board action(s).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: August 15, 2002, 8:50 a.m.

PLACE: The South Florida Water Management, Headquarters, Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

A copy of the agenda may be obtained at the 1) District Website <http://www.sfwmd.gov/agenda.html> or 2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, FL 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 the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Blair R. LittleJohn, III, Deputy Department Director, Land Acquisition, Real Estate Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3310, West Palm Beach, FL 33406, (561)682-6206.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, July 29, 2002, 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Loxahatchee River Management Coordinating Council.

PLACE: Northern Palm Beach County Improvement District, Auditorium, 357 Hiatt Drive, Palm Beach Gardens, FL

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 4770, 210 Atlanta Avenue, Stuart, Florida 34994.

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 the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Kathy LaMartina, Martin/St.Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (772)223-2600, Ext. 3603.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a meeting of the Request for Proposal (RFP) Working Group to which all persons are invited.

DATE AND TIME: Tuesday, July 30, 2002, 10:00 a.m. – Until completion

PLACE: Radisson Hotel Orlando, Universal B Meeting Room, 5780 Major Boulevard, Orlando, Florida, (407)351-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To select a Chairperson, identify goals and objectives, discuss the draft RFP outline, discuss sub-committee assignments and other items.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS #49, Tallahassee, Florida 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Public Hearing and Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, July 22, 2002, 9:00 a.m.

PLACE: Tampa Bay Water, Suite 211-A, 2535 Landmark Drive, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing prior to the adoption of the Tampa Bay Water FY 2002/2003 Budget, followed immediately by the Regular Board Meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting to which the public is invited.

DATE AND TIME: Wednesday, August 7, 2002, 10:00 a.m.

PLACE: Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority and Public Hearing for the Authority's Final Budget FY 02-03.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although the Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

SPACEPORT FLORIDA AUTHORITY

The **Florida Space Research Institute** (FSRI) Board of Directors announces a public meeting.

DATE AND TIME: July 25, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Boardroom of Enterprise Florida, Inc., Suite 1300, 390 North Orange Avenue, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting's purpose will be to review 2003-2004 Budget and to discuss the FSRI's Strategic Plan.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact FSRI at least seven days prior to the meeting.

If any person decides to appeal any decision made by FSRI with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to secure a verbatim record of the proceedings, which record includes the testimony and evidence upon which the appeal is to be based.

For agendas or additional information on this meeting, contact Melissa Glover, (321)452-3418.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces a workshop to which all person are invited.

DATE AND TIME: July 30, 2002, 10:00 a.m. – 11:00 a.m.

PLACE: Department of Elder Affairs, Conference Room 335M, 4040 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Refer to the Notice of Rule Development published in Vol. 28, No. 11, March 15, 2002 issue of the Florida Administrative Weekly to amend Rules 58A-2.004, 58A-2.005, 58A-2.0236, Florida Administrative Code, and propose Rule 58A-2.025.

A copy of the agenda may be obtained by contacting: Linda Macdonald, Office of General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000.

The Florida **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: August 1, 2002, 9:00 a.m.

PLACE: Alliance for Aging, Inc., Suite 400, 9500 South Dadeland Blvd., Miami, Florida 33156

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss and receive comments on the department's proposed distribution of OAA Title IIID funds to the eleven Area Agencies on Aging.

A copy of the agenda may be obtained writing: Department of Elder Affairs, 4040 Esplanade Way, Suite 280P, Tallahassee, Florida 32399-7000, or by calling Mr. Ken McLeod, (850)414-2307.

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 department at least 48 hours before the meeting by contacting Mr. Ken McLeod, (850)414-2307. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Pharmaceutical and Therapeutics Committee to which all interested parties are invited.

DATE AND TIME: Wednesday, August 14, 2002, 10:30 a.m. – 3:00 p.m.

PLACE: Marriott Hotel, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Make recommendations for drugs to be included on Preferred Drug List.

Any attendee requiring special accommodation because of a disability or physical impairment should contact the Marriott, (813)879-5151, at least five days prior to the meeting.

Members of the public who wish to testify at this meeting must call Emily Fritz, (850)413-9070, by August 7, 2002. The number of speakers will be limited and will be accommodated in order of notification to Ms. Fritz.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Monday, August 5, 2002, 9:00 a.m. – 2:00 p.m.

PLACE: Room 214, The Capitol, Tallahassee, Florida 32399-0001. Conference call capability will be available. The dial up number is: (850)921-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to continue work on the statutory mandates set for the Council in Section 445.049,

Florida Statutes. This will include a formal discussion on the next steps of the Council in its implementation of its 6 pilot projects, a clearinghouse for technology resources, and its marketing efforts.

Any additional information as to this meeting will be provided on the Digital Divide website at http://www.myflorida.com/myflorida/sciencetechnology/tech_ptedigital_divideindex.html or contact: Stacey McMillian, State Technology Office, Building 4030 Esplanade Way, Suite 180, Tallahassee, Florida 32399, (850)410-4777.

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 Council at least 48 hours before the meeting by contacting Stacey McMillian at the above stated number.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting of the Regulatory Council of Community Association Managers, to which all persons are invited.

DATE AND TIME: Friday, July 26, 2002, 10:30 a.m. or soon thereafter

PLACE: West Gate Regional Library, Meeting Room, 7606 Paula Drive, Tampa, Florida 33615-4116

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-1040 or by calling their office, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Regulatory Council of Community Association Managers, (850)922-6096. 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 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 **Department of Business and Professional Regulation** announces a public meeting of the Florida **Board of Cosmetology** to which are persons are invited to participate.

DATES AND TIMES: Sunday, July 28, 2002, 9:00 a.m.; Monday, July 29, 2002, 9:00 a.m. (if necessary)

PLACE: Embassy Suites Hotel, 555 North Westshore Boulevard, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular board business.

A copy of the agenda may be obtained by writing: Florida Board of Cosmetology, 1940 North Monroe Street, Suite 60, Tallahassee, Florida 32399-0790.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, 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 includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Geologists** announces the following meeting to which all persons are invited to attend.

DATES AND TIMES: July 29, 2002, 1:00 p.m.; July 30, 2002, 9:00 a.m.

PLACE: The Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Professional Geologists, 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)487-7990, 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 Florida **Real Estate Appraisal Board** announces a meeting of its Probable Cause Panel.

DATE AND TIME: Monday, August 5, 2002, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, North Tower, 400 W. Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Real Estate Appraisal Board Probable Cause Panel. Portions of the probable cause panel meeting are not open to the public.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Real Estate Appraisal Board, Division of Real Estate, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Real Estate Appraisal Board, 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 Florida **Real Estate Appraisal Board** announces a meeting to which everyone is invited.

DATE AND TIME: Tuesday, August 6, 2002, 8:30 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, North Tower, 400 W. Robinson Street, Orlando, FL 32801, (407)245-0800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – Including but not limited to: Rule/statute amendments, and Disciplinary actions.

Any person who decides to appeal a decision made by the Board with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Real Estate Appraisal Board, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Real Estate Appraisal Board 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: Deputy Clerk, Florida Real Estate Appraisal Board, 400 West Robinson Street, Orlando, Florida 32801-1772.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: August 20, 2002, 1:30 p.m. or the soonest thereafter

PLACE: Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Portions of the probable cause proceedings are not open to the public.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. – 4:00 p.m.) at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 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: August 21, 2002, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., 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.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Orlando, Florida 32801-1772.

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 (5) 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 24, 2002, 9:30 a.m. – 3:00 p.m.

PLACE: Department of Environmental Protection, Conference Room A, First Floor, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review and discuss development and field-testing of a prototype fiscal impact analysis model,

including the model structure, database(s) and application features. The fiscal impact analysis model (FIAM) will be a tool that local governments can use when making planning and development decisions.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 12, 2002, 8:30 a.m. – not later than 5:30 p.m.

PLACE: Trade Winds Island Grand Resort, 5500 Gulf Blvd., St. Petersburg Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the petroleum preapproval cleanup program.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." The agenda is also located on the BPSS web site at: <http://www.dep.state.fl.us/waste/categories/pcp/default.htm>.

DEPARTMENT OF HEALTH

The Florida **Department of Health** announces a meeting of The Florida KidCare Coordinating Council to which all persons are invited:

DATE AND TIME: Monday, August 19, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: Capital Health Plan Building, 1491 Governor's Square Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Secretary of the Florida Department of Health, will meet to discuss Florida KidCare, Florida's child health insurance program. The Council is charged with offering guidance to the Department and to the Governor and Legislature as well as other state government groups about possible changes and adjustments to the Florida KidCare Program, which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained from: Gail Vail, The Chiles Center, (850)487-0037, gvail@hsc.usf.edu.

The **Board of Acupuncture** announces a general business meeting to which all interested persons are invited to attend.

DATE AND TIME: Friday, August 23, 2002, 9:00 a.m. or soon thereafter

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, FL 32822, (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Acupuncture, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256. Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health**, Dietetics and Nutrition Practice Council, under the **Board of Medicine** announces a General Business Meeting.

DATE AND TIME: July 31, 2002, 9:00 a.m. or soon thereafter
PLACE: Call: (850) 488-8295, Suncom 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting and Conference Call.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the Council Office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the Council Office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: August 2-3, 2002, 8:00 a.m.

PLACE: Marriott Downtown, 400 West Livingston Drive, Orlando, Florida 32801, (407)843-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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)245-4131, 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: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: August 2, 2002, immediately following the Full Board meeting

PLACE: Marriott Downtown, 400 West Livingston Drive, Orlando, Florida 32801, (407)843-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, 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: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: August 2, 2002, immediately following the Full Board meeting

PLACE: Marriott Downtown, 400 West Livingston Drive, Orlando, Florida 32801, (407)843-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, 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: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to 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, Board of Nursing Home Administrators** announces an Application Review Committee meeting to which all interested persons are invited.

DATE AND TIME: August 19, 2002, 3:00 p.m.

PLACE: DoubleTree Guest Suites, 3050 North Rocky Point Drive, West, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for the 10/2002 NHA exam.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, BIN #C-04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4292, Ext 3602, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Department of Health, Board of Nursing Home Administrators** announces a General Board meeting to which all interested persons are invited.

DATE AND TIME: August 20, 2002, 9:00 a.m.

PLACE: DoubleTree Guest Suites, 3050 North Rocky Point Drive, West, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approve applications, conduct disciplinary proceedings, and general business of the Board.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, BIN #C-04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4444, Ext 3602, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Department of Health, Board of Physical Therapy Practice** announces a conference call to which all persons are invited.

DATE AND TIME: July 29, 2002, 8:30 a.m. or soon thereafter

PLACE: Call: (850) 488-5776, Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: Education Committee Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the Board Office, (850)245-4373.

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)245-4373. 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 **Office of Public Health Preparedness** will conduct a meeting on:

DATE AND TIME: Wednesday, July 24, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Wyndham Westshore Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss issues with the Hospital Bioterrorism Preparedness Planning Committee and the CDC Advisory Committee that relate to their specific cooperative agreements managed by the Office of Public Health Preparedness. This is a public meeting, not a public hearing. Testimony will not be taken at this meeting.

Persons wishing to provide input should send their material to: Office of Public Health Preparedness, Florida Department of Health, 4052 Bald Cypress Way BIN #A00, Tallahassee, FL 32399-1700.

Persons seeking additional information may call: Laura Holden, (850)245-4128.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Office on Homelessness** announces the following pre-application workshops to which all persons are invited.

DATE AND TIME: July 25, 2002, 9:00 a.m. – 12:00 Noon

PLACE: Department of Children and Family Services, Suite 408, 201 West Broward Boulevard, Fort Lauderdale, Florida 33301

DATE AND TIME: July 26, 2002, 8:30 a.m. – 11:30 a.m.

PLACE: Department of Children and Family Services, Main Conference Room, 9393 North Florida Avenue, Tampa, Florida 33612-7907

DATE AND TIME: July 30, 2002, 9:00 a.m. – 12:00 Noon

PLACE: Department of Children and Family Services, Building 8, Room 232, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: These workshops will cover the homeless assistance Challenge Grant and the Homeless Housing Assistance Grant. Both of these grants will be available to the designated lead agencies of local homeless assistance continuum of care areas. The lead agencies should attend to obtain an overview of the grant application process and to obtain answers to questions on the grants, or the applications. The Challenge Grant may be used to fund the implementation of any or all activities contained in the local homeless continuum of care plan. The Homeless Housing Assistance Grant may be used to only fund the construction or rehabilitation of transitional or permanent housing for the homeless, which are included within the local homeless continuum of care plan.

More information on these workshops may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom_Pierce@dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to attend this meeting in order to request any needed special assistance should contact the office at least 48 hours in advance of the meeting.

The **Department of Children and Family Services** announces a public meeting to be held by teleconference to which all persons are invited.

DATE AND TIME: Friday, August 9, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: Meet-me telephone: (850)921-6623, Video teleconference: Building 1, Room 202, 1323 Winewood Boulevard, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: An interview panel will interview candidates for the Director of the Developmental Disabilities Program.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in the teleconference is asked to advise the agency at least 48 hours before the teleconference by contacting Frenchie Yon, (850)921-8533. If you are hearing or speech impaired, please contact the agency by calling (850)922-4449 (TDD).

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, July 31, 2002, 10:30 a.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

FLORIDA HOUSING FINANCE CORPORATION

Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments

Notice is hereby given that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Monday, July 29, 2002, 10:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, Suite 5000, 227 North Bronough Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Garfield Place Apartments, a 228-unit multifamily residential rental development to be located at 450 East Euclid Avenue, Deland, Volusia County, Florida 32720. The prospective owner of the proposed development is Garfield Place Apartments, Ltd., c/o P.A.C. Land Development Corporation, 730 Bonnie Brae Street, Winter Park, Florida 32789, or such successor in interest in which P.A.C. Land Development Corporation, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$10,180,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Friday, July 26, 2002, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a meeting of the Manatee Technical Advisory Council and invites the public to attend.

DATE AND TIME: Tuesday July 30, 2002, 9:30 a.m. – 3:30 p.m.

PLACE: Florida Marine Research Institute, 4th Floor, Conference Room, 100 8th Avenue, Southeast, St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Manatee Technical Advisory Council Meeting.

A copy of the agenda may be obtained by writing: Kiba Youmas, Florida Fish and Wildlife Conservation Commission, Bureau of Protected Species Management (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399 or by calling (850)922-4330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least seven (7) days before the meeting by contacting Kiba Youmas, (850)922-4330. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or (850)488-9542, within the Tallahassee area.

The **Fish and Wildlife Conservation Commission** announces a public workshop concerning shrimp, to which all interested persons are invited:

DATE AND TIME: July 30, 2002, 6:00 p.m. – 8:00 p.m.

PLACE: Franklin County Courthouse, Main Courtroom, 33 Market Street, Apalachicola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a series of workshops to gather public testimony regarding the inshore shrimp fishery in the Northwest Region of Florida. This is a continuation of the statewide management plan for the fishery that includes, but is not limited to, status of the fishery, allowable harvesting areas, count law, and skimmer trawls.

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

For further information, contact: Roy Crabtree, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

The **Fish and Wildlife Conservation Commission** announces a public workshop concerning the importation of reef fishes (snappers and groupers), to which all interested persons are invited to attend:

DATE AND TIME: Tuesday July 30, 2002, 6:00 p.m. – 8:00 p.m.

PLACE: Law Enforcement South Regional Office, 3200 Northeast 151 Street, North Miami, FL 33181

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a workshop to gather public testimony with regard to whether imported reef fishes should comply with state minimum size limits.

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

For further information, contact: Roy Crabtree, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

The **Fish and Wildlife Conservation Commission** announces a public workshop concerning land crabs, to which all interested persons are invited:

DATE AND TIME: August 6, 2002, 6:00 p.m. – 8:00 p.m.

PLACE: Vero Beach City Hall, Council Chambers, 1053 20th Place, Vero Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a workshop to gather public testimony regarding the harvest of land crabs in the Southeast Region of Florida. Issues to be discussed include harvesting practices, commercial harvest and social and economic implications of land crab harvest.

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

For further information, contact: Roy Crabtree, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

FLORIDA MOBILE HOME RELOCATION CORPORATION

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors and a workshop to begin development of its permanent rules.

DATE AND TIME: Friday, July 26, 2002, 10:00 a.m.

PLACE: Harborview Center, Ballroom D, 300 Cleveland Street, Clearwater, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation including operational procedures, approval and payment of claims, a workshop to begin development of the Corporation's permanent rules and such other business as may come before the board. A schedule for the next meeting will also be determined.

Additional information may be obtained by contacting: Robert S. Cohen, General Counsel, Florida Mobile Home Relocation Corporation, Post Office Box 14125, Tallahassee, Florida 32317-4125, 1(888)862-7010.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robert S. Cohen, General Counsel, 1(888)862-7010, at least five calendar days prior to the meeting.

DUVAL COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Duval County Research and Development Authority** announces a business meeting will be held on:

DATE AND TIME: July 31, 2002, 12:00 Noon

PLACE: University of North Florida, University Center, Room 1058, 12000 Alumni Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Earle Traynham, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council, Inc.** announces the following meetings:

MEETING: Nominating Committee

DATE AND TIME: Monday, July 8, 2002, 11:00 a.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday, July 10, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Development Committee Meeting

DATE AND TIME: Wednesday, July 10, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Thursday, July 11, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Executive Committee Meeting

DATE AND TIME: Wednesday, July 17, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, July 18, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Outreach Committee Meeting

DATE AND TIME: Tuesday, July 23, 2002, 4:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Executive Committee Meeting

DATE AND TIME: Wednesday, February 27, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday August 7, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, August 7, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Development Committee Meeting

DATE AND TIME: Wednesday, August 14, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, August 15, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Outreach Committee Meeting

DATE AND TIME: Tuesday, August 27, 2002, 4:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday, September 4, 2002, 2:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, September 4, 2002, 3:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, Suite 100A, 1018 Thomasville Road, Tallahassee, Florida 32303-6271

MEETING: Full Council Meeting

DATE AND TIME: Thursday, June 13, 2002, 3:00 p.m. (EST)

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819-8122

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: August 14, 2002, 8:00 a.m.

PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Petition for Declaratory Statement received from Florida Extruders International, Inc., May 29, 2002, has been withdrawn. Notice of receipt of this petition, which was assigned the number DCA02-DEC-162, appeared in the June 21, 2002, edition of the Florida Administrative Weekly.

Information regarding this petition may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on June 27, 2002, from Philip J. Childs, P.E., P.A., with regards to design pressure on window and door assemblies, based on sections 1707.4 and 1707.4.1 of the Florida Building Code, 2001, Building Volume. The Petitioners specifically asks that if shutters are installed and completely cover a door or window, does the door or window have to withstand both the positive and negative pressures of the design wind speed? It has been assigned the number DCA 02-DEC-203.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on June 27, 2002, from Mouriz/Salazar & Associates, Inc. The Petitioner seeks clarification of conflict between the Florida Fire Prevention Code Section 30.2.5.3 which limits dead end corridors to 35 feet in non sprinklered buildings, 50 feet in sprinklered buildings and section 1005.2 and table 1004, Florida Building Code, Building Volume, which limits dead end corridors to 20 feet without exception. It has been assigned the number DCA02-DEC-204.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on July 1, 2002, from Chris Peterson, Herrell Plumbing, Inc. regarding whether Section 305.6, Florida Building Code (2001), Plumbing Volume, is intended to require freeze protection in all areas of the state. It has been assigned the number DCA02-DEC-205.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on July 8, 2002, from Charles M. Purvis, A.I.A., Architect. The petition requests an interpretation of section 503 of the Florida Building Code, Building Volume. Specifically, the Petitioner refers to application of that section to an elevated structure

with a wooden deck between the finished slab on grade and the first floor assembly and whether that deck should be characterized as a mezzanine. It has been assigned the number DCA02-DEC-206.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on July 8, 2002, from James L. Madix, Hartford South, LLC. The petition requests and interpretation of section 423 of the Florida Building Code, Building Volume, a memorandum from Jonathon Hamrick of the Department of Education dated May 29, 2002 regarding missile impact requirements of roof decks and the application thereof to roof decks outside of Miami-Dade and Broward Counties. It has been assigned the number DCA02-DEC-207.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF REVENUE

NOTICE IS HEREBY GIVEN THAT the Florida Department of Revenue has received a Petition for Declaratory Statement from Electronet Intermedia Consulting, Inc.

Petitioner, Electronet Intermedia Consulting, Inc., provides digital subscriber line ("DSL") Internet access services to residential and business customers. The Petitioner provides these services by purchasing unbundled network elements ("UNE"). Petitioner requests that the Department of Revenue determine whether the UNE providers should be collecting communications services tax, pursuant to Chapter 202, F.S., on charges for the purchase of these UNEs, when Petitioner uses such UNEs only to access the Internet. In the alternative, Petitioner requests that the Department of Revenue determine whether the Internet Tax Freedom Act and the Telecommunications Act of 1996 prohibit a tax on the purchase of such facilities and services.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Judy Langston, Agency Clerk, Office of General Counsel, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)488-0712.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received a Petition for Declaratory Statement, filed on June 14, 2002, by Tammy Hilton, RN. Petitioner requests a declaratory statement from the Board regarding Section 464.207, Florida Statutes, and registered nurse first assistants.

A copy of the Petition for Declaratory Statement may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, BIN #C02, Tallahassee, Florida 32399-3252.

NOTICE IS HEREBY GIVEN THAT on July 5, 2002, the Department of Health, Board of Physical Therapy Practice received a Petition for Declaratory Statement from Tammy King. The Petition seeks the agency's opinion as to the applicability of Section 486.021(11), Florida Statutes, and how the statutory provision affects petitioner's ability to send physical therapists rather than nurses to perform certain tasks and procedures.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Bernadine Rice, General Counsel, Orange County Sheriff's Office (OCSO), on behalf of Dr. James Herndon, an employee of OCSO. The Board reviewed the petition at its meeting held on March 22, 2002, in Miami, Florida. The Board's Final Order, filed in this cause on April 15, 2002, finds that Dr. Herndon's employment by OCSO falls within the exemption from licensure, i.e., Dr. Herndon is not required to be licensed as a psychologist in order to perform the duties for which he was trained and hired solely within the confines of OCSO. Secondly, the Board finds that as long as the pre-employment psychological examinations that Dr. Herndon conducts for the University of Central Florida, Department of Public Safety are within the confines of his OCSO employment, Dr. Herndon is exempt from the licensure requirement. The Board also finds that Dr. Herndon may not use the title "Staff Psychologist" in performing his responsibilities for the OCSO. Pursuant to Section 490.012(1)(a), F.S., Dr. Herndon may not hold himself out by any professional title, name or description that incorporates the word "psychologist." Finally, the Board cannot determine whether Dr. Herndon is qualified to be a licensed psychologist unless and until he submits an application for licensure, including submission of all required documentation and payment of all required fees.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Barbara VanHorn, Ph.D. The Board reviewed the petition at its telephone conference call meeting held on April 12, 2002. The Board's Final Order, filed in this cause on April 19, 2002, declines to approve the Petitioner's proposed means of

obtaining supervision because of insufficient information provided to the Board, and the Board is concerned that the supervisory arrangement as described by the Petitioner is contrary to the intent of the prohibition against the independent practice of psychology found in §490.005(1)(c), F.S.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

Section VIII Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS

The Florida International University Board of Trustees announces that construction management services will be required for the project listed below:

Project Name and Number: Art Museum BR-839

Project Location: This facility will be located at Florida International University, University Park.

Project Description: The project consists of site development and construction of a 37,000 GSF art museum facility, which will include a series of galleries for both permanent and temporary exhibition; multi purpose space; administrative offices; storage and preparation space; shipping and receiving support space. Environmental controls and security will be a primary consideration. The construction budget is an estimated \$7,500,000 and the total project cost is estimated at \$10,400,000. Construction Management – at risk is the proposed construction delivery method.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, construct ability analysis, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualification of the firm's personnel, staff and consultants. Finalists will be provided with a copy of the building program, a description of the final interview requirements, and a copy of the standard construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Construction Manager Qualifications Supplement form. Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations,

at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Construction Manager Qualifications Supplement (CMQS) form and the Project Fact Sheet may be obtained by mail to: Facilities Planning and Construction, Florida International University, University Park, Miami, Florida 33199, or by Faxing a request to (305)348-4010, or login to <http://facilities.fiu.edu/fpc.htm> (find project under Facilities Construction Project Information). Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Mary Varela Witham via email withamm@fiu.edu of Facilities Planning and Construction.

Ten (10) bound copies of the required proposal data will be submitted to: Mary Varela Witham, Facilities Planner, Facilities Planning and Construction, Florida International University, University Park, CSC 236, Miami, Florida 33199.

Submittals must be received by 2:00 p.m. (Local Time), Monday, August 19, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

INVITATION TO BID

Emergency Campus Wide Warning System

The Florida School for the Deaf and the Blind is soliciting bids from qualified contractors for the installation of a radio activated warning system to include three (3) sirens and 22 high intensity strobes.

A mandatory pre-bid meeting will be held on August 1, 2002, 8:30 a.m., in Room 106, Hogel Maintenance Building (Bldg. 27) of the School, 207 N San Marco Avenue, St. Augustine, FL 32084. A walk through of the site will be conducted immediately following the pre-bid meeting.

A set of drawings and specifications will be made available at the mandatory pre-bid meeting for review. Individual sets may be procured from Mr. William Fouraker, Tilden Lobnitz and Cooper, (904)306-9111, for a non-refundable fee of \$100.00. Checks should be made out to The Florida School for the Deaf and the Blind.

Bid Opening will be at 10:00 a.m., August 22, 2002, in Room 106, Hogel Maintenance Building of the School.

For additional information please call: Mr. William Fouraker, (904)306-9111 or Martin Hunt, (904)827-2371.

Invitation To Bid (ITB)
For a Roofing Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the 5th Floor, Conference Room No. 513, School Board Building.

BIDS ARE DUE ON OR BEFORE Tuesday, August 13, 2002
AND WILL BE ACCEPTED UNTIL 2:00 P.M.

PROJECT TITLE: Roof Replacement at Terry Parker High School No. 86, Duncan U. Fletcher High School No. 223, Darnell Cookman Middle School No. 145 (Stage III)

DCPS PROJECT NO.: M-85020 (Stage III)

SCOPE OF WORK: Stage III is for Replacement of All Old Built-Up Roofing at Terry Parker High School No. 86 only

All contractors that are interested in bidding are required to attend a mandatory Pre-Bid Conference to be held on July 29, 2002, 10:00 a.m. (local time), Terry Parker High School No. 86, 7301 Parker School Road, Jacksonville, Florida 32211. Failure to attend the Pre-Bid Conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed State Certified Roofing contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$75 at the office of:

- Akel, Logan & Shafer P.A., 704 Rosselle St.
Jacksonville FL 32204, (904)356-2654
- DCSB Point of Contact: Dale Hughes, (904)858-6300
- Contract documents for bidding may be examined at:
F. W. Dodge McGraw Hill Plan Room
Construction Bulletin
Construction Market Data, Inc.
National Association of Minority Contractors

MBE Participation Goal: 10% overall

The Bid Award Recommendation will be posted on the 1st Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

Information on the selection process can be found at www.educationcentral.org/facilities under Forms and Standards.

REGIONAL PLANNING COUNCILS

NOTICE TO PROFESSIONAL
HAZARDOUS MATERIALS TRAINERS

The North Central Florida Regional Hazardous Materials Response Team (Team) desires that hazardous materials trainers knowledgeable of 29 CFR 1910.120(q) and NFPA 472 submit a Letter of Qualifications to teach one or more of eight different classes.

PROJECT NAME: "Team Hazmat Training 2002-2003"
DESCRIPTION: The following hazardous materials training classes are desired to be taught in Gainesville and surrounding counties. The description includes: class topic, total number of classes, estimated class length, and desired time periods:

- FFP 2500 – Hazmat I, 2 classes, 40 hr.; 1-Q1, 1-Q2
- FFP 2501 – Hazmat II, 2 classes, 40 hr.; 1-Q1, 1-Q2
- Hazmat III, 2 classes, 40 hr.; 1-Q1, 1-Q2
- ALS Hazmat Train-the-trainer, 1 class, 24 hr., 1-Q2
- ALS Hazmat, 2 classes, 8 hr., 2-Q3
- Chemistry for Hazardous Materials, 4 classes, 40 hr., 1-Q1, 2-Q2, 1-Q3
- ICS for Hazardous Materials, 5 classes, 8 hr., 2-Q2, 2-Q3, 1-Q4
- Advanced Air Monitoring and Detection, 1 class, 24 hours, 1-Q3

NOTE: Q1: July-Sept., 2002; Q2: Oct.-Dec., 2002; Q3: Jan.-Mar., 2003; Q4: Apr.-June, 2003

QUALIFICATION REQUIREMENTS: Instructors should have substantial hazardous materials emergency response training knowledge and experience.

SUBMITTAL REQUIREMENTS: Firms desiring consideration to teach one or more of the above listed classes should submit their qualifications to the address listed below. The qualifications must be submitted on a clean, single-side original that can be used to make additional copies. The qualifications must, as a minimum, include the following information:

1. Name, address, contact person and phone number;
2. Listing of key staff and resumes;
3. Listing of any subconsultants anticipated to be used on this project;
4. An indication of the firm's ability (available manpower) to complete the work on the proposed schedule and prior to June 30, 2003.
5. Qualifications as a subject matter expert.
6. Name of curriculum.

SELECTION PROCESS: All responses will be evaluated and ranked by a Training Committee as to their qualifications to perform the advertised work requirements. The Team will appoint a member to negotiate a draft contract with the highest-ranked respondent. If a draft contract can be agreed upon, that respondent will be recommended for final selection by the Policy Board. If a draft contract can not be agreed upon with the highest-ranked respondent, the next highest ranked respondent will be contacted and negotiated with until a draft contract can be reached. This procedure will be repeated until a draft contract has been negotiated. Estimated Date of ranking respondents: Thursday, August 8, 2002, by 5:00 p.m. Estimated date of approval by Policy Board of draft contract with recommended trainers: August 16, 2002.

LETTER OF RESPONSE DEADLINE: Tuesday, August 6, 2002, 4:00 p.m. Faxed and e-mailed responses will not be accepted.

REQUESTING RESPONSE ADDRESS: North Central Florida Regional Hazardous Materials Response Team, ATTN: Mr. Charles Justice, 2009 N.W. 67th Place, Suite A, Gainesville, FL 32653-1603, (352)955-2200.

The North Central Florida Regional Hazardous Materials Response Team reserves the right to accept or reject any and all responses in the best interest of the Team.

WATER MANAGEMENT DISTRICTS

REQUEST FOR PROPOSALS No. 01/02-074WR

Laboratory Inorganic Water and Bacteriological Analysis
The Suwannee River Water Management District (SRWMD) invites interested parties to submit sealed proposals for laboratory inorganic water and bacteriological analysis.

Responses to this request are due at the SRWMD office by 3:00 p.m., August 2, 2002.

A copy of the RFP will be available on July 19, 2002, at: www.srwmd.state.fl.us/services/bids+and+contracts or, requests for the RFP document (RFP #01/02-074WR) should be directed to:

Suzanne Richardson, Administrative Assistant
Suwannee River Water Management District
9225 CR 49
Live Oak, FL 32060
(386)362-1001 or 1(800)226-1066 (Florida only)

If you have questions regarding the project, please direct them to: David Hornsby, SRWMD, (386)362-1001 or Toll Free (Florida only) 1(800)226-1066, Fax (386)362-1056.

REQUEST FOR PROPOSALS #01/02-073WR

Synthesis and Bibliography of Hydrologic and Biological Literature to Support Development of Minimum Flows and Levels for the Lower Suwannee River and Estuary

The Suwannee River Water Management District (District) invites interested parties to submit sealed proposals to provide consulting services to collect, review, and synthesize pertinent scientific literature which discusses hydrologic and salinity requirements of key biological communities and populations identified by District staff.

The District is conducting a project in the lower Suwannee River Basin to develop Minimum Flows and Levels pursuant to Section 373.042, Florida Statutes. This work involves projects evaluating the relationship between ground water and surface water and the potential effects of freshwater withdrawals on the lower Suwannee River Basin. Because ecological impacts are an important consideration in setting minimum flows and levels, there is a need for biological information to relate to the results of the hydrologic work. The purpose of this project will be to conduct a literature review of relevant scientific studies to identify important hydrologic or

salinity "targets" which must be met to maintain ecological integrity of the various wetland and aquatic communities in the lower Suwannee ecosystem.

Responses to this request are due at the District office by 4:00 p.m. (Local Time), August 15, 2002. The RFP document will be available on July 19, 2002, at: www.srwmd.state.fl.us/services/bids+and+contracts or requests for the RFP (01/02-073WR) document should be directed to:

Suzanne Richardson, Administrative Assistant
Suwannee River Water Management District
9225 CR 49
Live Oak, FL 32060
(386)362-1001 or 1(800)226-1066 (Florida only)

If you have questions regarding the project, please direct them to: Rob Mattson, (386)362-1001 or Toll Free (Florida only) 1(800)226-1066, Fax 386-362-1056.

EXPRESSWAY AUTHORITIES

NOTICE TO CONSTRUCTION ENGINEERING AND INSPECTION FIRMS – REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ) – MDX PROJECT NO. 000-022

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide Construction Engineering and Inspection (CEI) oversight services for the construction of two design/build projects in the MDX Five-Year Work Program, MDX Project 112-004 (SR 112 westbound off-ramp to Okeechobee Road) and Project No. 836-015 (SR 836 westbound auxiliary lane from NW 57th Avenue to Palmetto Expressway) (the "Projects"). The Projects' overall construction period is estimated to be approximately 27 months, beginning in October 2002.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878 and SR 924.

DESCRIPTION OF WORK: The selected Firm will provide CEI oversight services for the Projects. The Projects have been let as "Design/Build", and the selected Firm will be responsible for the oversight and quality assurance of all construction related activities for the Projects, as well as contract administration functions as required by MDX. MDX has contracted with the Design/Build teams to provide all required materials testing, inspection and related construction engineering services for the Projects. The Firm will not be required to provide these services.

SELECTION PROCEDURE: At least three firms will be shortlisted using the Evaluation Criteria shown. The shortlisted Firms will be requested to provide written Technical Proposals

based on the information and criteria requirements contained in the Request for Proposals (“RFP”) to be issued by MDX. Oral interviews with the shortlisted Firms may be required. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING EVALUATION.**

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a SOQ package to MDX. One (1) original (unbound) SOQ, and nine (9) copies (ten (10) in total), **MUST** be received by the Miami-Dade Expressway Authority, 3790 N. W. 21st Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by, Monday, August 19, 2002 by 12:00 Noon, Eastern Time (the “Deadline Date”). SOQs submitted past the Deadline Date and time will be deemed non-responsive.

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is Monday, August 5, 2002, by 5:00 p.m. Questions should be submitted in compliance with the Communication Provision below. The responses to questions received will be posted on MDX’s website www.mdx-way.com as an extension of this advertisement, or may be obtained by contacting MDX’s Procurement Officer pursuant to the Communication Provision below. It is the Firm’s responsibility to check the website or with MDX’s Procurement Officer for these responses.

RESPONSIVENESS OF SOQ'S AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS: A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ.

SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein.

An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms or evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement.

SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection

of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Projects.

MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQs or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the SOQs or to withdraw the RSOQ, if it is in the best interest of MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm’s responsibility.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS: The SOQ shall be in writing, submitted on the letterhead of the Firm. The SOQ must not exceed twenty (20) pages. Resumes, MDX forms, and certificates/licenses are not included in the 20-page limit. The SOQ **MUST** include at a minimum, the documentation and/or information required in the Prerequisite Criteria and Evaluation Criteria.

PREREQUISITE CRITERIA: SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all Prerequisite Criteria.

1. Firm shall have a minimum of five (5) years specific experience in providing CEI services as described above.
2. As required by Section 287.133, Florida Statute, a firm may not submit a proposal for the Project if it is on the convicted vendor list for a public entity crime committed within the past 36 months.
3. Firm must have a full service operational office located in Miami-Dade, Broward or Palm Beach County. Information must also be provided as to the location of the Firm’s office(s) in any of these counties.
4. Firms must submit documentation acceptable to MDX (including FDOT “L. Odom” letters) that the Firm is pre-qualified under Rule 14-75 of the Florida Administrative Code in the following types of work: Group 10.1, Roadway Construction Engineering Inspection. If the Firm shall subcontract for some of the types of work, the Firm shall identify those types of work that will be subcontracted and provide MDX with an affirmative statement that the Firm shall require all subcontractors to be pre-qualified, as required herein, for the applicable types of work. Specific information regarding subcontractors is not required for the SOQ (it will be required for the RFP).
5. Certificates of Good Standing evidencing that the Firm is qualified to do business in the State of Florida.
6. Execution of a Commitment Letter (a copy of this form may be obtained from MDX’s website) stating that the Firm shall satisfy the 10% Small Business Participation Goal for the Project, in compliance with MDX’s Small Business Participation Policy (a copy of this Policy may be obtained

from MDX). Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP.

REQUIRED INFORMATION: The SOQ shall contain the following Required Information:

1. Project Name and number.
2. Firm's name and address.
3. Name of contact person, phone number, fax number and Internet e-mail address (one contact person per Firm).
4. An executed Vendor's Certificate (a copy of this form may be obtained from MDX's website).

EVALUATION CRITERIA: The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:

- Qualifications and experience of the Firm as it relates to the required services. Depth and breadth of the Firm's experience as a whole in the performance of similar engagements. A total of 50%.
- Proposed key personnel of the Firm, their qualifications and their roles (including resumes). A total of 25%.
- An estimate of the Firm's current workload and available resources. The Firm should specifically address this criterion with respect to the proposed key personnel for this engagement. A total of 15%.
- A list of similar engagements, in particular, representation of governmental entities, completed NOT EARLIER THAN January 1, 1997, with references and phone numbers, including a general description of the role of the Firm and the services provided. A total of 10%.

COMMUNICATION: Communications between any respondent and any MDX Board member, MDX consultants and/or staff is strictly prohibited from the date of publication of the RSOQ through the date of final MDX action with respect to the selection of the successful Firm for this engagement (this communication prohibition is also referred to herein as the Cone of Silence). The only exceptions to this are communications at a pre-proposal conference, oral interview, or a publicly noticed meeting of MDX and/or its Operations Committee, and written communications regarding questions about the RSOQ. Such written communication should be directed to Helen M. Cordero, MDX Procurement Officer, via e-mail: hcordero@mdx-way.com or facsimile (305)637-3283. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

PROTEST RIGHTS:

1. Any Firm must file a written protest with the Secretary of the MDX Board after the MDX Operations Committee's decision on the shortlist for the Project, if the protest is directed towards any part of the procurement process that has occurred as of the time of that decision.

It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time period for filing a protest has passed pursuant to this provision, which issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.

2. A protest bond in the amount of \$20,000.00 will be required for any protest.
3. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals ("Final Shortlist") shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee. To be considered, a protest must be in writing and filed with the Secretary of the MDX Board within seventy-two (72) hours, excluding Saturdays, Sunday and legal holidays, after receipt of the Final Shortlist.
4. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds for its protest.
5. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
6. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
7. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
8. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.

9. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX strongly encourages small, minority and women-owned business to have full opportunity to submit bids and proposals in response to solicitation documents issued by MDX, and commits that bidders and proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a pre-requisite for bidders or proposers on MDX projects. Please be advised that MDX has adopted a Small Business Enterprise Policy, and a 10% Small Business Goal shall be required for the Project (see Prerequisite Criteria above.)

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED.

SPACEPORT FLORIDA AUTHORITY

Request For Qualification
Trade Show Exhibit

Purpose: The Florida Space Authority (FSA) is requesting responses from qualified companies with the ability to produce Graphical Marketing/Development Exhibit support capabilities. This capability must be built and available by September 30, 2002. The award will result in a 5 year contract with a not-to-exceed maximum price of \$240,000.

Services Required: The offeror will be required to:

- a. Fabricate and sustain a very flexible, reusable, and modifiable FSA Exhibit;
- b. Demonstrate ability to be set up and break down for various size trade shows and events, and able to integrate/blend 12 to 15 different companies/corporate divisions and/or products into one corporate exhibit/presentation.
- c. The overall product should be a flexible turnkey design, easy to set up/break down, durable for frequent use throughout the year, and sustained/stored at the original equipment manufacturer's (OEM's) air conditioned/heated storage facility.

d. Interested and qualified companies should include a variety of full color drawings, front/side/top views, pictures, views of the proposed exhibit, light box locations, exhibit attributes, drawings for both full exhibit set up and smaller size exhibit set ups.

Exhibit Size:

- 1. The maximum required size is 30' x 50', with height variable from 12' to 16' in order to accommodate various venue ceiling heights/height restrictions. This 30' x 50' Graphical Exhibit must display a minimum of 750 sq. ft. of full-color Laserchrome™ (or equivalent) backlit imagery.
- 2. The exhibit must be reconfigurable to several smaller sizes ranging from 10' x 10' to 10' x 20', 20' x 20', 20' x 30', 20' x 40' and/or 30' x 40' configurations.

Other Exhibit Attributes:

- 1. Seven year life cycle, with 8 to 12 set up/break downs per year.
- 2. Ease of set up and dismantle by 2 to 3 total people in one 8 to 10 hour day with a basic set of skill levels (able to use simple tools, follow diagrams, etc.), from temporary workers to company business development/marketing personnel to other show support personnel. Storage and refurbishing at exhibit vendor's factory/location.
- 4. Color scheme, corporate/futuristic/space related: Goal is to be flexible for variety of venues and customers.
- 5. Light box panels for all graphics in all sections of the display.
- 6. Shipping to and from shows from the factory location with the right set of material, graphics, literature etc., for the exhibit space requested.
- 7. Two sided lightweight panels (not to exceed 16lbs) to extend the life of the exhibit and minimize down time for refurbishment.
- 8. Self contained Light box frames for all graphics.
- 9. Exterior kiosks with light boxes and storage and wall surface for flat screen monitors for computer/video presentations.
- 10. Secured storage in the exhibit for show materials, give-aways, etc.
- 11. Reception counters on each major side of the exhibit with base storage.
- 12. At least two Private Conference areas.
- 13. Conference tables to seat four per conference area.
- 14. Conference room chairs, four per conference area.
- 15. Molded high-density shipping containers.
- 16. Complete wiring package and color-corrected lighting package.
- 17. Three sets of the CAD designed documentation package in bound 11 x 17 format must show complete step-by-step set up and dismantle instructions, as well as instructions as to proper packing of exhibit in shipping containers.

18. Recurring training on care, use, set up, and takedown of the booth.
19. Literature holders on each major side of the booth.
20. Carpet, carpet pad with shipping bags for largest configuration and must also accommodate all smaller configurations.
21. Access to a network of service providers for facilitating shipping and receiving of exhibit at show sites, as well as seamless installation and dismantling, both domestic and international.
22. Total shipping weight for 30' x 50' exhibit and shipping containers shall not exceed 9,500 lbs.

Graphics:

1. The qualified applicant company must have complete in-house design and production capabilities.
2. All exhibit graphics must be full color Laserchrome™ backlits (or equivalent) mounted to acrylic for use in self-contained panel frames.
3. All graphics must be laminated with a scratch resistant coating by an optically clear adhesive.
4. Producer must have in-house advertising and collateral concept, design and production capabilities for multiple marketing development.
5. Producer must have in-house professional photographic and photographic integration capabilities.

Marketing:

1. Producer must be able to prepare a detailed marketing oriented plan to meet the demands of multiple businesses and venues from convention centers to launch sites and legislative halls.
1. Producer must be able to develop and manage industry contacts and have in-house expertise to make current marketplace referrals.
2. Producer must provide “brand management” of the unique industry imagery and provide innovative integration to keep the high profile image “front and center” at trade shows and conventions.

Responses should be clearly marked REQUEST FOR QUALIFICATIONS-TRADE SHOW EXHIBITS and submitted with a cover letter and three (3) copies to:

Florida Space Authority
 Attn: Rebecca Hauser
 Manager Contracts
 100 Spaceport Way
 Cape Canaveral, FL 32720
 Phone (321)730-5301, Ext. 1122

Responses must be received by 12:00 noon, Eastern Time Zone, July 29, 2002.

This information can be accessed through our website at www.floridaspaceauthority.com, Notices/Solicitations.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF HEALTH

**NOTICE TO PROFESSIONAL CONSULTANTS
 FOR ENGINEERING-ARCHITECTURE**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional engineering or architectural services are required for the project listed below. The scope of work includes the design of three BSL-3 Laboratories to be constructed in the existing State of Florida Branch Laboratories located in Miami, Lantana, and Tampa, Florida. Architectural coordination work will be required at each location.

Applications are to be sent to Mr. Thomas Matthias, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, BIN #B06, Tallahassee, Florida 32399-1734, (850)245-4444, Ext. 3166.

PROJECT NUMBER: DOH #10268100

PROJECT NAME: HOMELAND SECURITY GRANT-LAB INSTALLATIONS

SERVICES TO BE PROVIDED: Engineering-Architectural
 ESTIMATED CONSTRUCTION BUDGET: \$2,500,000

RESPONSE DUE DATE: Thursday, August 8, 2002, by 5:00 p.m. (Local Time)

INSTRUCTIONS: Submit three (3) copies of the following *:

1. Letter of interest.
 2. A modified copy of Department of Management Services Professional Qualifications Supplement (October 1997 Edition of the Professional Qualifications Supplement (PQS)). A copy can be obtained from the Department of Health by calling (850)245-4066.
 3. A copy of the firm’s Florida Professional License renewal. (Proper registration at the time of application is required.)
 4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
 5. Completed Standard Form 254.
 6. Completed Standard Form 255.
- In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.

7. Applicants desiring selection credit as State Certified Minority Business Enterprises either as Prime Consultant or Sub-consultant shall include a copy of the State of Florida Minority Recertification or Certification letter.

8. A stamped self-addressed envelope if you desire notice of selection results.

*Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. 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.

**NOTICE TO PROFESSIONAL CONSULTANTS
FOR ENGINEERING-ARCHITECTURE**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional roofing consulting services are required for the project listed below. The scope of work includes the re-roofing of the existing roof of the one story Tampa Branch Laboratory located at the Tampa Research Park at the University of South Florida. The building contains approximately 43,000 square feet.

Applications are to be sent to Mr. David Lee Nelson, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin #B06, Tallahassee, Florida 32399-1734, Phone (850)245-4444, Ext. 3164.

PROJECT NUMBER: DOH #10229300
PROJECT NAME: TAMPA BRANCH LAB
RE-ROOFING

SERVICES TO BE PROVIDED: Engineering-Architectural
ESTIMATED CONSTRUCTION BUDGET: \$430,000
RESPONSE DUE DATE: Friday, August 9, 2002, by 5:00 p.m. (Local Time)

INSTRUCTIONS: Submit three (3) copies of the following*:

1. Letter of interest.
2. A modified copy of Department of Management Services Professional Qualifications Supplement (October 1997 Edition of the Professional Qualifications Supplement (PQS)). A copy can be obtained from the Department of Health by calling (850)245-4066.
3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)

4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.

5. Completed Standard Form 254.

6. Completed Standard Form 255.

- In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.

7. Applicants desiring selection credit as State Certified Minority Business Enterprises either as Prime Consultant or Sub-consultant shall include a copy of the State of Florida Minority Recertification or Certification letter.

8. A stamped self-addressed envelope if you desire notice of selection results.

* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. 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.

**DEPARTMENT OF CHILDREN AND FAMILY
SERVICES**

**INVITATION TO NEGOTIATE
LEAD AGENCY-FAMILY SAFETY PROGRAMS
ITN # FSP-03-PJO1**

Invitation to Negotiate will be available at: 1601 W. Gulf Atlantic Highway, Wildwood, FL 34785-8158

Invitation to Negotiate will be open at the above address at 8:00 a.m., July 15, 2002.

Please direct all questions to: Kellyanne Rush, (352)330-2177 Ext. 5191, Suncom 895-5191, e-mail Kellyanne_Rush@dcf.state.fl.us.

Any person with qualified disability requiring special accommodations at the pre-bid conference and /or bid proposal opening shall contact purchasing at the phone number above at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). The Department reserves the right to reject any and all bids or accept minor irregularities in the best interest of the State of Florida. Minority Business Enterprises are encouraged to participate in the bidding process.

FLORIDA HOUSING FINANCE CORPORATION

Request for Qualifications

2002/01 Management Company Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Management Company services to submit qualifications for consideration. Written, sealed qualifications shall be accepted until 12:00 Noon (Eastern Time), August 9, 2002, to the attention of Robin Grantham, Senior Contracts Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Qualifications, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Qualifications from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/rfps.html>. Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

Request for Proposals

2002/06 Program Administrator/Master Servicer

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Program Administrator/Master Servicer services to submit proposals for consideration. Written, sealed proposals shall be accepted until 12:00 Noon (Eastern Time), July 26, 2002, to the attention of Robin Grantham, Senior Contracts Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/rfps.html>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

NOTICE OF WITHDRAWAL

2002/06 Program Administrator/Master Servicer

Notice is hereby given that the notice of availability, published in Vol. 28, No. 29, on July 12, 2002, Florida Administrative Weekly has been withdrawn.

For questions or additional information, please contact: Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org.

Request for Proposals

2002/06 for Single Family

Mortgage Revenue Bond Program Servicing

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Single Family Mortgage Revenue Bond Program servicing to submit proposals for consideration. Written, sealed proposals shall be accepted until 12:00 p.m. (Eastern Time), August 2, 2002, to the attention of: Robin Grantham, Senior Contracts Analyst, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/rfps.html>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

Request for Proposals

2002/06 Program Administrator/Master Servicer

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PETER R. BROWN CONSTRUCTION

NOTICE OF REQUEST FOR PROPOSALS

Martin County Health Department

Willoughby Blvd., Stuart, Florida

Peter R. Brown Construction, Inc. (CG-C061419), the Construction Manager for the Martin County Health Department, DOH #98437400, Stuart, Florida, hereby solicits sealed proposals for the following trade(s) for the referenced project in accordance with the proposal documents to include but not limited to the following:

Proposal Packages:

- Sitework
- Concrete
- Masonry
- Structural Steel
- Fire Sprinklers
- Plumbing
- HVAC
- Electrical
- Communication System

The Construction Manager will accept proposals until 2:00 p.m., August 13, 2002 (Local Time), at the offices of Peter R. Brown Construction, Inc., 1475 South Belcher Road, Largo, Florida, 33771. Faxed proposals will NOT be accepted. All proposals will be publicly opened and read aloud.

The Proposal Documents will be available at the office of the Construction Manager beginning July 15, 2002. Please call Mike Raney, (727)535-6407 or fax a request to (727)539-8485 to obtain documents. A Pre-proposal Conference will be held at Martin County Health Department, 620 S Dixie Highway, Stuart, FL 33994 on July 31, 2002, 10:00 a.m.

No verbal instructions or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written addendum.

A \$150.00 drawing deposit is required. If your company determines not to submit a proposal once the drawings are requested, then the drawings must be returned before the proposal time in order to have the aforementioned deposit returned.

A "Company Information Questionnaire" will be required of proposers. The information provided by each proposer must meet the requirements of both the owner and Peter R Brown Construction, Inc. and shall be provided by the prospective proposers before drawings will be issued. The Construction Manager reserves the right to reject any and all proposals, and to waive any informality in any proposal.

All questions regarding the work should be directed to the Construction Manager in writing. The Owner and Architect will not accept calls regarding this project.

NOTICE OF REQUEST FOR PROPOSALS

AG Holley State Hospital Fourth Floor Renovation
DOH #10050200

1199 West Lantana Road, Lantana, Florida

Peter R. Brown Construction, Inc. (CG-C061419), the Construction Manager for the A.G. Holley State Hospital Fourth Floor Renovation, hereby solicits sealed proposals for the following trade(s) for the referenced project in accordance with the proposal documents to include but not limited to the following:

Proposal Packages:

- Self-leveling Concrete
- Asbestos Abatement
- Acoustical Ceilings
- Built-up Roofing (patching only)
- Cabinets/Shelving
- Ceramic Tile
- Selective Demolition
- Communication Wiring
- Painting
- General Trades

- Plumbing
- Light-gauge Metal Framing,
- Drywall, and Plaster
- VCT/Resilient Base
- Heat Seamed Vinyl
- Storefront Systems
- HVAC
- Fire Sprinklers
- Electrical

The Construction Manager will accept proposals until 2:00 p.m., August 15, 2002 (Local Time) at the offices of Mr. Jeff Voiles, c/o Peter R. Brown Construction, Inc., 1119 W Lantana Road, Lantana, Florida 33462. Faxed proposals will NOT be accepted. All proposals will be publicly opened and read aloud. No verbal instructions or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written addendum.

The Proposal Documents will be available at the office of the Construction Manager beginning July 15, 2002. Please call Mike Raney, (727)535-6407 or fax a request to (727)539-8485 to obtain documents. A Pre-proposal Conference will be held at the Job Site on July 30, 2002, 2:00 p.m.

A "Company Information Questionnaire" will be required of proposers. The information provided by each proposer must meet the requirements of both the owner and Peter R Brown Construction, Inc. and shall be provided by the prospective proposers before drawings will be issued. The Construction Manager reserves the right to reject any and all proposals, and to waive any informality in any proposal.

All questions regarding the work should be directed to the Construction Manager in writing. The Owner and Architect will not accept calls regarding this project.

SENIOR RESOURCE ALLIANCE

REQUEST FOR PROPOSAL

(SRA RFP #2002-01)

The Area Agency on Aging of Central Florida, Inc. d/b/a (SRA) Senior Resource Alliance requests proposals for 2003 Older Americans Act Title IIIIE National Family Caregiver Support Program Services in each county of Planning and Service Area Seven (PSA7), including Brevard, Orange, Osceola, and Seminole counties. Proposals are due no later than 3:00 p.m. (EST), August 16, 2002, and should be sent to the Senior Resource Alliance, 988 Woodcock Road, Suite 200, Orlando FL 32803. Request for Proposal documents may be obtained at the above address on or after June 8, 2002, or by calling (407)228-1800.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

The Bureau of Historic Preservation of the Florida Department of State announces the availability of forms for application for designation as a 2002 Florida Main Street Community.

Complete applications must be delivered to the Florida Main Street Program, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 no later than 5:00 p.m. or postmarked and mailed or submitted (with evidence) to an express mail service on or before 12:00 midnight, July 26, 2002. Applications are available by contacting Miss Laura Lee Corbett, Florida Main Street Coordinator, at the above address or by calling 1(800)847-7278.

The Department of State, Division of Cultural Affairs, announces fall grant program deadlines for the period July 1, 2003 – June 30, 2004. Grant applications must be received in the office of the Division of Cultural Affairs (or the Department of State) by 5:00 p.m. of the deadline date. However, any application postmarked by the U.S. Postal Service no later than midnight of the deadline date shall be deemed to have been timely received.

The deadlines are:

Challenge Grant	September 3, 2002
Cultural Support	October 7, 2002
International Cultural Exchange	November 1, 2002
Local Arts Agencies	November 8, 2002
Arts in Education	November 22, 2002

For more information, please contact: Linda Downey, Bureau Chief, Bureau of Grant Services, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301.

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 application and/or other notice. 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 Section 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., August 9, 2002):

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Government Employees Credit Union of Florida, Post Office Box 43310, Jacksonville, Florida 32203-3310

Expansion Includes: Any person living or working in Miami-Dade County.

Received: July 3, 2002

DEPARTMENT OF INSURANCE

IN THE MATTER OF:

CITIZENS PROPERTY

CASE NO. 61632-02-CO

INSURANCE CORPORATION

ORDER APPROVING PLAN OF OPERATION

This matter came on before the Florida Department of Insurance for consideration and approval of the first Plan Of Operation (the Plan) for the Citizens Property Insurance Corporation, an entity authorized by Section 627.351(6), Florida Statutes.

Having considered the Plan, and being otherwise apprised in all relevant and material premises, the Department finds as follows:

1. The Florida Department of Insurance (the Department) has jurisdiction over the subject matter hereof pursuant to Section 627.351(6), Florida Statutes, and other applicable provisions of the Florida insurance Code.
2. Section 627.351(6)(a), Florida Statutes, specifically requires Department approval of the Department.
3. Approval of the Plan is in the public interest, and facilitates the operation of the Citizens Property Insurance Corporation as contemplated by Section 627.351(6), Florida Statutes.

IT IS THEREFORE ORDERED that the Plan of Operation of Citizens Property Insurance Corporation, a true copy of which is attached hereto and made a part hereof, is hereby approved, and shall for the purpose of establishing an "Effective Date", as that term is defined in the Plan, become effective upon its adoption by the Board of Governors of Citizens Property Insurance Corporation.

DONE AND ORDERED this 1st day of July, 2002.

TOM GALLAGHER

Treasurer and Insurance Commissioner

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the Agency Clerk, Room 612, Larson Building, Tallahassee, Florida, and a copy of the same with the appropriate district court of appeal within thirty (30) days of rendition of this order.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Department of Agriculture and Consumer Services will accept applications for state funding and certification as an agriculture education and promotion facility to be evaluated for

inclusion in the Department’s budget request. Applications must be submitted to the Department by October 1, 2002. The applicant must be a unit of local government (as defined in s. 18.369) or a fair association (as defined in Section 616.001(9), F.S., which is responsible for the planning, design, permitting, construction, renovation, management, and operation of the agriculture education and promotion facility or holds title to the property on which such facility is to be developed and located.

To obtain an application contact: Mr. Mark Markley, (850)921-1992, by email marklem@doacs.state.fl.us or 470 South Calhoun Street, Mayo Building, Tallahassee, Florida 32399-0800.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF SCHEDULE FOR SUBMISSION OF SCHOOL INTERLOCAL AGREEMENTS

Notice is hereby given to the public that the Department of Community Affairs has finalized the School Interlocal Agreement Schedule for submittal of executed School Interlocal Agreements pursuant to Sections 163.31777 and 235.193, Florida Statutes (2002).

Sections 163.31777(1) and 235.193(2)(a), F.S., require the County, district school board and municipalities located within the geographic area of a school district to enter into an interlocal agreement according this published schedule. The Department has set the same date for submittal for the county, the district school board and all municipalities located within a school district.

Local governments and the district school board in each school district are encouraged to adopt a single interlocal agreement to which all join as parties.

Pursuant to Section 163.31777(5), Florida Statutes, Palm Beach County is not included in the published schedule. Palm Beach County has implemented school concurrency and is not required to amend their interlocal agreement to conform to the new provisions of this section. Some municipalities included in the published schedule may qualify for exemption from the school interlocal agreement requirements pursuant to Section 163.31777(6), Florida Statutes. Municipalities should obtain a letter from the district school board verifying that the municipality meets the criteria for exemption and submit the letter at least three months prior to the scheduled due date for submission of the interlocal agreement. Some counties, district school boards and municipalities may qualify for a waiver of one or more of the content requirements of the interlocal agreement pursuant to Section 163.31777(1)(c), Florida Statutes. A petition for such a waiver should be submitted to the Department of Community Affairs at least six months prior to the scheduled due date for submission of the interlocal agreement.

For more information regarding the interlocal agreement requirements contact Mike McDaniel, Growth Management Administrator, Department of Community Affairs, Division of Community Planning, Bureau of State Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. The schedule and additional information on school planning and coordination is available electronically on the Department of Community Affairs web site at http://www.dca.state.fl.us/fdcp/DCP/programs/school_planning.htm.

SCHEDULE FOR SUBMISSION OF SCHOOL INTERLOCAL AGREEMENTS 2003-2004

COUNTY/MUNICIPALITY	DUE DATE
ALACHUA COUNTY	7/1/2004
ALACHUA CITY	7/1/2004
ARCHER	7/1/2004
GAINESVILLE	7/1/2004
HAWTHORNE	7/1/2004
HIGH SPRINGS	7/1/2004
LACROSSE	7/1/2004
MICANOPY	7/1/2004
NEWBERRY	7/1/2004
WALDO	7/1/2004
BAKER COUNTY	8/1/2004
GLEN SAINT MARY	8/1/2004
MACCLENNY	8/1/2004
BAY COUNTY	12/1/2003
CALLAWAY	12/1/2003
CEDAR GROVE	12/1/2003
LYNN HAVEN	12/1/2003
MEXICO BEACH	12/1/2003
PANAMA CITY	12/1/2003
PANAMA CITY BEACH	12/1/2003
PARKER	12/1/2003
SPRINGFIELD	12/1/2003
BRADFORD COUNTY	7/1/2004
BROOKER	7/1/2004
HAMPTON	7/1/2004
LAWTEY	7/1/2004
STARKE	7/1/2004
BREVARD COUNTY	3/1/2003
CAPE CANAVERAL	3/1/2003

COUNTY/MUNICIPALITY	DUE DATE	COUNTY/MUNICIPALITY	DUE DATE
COCOA	3/1/2003	CALHOUN COUNTY	9/1/2004
COCOA BEACH	3/1/2003	ALTHA	9/1/2004
INDIALANTIC	3/1/2003	BLOUNTSTOWN	9/1/2004
INDIAN HARBOR BEACH	3/1/2003		
MALABAR	3/1/2003	CHARLOTTE COUNTY	6/1/2003
MELBOURNE	3/1/2003	PUNTA GORDA	6/1/2003
MELBOURNE BEACH	3/1/2003	CITRUS COUNTY	9/1/2003
MELBOURNE VILLAGE	3/1/2003	CRYSTAL RIVER	9/1/2003
PALM BAY	3/1/2003	INVERNESS	9/1/2003
PALM SHORES	3/1/2003		
ROCKLEDGE	3/1/2003	CLAY COUNTY	12/1/2003
SATELLITE BEACH	3/1/2003	GREEN COVE SPRINGS	12/1/2003
TITUSVILLE	3/1/2003	KEYSTONE HEIGHTS	12/1/2003
WEST MELBOURNE	3/1/2003	ORANGE PARK	12/1/2003
		PENNEY FARMS	12/1/2003
BROWARD COUNTY	5/1/2003		
COCONUT CREEK	5/1/2003	COLLIER COUNTY	3/1/2003
COOPER CITY	5/1/2003	EVERGLADES CITY	3/1/2003
		MARCO ISLAND	3/1/2003
CORAL SPRINGS	5/1/2003	NAPLES	3/1/2003
DANIA BEACH	5/1/2003		
DAVIE	5/1/2003	COLUMBIA COUNTY	3/1/2004
DEERFIELD BEACH	5/1/2003	FORT WHITE	3/1/2004
FORT LAUDERDALE	5/1/2003	LAKE CITY	3/1/2004
HALLANDALE BCH	5/1/2003		
HILLSBORO BEACH	5/1/2003	DESOTO COUNTY	6/1/2004
HOLLYWOOD	5/1/2003	ARCADIA	6/1/2004
LAUDERDALE LAKES	5/1/2003		
LAUDERDALE-BY-THE-SEA	5/1/2003	DIXIE COUNTY	2/1/2004
LAUDERHILL	5/1/2003	CROSS CITY	2/1/2004
LAZY LAKE	5/1/2003	HORSESHOE BEACH	2/1/2004
LIGHTHOUSE POINT	5/1/2003		
MARGATE	5/1/2003	DUVAL COUNTY	7/1/2003
MIRAMAR	5/1/2003	ATLANTIC BEACH	7/1/2003
NORTH LAUDERDALE	5/1/2003	BALDWIN	7/1/2003
OAKLAND PARK	5/1/2003	JACKSONVILLE BEACH	7/1/2003
PARKLAND	5/1/2003	NEPTUNE BEACH	7/1/2003
PEMBROKE PARK	5/1/2003	ESCAMBIA COUNTY	8/1/2004
PEMBROKE PINES	5/1/2003	CENTURY	8/1/2004
PLANTATION	5/1/2003	PENSACOLA	8/1/2004
POMPANO BEACH	5/1/2003		
PORT EVERGLADES	5/1/2003	FLAGLER COUNTY	5/1/2004
SEA RANCH LAKES	5/1/2003	BEVERLY BEACH	5/1/2004
SUNRISE	5/1/2003	BUNNELL	5/1/2004
TAMARAC	5/1/2003	FLAGLER BEACH	5/1/2004
WESTON	5/1/2003	MARINELAND	5/1/2004
WILTON MANORS	5/1/2003		

COUNTY/MUNICIPALITY	DUE DATE	COUNTY/MUNICIPALITY	DUE DATE
FRANKLIN COUNTY	12/1/2004	HILLSBOROUGH COUNTY	4/1/2003
APALACHICOLA	12/1/2004	PLANT CITY	4/1/2003
CARRABELLE	12/1/2004	TAMPA	4/1/2003
		TEMPLE TERRACE	4/1/2003
GADSDEN COUNTY	12/1/2004		
CHATTAHOOCHEE	12/1/2004	HOLMES COUNTY	11/1/2004
GREENSBORO	12/1/2004	BONIFAY	11/1/2004
GRETNA	12/1/2004	NOMA	11/1/2004
HAVANA	12/1/2004	PONCE DE LEON	11/1/2004
MIDWAY	12/1/2004	WESTVILLE	11/1/2004
QUINCY	12/1/2004	ESTO	11/1/2004
GILCHRIST COUNTY	4/1/2004	INDIAN RIVER COUNTY	8/1/2003
BELL	4/1/2004	FELLSMERE	8/1/2003
FANNING SPRINGS	4/1/2004	INDIAN RIVER SHORES	8/1/2003
TRENTON	4/1/2004	ORCHID	8/1/2003
		SEBASTIAN	8/1/2003
GLADES COUNTY	3/1/2004	VERO BEACH	8/1/2003
MOORE HAVEN	3/1/2004		
		JACKSON COUNTY	11/1/2004
GULF COUNTY	8/1/2004	ALFORD	11/1/2004
PORT ST. JOE	8/1/2004	BASCOM	11/1/2004
WEWAHITCHKA	8/1/2004	CAMPBELLTON	11/1/2004
		COTTONDALE	11/1/2004
HAMILTON COUNTY	6/1/2004	GRACEVILLE	11/1/2004
JASPER	6/1/2004	GRAND RIDGE	11/1/2004
JENNINGS	6/1/2004	GREENWOOD	11/1/2004
WHITE SPRINGS	6/1/2004	JACOB CITY	11/1/2004
		MALONE	11/1/2004
HARDEE COUNTY	11/1/2004	MARIANNA	11/1/2004
BOWLING GREEN	11/1/2004	SNEADS	11/1/2004
WAUCHULA	11/1/2004		
ZOLFO SPRINGS	11/1/2004	JEFFERSON COUNTY	9/1/2004
		MONTICELLO	9/1/2004
HENDRY COUNTY	7/1/2003		
CLEWISTON	7/1/2003	LAFAYETTE COUNTY	4/1/2004
LA BELLE	7/1/2003	MAYO	4/1/2004
HERNANDO COUNTY	10/1/2003	LAKE COUNTY	3/1/2004
BROOKSVILLE	10/1/2003	ASTATULA	3/1/2004
WEEKI WACHEE	10/1/2003	CLERMONT	3/1/2004
		EUSTIS	3/1/2004
HIGHLANDS COUNTY	7/1/2003	FRUITLAND PARK	3/1/2004
AVON PARK	7/1/2003	GROVELAND	3/1/2004
LAKE PLACID	7/1/2003	HOWEY IN THE HILLS	3/1/2004
SEBRING	7/1/2003	LADY LAKE	3/1/2004
		LEESBURG	3/1/2004
		MASCOTTE	3/1/2004

COUNTY/MUNICIPALITY	DUE DATE	COUNTY/MUNICIPALITY	DUE DATE
MINNEOLA	3/1/2004	OCEAN BREEZE PARK	4/1/2003
MONTVERDE	3/1/2004	SEWALLS POINT	4/1/2003
MOUNT DORA	3/1/2004	STUART	4/1/2003
TAVARES	3/1/2004		
UMATILLA	3/1/2004	MIAMI-DADE COUNTY	3/1/2003
		AVENTURA	3/1/2003
LEE COUNTY	4/1/2003	BAL HARBOUR VILLAGE	3/1/2003
CAPE CORAL	4/1/2003	BAY HARBOR ISLANDS	3/1/2003
FORT MYERS	4/1/2003	BISCAYNE PARK	3/1/2003
FORT MYERS BEACH	4/1/2003	CORAL GABLES	3/1/2003
SANIBEL	4/1/2003	EL PORTAL	3/1/2003
		FLORIDA CITY	3/1/2003
LEON COUNTY	12/1/2003	GOLDEN BEACH	3/1/2003
TALLAHASSEE	12/1/2003	HIALEAH	3/1/2003
		HIALEAH GARDENS	3/1/2003
LEVY COUNTY	11/1/2003	HOMESTEAD	3/1/2003
BRONSON	11/1/2003	INDIAN CREEK VILLAGE	3/1/2003
CEDAR KEY	11/1/2003		
CHIEFLAND	11/1/2003	ISLANDIA	3/1/2003
INGLIS	11/1/2003	KEY BISCAYNE	3/1/2003
OTTER CREEK	11/1/2003	MEDLEY	3/1/2003
WILLISTON	11/1/2003	MIAMI	3/1/2003
YANKEETOWN	11/1/2003	MIAMI BEACH	3/1/2003
		MIAMI SHORES	3/1/2003
LIBERTY COUNTY	10/1/2004	MIAMI SPRINGS	3/1/2003
BRISTOL	10/1/2004	NORTH BAY	3/1/2003
		NORTH MIAMI	3/1/2003
MADISON COUNTY	12/1/2004	NORTH MIAMI BEACH	3/1/2003
GREENVILLE	12/1/2004	OPA-LOCKA	3/1/2003
LEE	12/1/2004	PINECREST	3/1/2003
MADISON CITY	12/1/2004	SOUTH MIAMI	3/1/2003
		SUNNY ISLES BEACH	3/1/2003
MANATEE COUNTY	10/1/2003	SURFSIDE	3/1/2003
ANNA MARIA	10/1/2003	SWEETWATER	3/1/2003
BRADENTON	10/1/2003	VIRGINIA GARDENS	3/1/2003
BRADENTON BEACH	10/1/2003	WEST MIAMI	3/1/2003
HOLMES BEACH	10/1/2003		
PALMETTO	10/1/2003	MONROE COUNTY	9/1/2003
MARION COUNTY	5/1/2004	ISLAMARADA	9/1/2003
BELLEVIEW	5/1/2004	KEY COLONY BEACH	9/1/2003
DUNNELLON	5/1/2004	KEY WEST	9/1/2003
MCINTOSH	5/1/2004	LAYTON	9/1/2003
OCALA	5/1/2004		
REDDICK	5/1/2004	NASSAU COUNTY	8/1/2003
		CALLAHAN	8/1/2003
MARTIN COUNTY	4/1/2003	FERNANDINA BEACH	8/1/2003
JUPITER ISLAND	4/1/2003	HILLIARD	8/1/2003

COUNTY/MUNICIPALITY	DUE DATE	COUNTY/MUNICIPALITY	DUE DATE
OKALOOSA COUNTY	6/1/2004	PINELLAS COUNTY	5/1/2003
CINCO BAYOU	6/1/2004	BELLEAIR	5/1/2003
CRESTVIEW	6/1/2004	BELLEAIR BEACH	5/1/2003
DESTIN	6/1/2004	BELLEAIR BLUFFS	5/1/2003
FORT WALTON BEACH	6/1/2004	BELLEAIR SHORE	5/1/2003
LAUREL HILL	6/1/2004	CLEARWATER	5/1/2003
MARY ESTHER	6/1/2004	DUNEDIN	5/1/2003
NICEVILLE	6/1/2004	GULFPORT	5/1/2003
SHALIMAR	6/1/2004	INDIAN ROCKS BEACH	5/1/2003
VALPARAISO	6/1/2004	INDIAN SHORES	5/1/2003
OKEECHOBEE COUNTY	8/1/2003	KENNETH CITY	5/1/2003
OKEECHOBEE CITY	8/1/2003	LARGO	5/1/2003
ORANGE COUNTY	11/1/2003	MADEIRA BEACH	5/1/2003
APOPKA	11/1/2003	NORTH REDINGTON BEACH	5/1/2003
BAY LAKE	11/1/2003	OLDSMAR	5/1/2003
BELLE ISLE	11/1/2003	PINELLAS PARK	5/1/2003
EATONVILLE	11/1/2003	REDINGTON BEACH	5/1/2003
EDGEWOOD	11/1/2003	REDINGTON SHORES	5/1/2003
LAKE BUENA VISTA	11/1/2003	SAFETY HARBOR	5/1/2003
MAITLAND	11/1/2003	SEMINOLE CITY	5/1/2003
OAKLAND	11/1/2003	SOUTH PASADENA	5/1/2003
OCOEE	11/1/2003	ST. PETERSBURG	5/1/2003
ORLANDO	11/1/2003	ST. PETERSBURG BEACH	5/1/2003
REEDY CREEK	11/1/2003	TARPON SPRINGS	5/1/2003
WINDERMERE	11/1/2003	TREASURE ISLAND	5/1/2003
WINTER GARDEN	11/1/2003	POLK COUNTY	2/1/2004
WINTER PARK	11/1/2003	AUBURNDALE	2/1/2004
OSCEOLA COUNTY	6/1/2003	BARTOW	2/1/2004
KISSIMMEE	6/1/2003	DAVENPORT	2/1/2004
SAINT CLOUD	6/1/2003	DUNDEE	2/1/2004
PALM BEACH COUNTY	EXEMPT	EAGLE LAKE	2/1/2004
PASCO COUNTY	6/1/2003	FORT MEADE	2/1/2004
DADE CITY	6/1/2003	FROSTPROOF	2/1/2004
NEW PORT RICHEY	6/1/2003	HAINES CITY	2/1/2004
PORT RICHEY	6/1/2003	HIGHLAND PARK	2/1/2004
ST. LEO	6/1/2003	HILLCREST HEIGHTS	2/1/2004
SAN ANTONIO	6/1/2003	LAKE ALFRED	2/1/2004
ZEPHYRHILLS	6/1/2003	LAKE HAMILTON	2/1/2004
		LAKE WALES	2/1/2004
		LAKELAND	2/1/2004
		MULBERRY	2/1/2004
		POLK CITY	2/1/2004
		WINTER HAVEN	2/1/2004
		PUTNAM COUNTY	10/1/2004
		CRESCENT CITY	10/1/2004
		INTERLACHEN	10/1/2004

COUNTY/MUNICIPALITY	DUE DATE	COUNTY/MUNICIPALITY	DUE DATE
PALATKA	10/1/2004	TAYLOR COUNTY	10/1/2004
POMONA PARK	10/1/2004	PERRY	10/1/2004
WELAKA	10/1/2004		
SANTA ROSA COUNTY	1/1/2004	UNION COUNTY	9/1/2004
GULF BREEZE	1/1/2004	LAKE BUTLER	9/1/2004
JAY	1/1/2004	RAIFORD	9/1/2004
MILTON	1/1/2004	WORTHINGTON SPRINGS	9/1/2004
SARASOTA COUNTY	9/1/2003	VOLUSIA COUNTY	4/1/2003
LONGBOAT KEY	9/1/2003	DAYTONA BEACH	4/1/2003
NORTH PORT	9/1/2003	DAYTONA BEACH SHORES	4/1/2003
SARASOTA CITY	9/1/2003	DEBARY	4/1/2003
VENICE	9/1/2003	DELAND	4/1/2003
SEMINOLE COUNTY	5/1/2003	DELTONA	4/1/2003
ALTAMONTE SPRINGS	5/1/2003	EDGEWATER	4/1/2003
CASSELBERRY	5/1/2003	HOLLY HILL	4/1/2003
LAKE MARY	5/1/2003	LAKE HELEN	4/1/2003
LONGWOOD	5/1/2003	NEW SMYRNA BEACH	4/1/2003
OVIEDO	5/1/2003	OAK HILL	4/1/2003
SANFORD	5/1/2003	ORANGE CITY	4/1/2003
WINTER SPRINGS	5/1/2003	ORMOND BEACH	4/1/2003
ST. JOHNS COUNTY	1/1/2004	PIERSON	4/1/2003
HASTINGS	1/1/2004	PONCE INLET	4/1/2003
ST. AUGUSTINE	1/1/2004	PORT ORANGE	4/1/2003
ST. AUGUSTINE BEACH	1/1/2004	SOUTH DAYTONA	4/1/2003
ST. LUCIE COUNTY	5/1/2004	WAKULLA COUNTY	1/1/2004
FORT PIERCE	5/1/2004	SOPCHOPPY	1/1/2004
PORT ST. LUCIE	5/1/2004	ST. MARKS	1/1/2004
ST. LUCIE VILLAGE	5/1/2004		
SUMTER COUNTY	7/1/2004	WALTON COUNTY	11/1/2003
BUSHNELL	7/1/2004	DEFUNIAK SPRINGS	11/1/2003
CENTER HILL	7/1/2004	FREEPORT	11/1/2003
COLEMAN	7/1/2004	PAXTON	11/1/2003
WEBSTER	7/1/2004	WASHINGTON COUNTY	2/1/2004
WILDWOOD	7/1/2004	CARYVILLE	2/1/2004
SUWANNEE COUNTY	5/1/2004	CHIPLEY	2/1/2004
BRANFORD	5/1/2004	EBRO	2/1/2004
LIVE OAK	5/1/2004	VERNON	2/1/2004
		WAUSAU	2/1/2004

Pursuant to Section 163.31777(5), Florida Statutes, Palm Beach County is not included in the schedule. Palm Beach County has implemented school concurrency and is not required to amend its interlocal agreement to conform to the new provisions of this section

DEPARTMENT OF REVENUE**NOTICE OF ADOPTION OF COMMUNICATIONS SERVICES TAX ADDRESS/JURISDICTION DATABASE**

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic siting database that assigns customer service addresses to local taxing jurisdictions for purposes of the communications services tax. The initial database, as posted on April 1, 2002, became effective July 1, 2002. The siting database can be assessed at <http://geotax.state.fl.us>. The next update to the database will be effective January 1, 2003 and is required to be posed 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2003, update no later than September 3, 2002. Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue, Communications Services Tax Local Government Unit by telephone at (850)921-9181, Suncom 291-9181 or by e-mail cs-tax@dor.state.fl.us. Hearing and speech-impaired persons may call the TDD line at 1(800)367-8331 or (850)922-1115, Suncom 292-1115.

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, Aprilia USA, Inc., intends to allow the establishment of A&G Auto Exchange, Inc., as a dealership for the sale of Aprilia motorcycles, scooters, spare parts, and accessories at 15320 West Dixie Highway, North Miami Beach (Dade County), Florida 33162, on or after July 2, 2002.

The name and address of the dealer operator(s) and principal investor(s) of A&G Auto Exchange, Inc. are dealer operator(s) and principal investor(s): Armando Maury, 8855 Collins Ave., #707, Surfside, FL 33154.

The notice indicates 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: Tanner Shultz, National Business Development Manager, 109 Smokehill Lane, Suite 190, Woodstock, GA 30188.

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, Panoz Auto Development Co., intends to allow the establishment of Exotic Cars of South Florida, LLC d/b/a The New Auto Toy Store, as a dealership for the sale of Panoz Esperante, at 1624 E. Sunrise Blvd., Ft. Lauderdale (Broward County), Florida 33304, on or after June 26, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Exotic Cars of South Florida, LLC d/b/a The New Auto Toy Store are dealer operator(s) Samuel Ray Anthony, 19877 E. Country Club Dr., #504, Miami, FL 33180; principal investor(s): Samuel Ray Anthony, 19877 E. Country Club Dr., #504, Miami, FL 33810 and Ray G. Anthony, 1603 Seminole, Ft. Lauderdale, FL 33304.

The notice indicates 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: Merla Sawyer, Controller, Panoz Auto Development Co., 1101 Highway 124, Hoschton, GA 30548.

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, Malaguti USA, Inc., intends to allow the establishment of Fortis USA Inc. d/b/a Scooters of Palm Beach and Fortis Auto Mall, as a dealership for the sale of Malaguti motorcycles, at 12550 S. Military Trail, Suite 1, Boynton Beach (Palm Beach County), Florida 33436, on or after June 26, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Fortis USA Inc., d/b/a Scooters of Palm Beach and Fortis Auto Mall are dealer operator(s) and principal investor(s): Edson and Mary Ann Teixeira, 4154 Birchwood Dr., Boca Raton, FL 33487.

The notice indicates 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: Joel Martin, President, Malaguti USA Inc., 8350 N. W. 70th St., Miami, FL 33166.

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, DaimlerChrysler Motors Company, LLC, intends to allow the establishment of T. T. of Jacksonville, Inc. d/b/a Jacksonville Dodge, as a dealership for the sale of Dodge vehicles, at a location in the city of Jacksonville, Duval County, Florida, which is located in north east quadrant of the intersection of Baymeadows Road and State Road 9A. The legal description of this property is as follows:

A portion of sections 20 and 29, Township 3 South, Range 28 East, Jacksonville, Duval County, Florida and being more particularly described as follows:

For A Point of Reference Commence at a Point Where the Easterly Right of Way Line of State Road No. 9A Intersects the Northerly Right of Way Line of Baymeadows Road; Thence the Following (3) Courses Along Said Easterly Right of Way Line: Course (1) North 11° 44' 48" West, 95.49 Feet; Course (2) North 07° 57' 56" West, 1072.70 Feet; Course (3) North 04° 49' 08" West, 545.46 Feet to the Point of Beginning.

From the Point of Beginning Thus Described, Thence Continuing Along Said Easterly Right of Way Line the Following (2) Courses; Course (1) Thence North 04° 49' 08" West, 458.21 Feet; Thence North 00° 18' 22" West, 282.39 Feet; Thence South 89° 45' 35" East, 543.84 Feet; Thence South 28° 27' 14" East, 547.30 Feet to a Point on a Curve. Thence in a Southeasterly Direction, Along the Arc of a Curve, Said Curve Being Concave Southeasterly, and Having a Radius of 550.00 Feet, A Chord Bearing and Distance of South 34° 41' 41" West, 316.09 Feet; Thence North 71° 01' 50" West, 133.11 Feet; Thence South 85° 09' 16" West, 460.44 Feet to the Point of Beginning.

The Land Thus Described Contains 11.07 Acres, More or Less.

DaimlerChrysler Motors Company, LLC intends to engage in business with T. T. of Jacksonville, Inc. d/b/a Jacksonville Dodge on or after January 1, 2003 if no protests are filed.

The name and address of the dealer operator(s) and principal investor(s) of T. T. of Jacksonville, Inc. d/b/a Jacksonville Dodge are dealer operator(s) and principal investor(s): Terry Taylor, 515 East Las Olas Blvd., Suite 900, Ft. Lauderdale, FL 33301.

The notice indicates 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: J. J. Browne, Zone Manager, DaimlerChrysler Motors Company, LLC, 10300 Boggy Creek Road, Suite 110, Orlando, FL 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Company, LLC intends to establish Turnpike Chrysler, Jeep & Dodge, LLC d/b/a Allstar Chrysler Jeep as a dealership for the sale of new Chrysler and Jeep motor vehicles at a location in Osceola County, St. Cloud, Florida, which is located along the northeast side of U.S. Highway 192 (Partin-Settlement Road), which is bounded by the Florida Turnpike along the southwest boundary of the subject site. The legal description of this property is as follows:

Beginning at the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of Section 29, Township 25 South, Range 30 East, Osceola County, Florida, Run North Along the West Line of Said Southeast 1/4 of the Southwest 1/4, to a Point 681.80 Feet, South of the Northwest Corner of Said Southeast 1/4 of Southwest 1/4; Run Thence East to the West Right of Way Line of Florida's Turnpike; Run Southeasterly, Along Said Turnpike Right of Way to a Point 1611.84 Feet, Northwesterly From the Intersection of Said West Right of Way Line and the North Right of Way Line of U.S. Highway No. 441-192; Run Thence West, Parallel to the North Line of the Charles Cotton Lands, to the Easterly Right of Way Line of U.S. Highway No. 441-192; Run Thence Northwesterly, Along Said Right of Way to the West Line of the Northeast 1/4 of the Northwest 1/4 of Section 32, Township 25 South, Range 30 East; Run Thence North 00° 40' West, 720.06 Feet to the Point of Beginning.

Being More Particularly Described As:

Beginning at the Southwest Corner of the Southeast 1/4 of the Southwest 1/4 of Section 29, Township 25 South, Range 30 East, Osceola County, Florida; Thence Run North Along the West Line of Said Southeast 1/4 of the Southeast 1/4, A Distance of 294.11 Feet to a Point 1036.80 Feet, South of the Northwest Corner of Said Southeast 1/4 of the Southwest 1/4; Run Thence S. 89° 28' 58" E., Parallel to the North Line of Said Southeast 1/4 of the Southwest 1/4, 659.57 Feet to the Westerly Right of Way Line of Florida's Turnpike; Run Thence Southeasterly, Along Said Right of Way Line, On a 8394.37 Foot Radius Curve to the Left, 924.55 Feet, Have a Chord Which Rears S. 13° 01' 04" E., A Chord Distance of 924.10 Feet, To the Point of Tangent; Run Thence S. 09° 51' 45" E., Along Said Right of Way Line, A Distance of 859.71 Feet; Thence Departing Said Right of Way Line, Run N. 89° 39' 24" W. a Distance of 669.26 Feet, To the Easterly Right of Way Line of U.S. Highway No. 441-192; Run Thence Northwesterly, Along Said Right of Way Line, On a 9381.44 Foot Radius Curve to the Right, 89.92 Feet, Having a Chord

Which Bears N. 25° 09' 11" W. a Chord Distance of 82.92 Feet, To the Point of Tangent; Run Thence N. 24° 37' 32" W., Along Said Right of Way Line, A Distance of 747.55 Feet to the West Line of the Northeast 1/4 Section 32, Township 25 South, Range 30 East, Osceola County, Florida; Run Thence N. 00° 05' 04" E., Along Said Right of Way Line, Distance of 700.57 Feet to the Point of Beginning.

DaimlerChrysler Motors Company, LLC intends to engage in business with Turnpike Chrysler, Jeep & Dodge, LLC d/b/a Allstar Chrysler Jeep on or after September 1, 2002 if no protests are filed.

The name and address of the dealer operator(s) and principal investor(s) of Turnpike Chrysler, Jeep & Dodge, LLC d/b/a Allstar Chrysler Jeep are dealer operator(s) and principal investor(s) Alan Starling, 2499 N. Orange Blossom Trail, Kissimmee, FL 34744.

The notice indicates 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: J. J. Browne, Zone Manager, DaimlerChrysler Motors Company, LLC, 10300 Boggy Creek Road, Suite 110, Orlando, FL 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED
EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Broward	District: 10
ID #: 0100055	Decision: A Issue Date: 7/3/2002
Facility/Project: Westside Regional Medical Center	

Applicant: Columbia Hospital Corporation of South Broward, Inc.

Project Description: Add 20 acute care beds

Proposed Project Cost: \$0

County: Polk

District: 3

ID #: 0100056

Decision: A

Issue Date: 6/27/2002

Facility/Project: Winter Haven Hospital

Applicant: Winter Haven Hospital, Inc.

Project Description: Convert 50 hospital-based skilled nursing unit beds to 50 acute care beds

Proposed Project Cost: \$0

County: Lee

District: 8

ID #: 0200003

Decision: A

Issue Date: 7/08/2002

Facility/Project: LeHigh Regional Medical Center

Applicant: LeHigh HMA, Inc.

Project Description: Convert 13 hospital-based skilled nursing unit beds to 13 acute care beds

Proposed Project Cost: \$0

**NOTICE OF WITHDRAWAL
CERTIFICATE OF NEED**

The Agency for Health Care Administration hereby notices withdrawal from review the following Certificate of Need applications:

County: Hillsborough

Service District: 6

CON #: 9581

Decision Date: 7/3/2002

Decision: W

Facility/Project: Life Path Hospice and Palliative Care, Inc.

Applicant: Life Path Hospice and Palliative Care, Inc.

Project Description: Establish a 24-bed freestanding inpatient hospice house

DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

The Florida Department of Environmental Protection has determined that the proposed City of Daytona Beach Shores' wastewater facilities will not have a significant adverse affect on the environment.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." For more information regarding the Florida Categorical Exclusion Notification, please contact Troy M. Mullis, (850)488-8163.

**NOTICE OF FLORIDA COASTAL MANAGEMENT
PROGRAM – ROUTINE PROGRAM CHANGE**

On July 1, 2002, the State received concurrence from the Federal Office of Ocean and Coastal Resource Management (OCRM) that the proposed changes to the Approved Florida Coastal Program (AFCP) updating parts of two Chapters of the Florida Statutes in the AFCP constitute routine changes as

defined by 15 CFR 923.84 under the Federal Coastal Zone Management Act (16 U.S.C. ss. 1451 et seq.). Please refer to the June 14, 2002, notice in the Florida Administrative Weekly for a description of the implementation action.

As of the date of this notice in the Florida Administrative Weekly, these statutory changes are incorporated into the AFCP and are eligible to be the basis of federal consistency decisions. This notice has been sent to affected parties, including affected local governments, state agencies, and regional offices of relevant federal agencies as required by 15 CFR 923.84(2)(b). A list of persons and organizations notified is available for inspection or can be provided at cost upon request from the FCMP (Florida Coastal Management Program).

For more information on this Routine Program Change, please contact: Ms. Jasmin Raffington, Department of Environmental Protection, Florida Coastal Management Program, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)922-5438.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

On July 3, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Jonathans Eugene Jacks, L.P.N. Jacks holds license number PN 1351051. Jacks's last known address is Post Office Box 265, Lacoochee, Florida 33537. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 3, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Kimberly Williams, R.N. Williams holds license number RN 2822552. Williams's last known address is 6322 Lawrence Road, Lantana, Florida 33462. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 8, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Cindy Bristow, L.P.N. Bristow holds license number PN 814761. Bristow's last known address is 2774 S. W. 15th Street, Deerfield, Florida 33442. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 8, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Gerald Johnson, L.P.N. Johnson holds license number PN 726191. Johnson's last known address is 1520 N. W. 179th Terrace, Miami, Florida 33169-4129. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 8, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Deborah Milbut, R.N. Milbut holds license number RN 2210192. Milbut's last known address is 582 N. W. 12th Terrace, Boca Raton, Florida 33486. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 8, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Shartarya Thomas, C.N.A. Thomas holds certificate number 0600900001274. Thomas' last known address is Post Office Box 577, South Bay, Florida 33493. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

RENEWAL OF FLORIDA'S STATE PLAN FOR TEMPORARY CASH ASSISTANCE FOR NEEDY FAMILIES (TANF)

Notice is hereby given the Department of Children and Family Services, Economic Self-Sufficiency Services Program Office, is proposing for submission the Florida State Plan for Temporary Cash Assistance for Needy Families (TANF) for renewal for Federal Fiscal Years 10/01/02-9/31/04. To receive a full copy of the draft State Plan for TANF for renewal and Appendices by mail: call (850)488-8004 or write the Department of Children and Family Services, Economic Self-Sufficiency Services Program Office, 1317 Winewood Boulevard, Building 3, Room 423, Tallahassee, Florida 32399-0700.

The Department will accept written comments from the public on this proposed State Plan Renewal. Comments should be sent to the address above. The deadline for submitting comments to the Department is 5:00 p.m., September 2, 2002.

The Office on Homelessness announces the following solicitation of applications for the Challenge Grant and the Homeless Housing Assistance Grant programs to lead agencies for homeless assistance continuum of care. All designated lead agencies are invited to apply.

DEADLINE FOR SUBMISSION OF CHALLENGE GRANT APPLICATION:

Tuesday, September 3, 2002, 5:00 p.m. (DST)
 SUBMIT TO: Department of Children and Family Services
 Office on Homelessness
 Building 2, Room 103-C
 1317 Winewood Boulevard
 Tallahassee, FL 32399-0700

Pursuant to Section 420.622, Florida Statutes, the Department of Children and Family Services, through the State Office on Homelessness, hereby solicits applications for Challenge Grants to lead agencies for homeless assistance continuums of care designated by the State Office on Homelessness. A lead agency may be a local homeless coalition, municipal or county government, or other public agency, or a private not for profit corporation. Such grants may be up to \$250,000 per lead agency.

To qualify for the grant, a lead agency must develop and implement a local homeless assistance continuum of care plan for its designated catchment area.

Preference will be given to those lead agencies that have demonstrated the ability of their continuum of care to provide quality services to homeless persons and the ability to leverage federal homeless assistance under the Stewart B. McKinney Act and private funding for the provision of services to homeless persons. Preference will also be given to lead

agencies in catchment areas with the greatest need for the provision of housing to the homeless, relative to the population of the catchment area.

Lead agencies wishing to apply for such homeless housing assistance grants should request an application package before close of business on July 31, 2002, from Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

DEADLINE FOR SUBMISSION OF HOMELESS HOUSING ASSISTANCE GRANT APPLICATIONS:

Tuesday, September 17, 2002, 5:00 p.m. (DST)

SUBMIT TO: Department of Children and Family Services
Office on Homelessness
Building 2, Room 103-C
1317 Winewood Boulevard
Tallahassee, FL 32399-0700

Pursuant to Section 420.622, Florida Statutes, the Department of Children and Family Services, through the State Office on Homelessness, hereby solicits applications for homeless housing assistance grants to lead agencies for homeless assistance continuums of care designated by the State Office on Homelessness. A lead agency may be a local

homeless coalition, municipal or county government, or other public agency, or a private not-for-profit corporation. Such grants may be up to \$750,000 per project, with no more than two grants awarded annually in any given continuum of care catchment area.

To qualify for the grant, a lead agency must develop and implement a local homeless assistance continuum of care plan for its designated catchment area.

Preference will be given to those lead agencies that build or rehabilitate the greatest number of units and who leverage additional private and public funds, particularly federal funds designated for construction and rehabilitation of transitional, or permanent housing for homeless persons. Preference will also be given to lead agencies in catchment areas with the greatest need for the provision of housing to the homeless, relative to the population of the catchment area.

Lead agencies wishing to apply for such homeless housing assistance grants should request an application package before close of business on July 31, 2002, from the Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 1, 2002
 and July 5, 2002

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
University of Florida

6C1-3.020	7/5/02	7/25/02	Newspaper	
6C1-3.025	7/5/02	7/25/02	Newspaper	

Florida International University

6C8-5.006	7/5/02	7/25/02	Newspaper	
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STATE BOARD OF ADMINISTRATION

19-9.001	7/3/02	7/23/02	28/16	
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PUBLIC SERVICE COMMISSION

25-7.072	7/3/02	7/23/02	28/10	
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DEPARTMENT OF CORRECTIONS

33-602.210	7/5/02	7/25/02	28/5	28/21
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District

40C-3.035	7/5/02	7/25/02	28/21	
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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office

59G-6.090	7/1/02	7/21/02	28/16	28/21
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DEPARTMENT OF HEALTH
Board of Medicine

64B8-41.001	7/2/02	7/22/02	28/20	
64B8-42.005	7/2/02	7/22/02	28/20	
64B8-45.006	7/2/02	7/22/02	28/20	
64B8-51.008	7/2/02	7/22/02	28/20	

Board of Respiratory Care

64B32-2.001	7/2/02	7/22/02	28/21	
64B32-3.002	7/2/02	7/22/02	28/21	
64B32-3.003	7/2/02	7/22/02	28/21	
64B32-6.006	7/2/02	7/22/02	28/21	

Division of Family Health Services

64F-11.007	7/3/02	7/23/02	28/22	
64F-11.008	7/3/02	7/23/02	28/22	