

**Section I**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

**RULE TITLE:** Connecting or Disconnecting Cylinders, Tanks, or Systems; Notice to Owner; Transportation  
**RULE NO.:** 5F-11.047

**PURPOSE AND EFFECT:** This is a second meeting of the negotiated rulemaking committee is for the purpose of reviewing survey information from the liquefied petroleum gas industry with regard to the the existing rule to determine if revisions are necessary based on departmental policies, current industry procedures, practices and safety criteria.

**SUBJECT AREA TO BE ADDRESSED:** This rule addresses the criteria, safety requirements, notification requirements, time frames and conditions under which liquefied petroleum gas cylinders, tanks or systems may or may not be disconnected or connected and transported.

**SPECIFIC AUTHORITY:** 527.06 FS.

**LAW IMPLEMENTED:** 527.06, 527.07 FS.

**THE DEPARTMENT WILL HOLD A MEETING OF THE NEGOTIATED RULEMAKING COMMITTEE AT THE TIME, DATE AND PLACE SHOWN BELOW:**

**TIME AND DATE:** 10:00 a.m., May 18, 2000

**PLACE:** George Eyster Auditorium, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, OR THE EXISTING RULE IS:** Vicki O'Neil, Bureau Chief, Bureau of Liquefied Petroleum Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, telephone (850)921-8001, Fax (850)921-8079

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

**DEPARTMENT OF EDUCATION**

**RULE TITLE:** State Requirements for Educational Facilities  
**RULE NO.:** 6-2.001

**PURPOSE AND EFFECT:** The purpose of this rule development is to update the reference document for life safety purposes, the National Fire Protection Association Life Safety Code NFPA 101, 2000 edition. In addition, forms for reporting information required by Chapter 235, Florida Statutes, will be adopted, conflicts for inspections of existing buildings will be addressed, and fire codes will be clarified.

**SUBJECT AREA TO BE ADDRESSED:** Standards and requirements for the procurement and management of educational facilities will be the subject area to be addressed.

**SPECIFIC AUTHORITY:** 235.01(2) FS.

**LAW IMPLEMENTED:** 50.011, 50.021, 50.031, 50.041, 50.051, 50.061, 50.071, 215.61, 230.23(9), 230.33(12)(j), 230.64, 235.011, 235.014, 235.04(1), 235.05, 235.054, 235.055, 235.056, 235.057, 235.06, 235.15, 235.18, 235.19, 235.193, 235.195, 235.211, 235.26, 235.30, 235.31, 235.32, 235.321, 235.34, 235.41, 235.42, 235.435, 236.13, 236.25, 236.35, 236.36, 236.37, 236.49, 237.01, 237.031, 237.40, 239.229, 240.209(3)(a), 240.295, 240.299, 240.319(3)(e)&(f), 240.327, 240.331, 255.0515, 255.20, 267.061, 287.055, 287.0935, 287.133, 440.02, 440.03, 440.10, 440.103, 440.38, 442.004, 442.006, 442.007, 442.0105, 422.019, 422.022, 442.101, 442.109, 442.115, 471.003, 481.229, 489.113(2), 489.125, 553.63, 553.64, 553.71, 553.79, 553.80, 633.025 FS.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Suzanne Marshall, Room 1054, 325 West Gaines Street, Tallahassee, Florida 32399, Telephone (850)487-1130, Fax (850)488-1677

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE TITLE:** Florida Resident Access Grants  
**RULE NO.:** 6A-20.007

**PURPOSE AND EFFECT:** The purpose of this rule development is to rename the program to be consistent with the name as amended by the Legislature, the William L. Boyd, IV, Florida Resident Access Grant, and to delete references to rules, statutes, and forms which are no longer relevant to the program.

**SUBJECT AREA TO BE ADDRESSED:** The current practices as they relate to the current Florida Resident Access Grant program will be the subject matter to be considered.

**SPECIFIC AUTHORITY:** 229.053(1), 240.404, 240.4041, 240.605 FS.

**LAW IMPLEMENTED:** 229.053, 240.1201, 240.404, 240.4042, 240.605 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLES:	RULE NOS.:
Critical Teacher Shortage Tuition Reimbursement Program	6A-20.012
Grants for Teacher for Special Training in Exceptional Student Education	6A-20.025

PURPOSE AND EFFECT: The purpose of this rule development is to adopt a newly revised application form and to delete references to statutes and rules which are no longer applicable to these programs.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to these programs will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 240.405(5), 240.4064(2) FS.

LAW IMPLEMENTED: 240.405, 240.4064 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE:	RULE NO.:
Critical Teacher Shortage Student Loan Forgiveness Program	6A-20.013

PURPOSE AND EFFECT: The purpose of this rule development is to adopt a newly revised application form and to delete reference to statutes which are no longer applicable to this program.

SUBJECT AREA TO BE ADDRESSED: The current practices as they relate to the current Critical Teacher Shortage Student Loan Forgiveness Program will be the subject matter to be considered.

SPECIFIC AUTHORITY: 229.053(1), 231.621(4) FS.

LAW IMPLEMENTED: 231.621 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE:	RULE NO.:
Seminole and Miccosukee Indian Scholarships	6A-20.020

PURPOSE AND EFFECT: The purpose of this rule development is to provide for the reinstatement of student eligibility during subsequent application periods, as provided in Section 240.404(3)(b), Florida Statutes, when a student fails to meet the minimum number of credit hours required for renewal. In addition, an outdated reference to the Council on Postsecondary Accreditation will be corrected. The effect will be a rule which reflects current law as adopted by the Legislature.

**SUBJECT AREA TO BE ADDRESSED:** The current practices as they relate to the Seminole and Miccosukee Indian Scholarship program will be the subject matter to be considered.

**SPECIFIC AUTHORITY:** 229.053(1), 240.1201, 240.4041, 240.413(1) FS.

**LAW IMPLEMENTED:** 240.404, 240.413 FS.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Jose Marti Scholarship Challenge Grant Fund	6A-20.023
Florida Teacher Scholarship and Forgivable Loan Program	6A-20.039

**PURPOSE AND EFFECT:** The purpose of these rule developments is to adopt newly revised application forms, delete a renewal application form which is no longer required, and delete references to rules and statutes which are no longer applicable to these programs.

**SUBJECT AREA TO BE ADDRESSED:** The current practices as they relate to these programs will be the subject matter to be considered.

**SPECIFIC AUTHORITY:** 229.053(1), 240.404, 240.4041, 240.412, 240.465, 240.4063(1) FS.

**LAW IMPLEMENTED:** 231.62, 240.1201, 240.404, 240.4042, 240.4063, 240.412 FS.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Florida Work Experience Program	6A-20.038

**PURPOSE AND EFFECT:** The purpose of this rule development is to review the requirements relating to the allocation of funds by the Department to ensure that they are statutorily compliant. In addition, references to outdated rules and statutes will be deleted. The effect will be a rule which reflects the intent of the Legislature.

**SUBJECT AREA TO BE ADDRESSED:** The current practices as they relate to the Florida Work Experience Program will be the subject matter to be considered.

**SPECIFIC AUTHORITY:** 229.053(1), 240.404, 240.4041, 240.606(7) FS.

**LAW IMPLEMENTED:** 229.053, 240.1201, 240.404, 240.4042, 240.606 FS.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Theresa Antworth, Director, State Programs, Bureau of Student Financial Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Administration of Combined Design and Construction Contracts (Design-Build)  
 RULE CHAPTER NO.: 14-91

RULE TITLES: Public Announcement Procedures  
 Selection and Award Process  
 RULE NOS.: 14-91.005  
 14-91.007

PURPOSE AND EFFECT: The method of publishing notice of Design-Build projects is being updated to Internet and letter notification instead of the Florida Administrative Weekly.

SUBJECT AREA TO BE ADDRESSED: The amendment to Rules 14-91.005 and 14-91.007 will update the method of publishing notices of proposed Design-Build projects.

SPECIFIC AUTHORITY: 334.044(2), 337.11(7)(b) FS.

LAW IMPLEMENTED: 337.11(7) FS.

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

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

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

**14-91.005 Public Announcement Procedures.**

Except in emergency situations where a proper declaration of emergency has been executed, the Department shall publish an announcement on the Internet web site at <http://www.dot.state.fl.us>, and the Department will seek to notify all listed pre-qualified contractors in a letter, in the Florida Administrative Weekly, setting forth a general description of the project requiring design-build services and defining the process for interested firms to submit a letter of interest. ~~For major bridge projects (or other design-build projects under Section 337.025, Florida Statutes), this announcement shall be sent to all prequalified contractors as well.~~ The announcement will state where the letters of interest are to be sent. Additionally, the Department may utilize other forms of communication to announce the Project.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.11(7), 337.025 FS. History--New 3-13-88, Amended 2-20-96, 9-3-96, \_\_\_\_\_.

**14-91.007 Selection and Award Process.**

(1) Letters of Interest Requirements. Firms desiring to submit bid proposals on a design-build project must submit a letter of interest setting forth the qualifications of the members of the Firm and providing any other information required by the announcement of the project.

(2) Short Listing Criteria and Procedures. On Adjusted Score Design-Build projects, the Department will determine the short list of Firms based on an evaluation of the information provided by the letters of interest and in accordance with Rule Chapter 14-75. For this purpose, all references to "consultant" in Rule Chapter 14-75 shall be deemed to be a reference to "Firm" under this Rule Chapter. Low Bid Design-Build projects will not require short listing.

(3) Scope of Services Requirements. The Department shall develop a scope of services which furnishes sufficient information upon which Firms may prepare bid proposals and which sets forth the technical proposal evaluation criteria.

(4) Bid Proposal Requirements. Bid proposals shall consist of a technical proposal and a price proposal. The technical and price proposals will be received by the Department by the deadline stipulated in the public announcement.

(a) Technical Proposal. A technical proposal shall include all information requested in response to the request for proposals.

(b) Price Proposal. A price proposal shall include one lump sum cost for all costs of the project as defined by the scope of services requirements. Examples of such services are: design, permits, construction engineering and inspection and construction of the proposed project.

(5) Technical Review Committee. There shall be a Technical Review Committee consisting of Department employees whose members are selected based on their experience and the nature of the project. This committee will be used to evaluate letters of interest and review technical proposals in accordance with the provisions of the request for proposal.

(6) The Department will use the Low Bid Design-Bid process when its scope of work is precise, explicit and clearly defined, and will use the Adjusted Score Design-Bid process when the scope of work is flexible and identifies an end result that the Department wants to achieve, rather than dictating specific methods and materials. The public announcement Florida Administrative Weekly notice for a particular project will specify which process will be used.

(7) When a project will operate under time constraints, the Department will include an adjustment for the value of time in either type of design-build process referenced in Section 14-91.007(6). This adjustment will be based on the Firm's proposed number of days to complete the project multiplied by a value per day established by the Department in the request for proposals, i.e., number of days multiplied by the dollar value per day equals the price proposal adjustment (increase). This factor will be used for selection purposes only and shall not affect the Department's liquidated damages schedule or affect the incentive/disincentive provisions of the contract.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.11(7) FS. History--New 3-13-88, Amended 6-13-90, 2-20-96, 9-3-96,\_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Incentive/Disincentive Procedure	14-93
RULE TITLES:	RULE NOS.:
Purpose	14-93.001
Background	14-93.002
Procedure	14-93.003
Incentive/Disincentive Procedure	14-93.004

**PURPOSE AND EFFECT:** The proposed amendment to Rule Chapter 14-93 is to clarify the incentive/disincentive procedures. The three existing rules are to be repealed and replaced with a single rule. This realignment is consistent with the streamlining of rules which began around 1996. Specific amendments include clarification regarding revenue producing projects. The fee structure table is deleted. Also, the statutory citations are updated.

**SUBJECT AREA TO BE ADDRESSED:** Rule Chapter 14-93 is being amended to clarify the Department's incentive/disincentive procedures. The statutory citations are being updated and the three existing rules are being repealed and replaced by one new rule.

**SPECIFIC AUTHORITY:** 334.044(2), 337.18(4)(b) FS.

**LAW IMPLEMENTED:** 337.18(4) FS.

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

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

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

**14-93.001 Purpose.**

Specific Authority 334.044(2), 337.18(4)(5)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed\_\_\_\_\_.

**14-93.002 Background.**

Specific Authority 334.044(2), 337.18(4)(5)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed\_\_\_\_\_.

**14-93.003 Procedure.**

Specific Authority 334.044(2), 337.18(4)(5)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed\_\_\_\_\_.

**14-93.004 Incentive/Disincentive Procedure.**

(1) Purpose. This rule governs the use of incentive/disincentive provisions in construction contracts. Directions are included for selecting projects, establishing the amounts and durations for incentive/disincentive provisions, and approval authority.

(2) Background. Section 337.18(4), Florida Statutes, authorizes the use of incentives/disincentives. Incentive/disincentive provisions in a contract compensate the contractor a predetermined amount of money for each day identified work is completed ahead of schedule or assesses a deduction for each day the contractor is late in meeting the time specified. Incentive/disincentive provisions can be placed in the contract when it is determined and adequately documented that the timely completion of any project or critical phases of a project will provide a substantial benefit to the public health, safety, or welfare, will limit the disruptive effect of construction on the community, or is cost beneficial on a revenue producing project.

(3) Procedure.

(a) Incentives/disincentives may be applied when it is documented that the project will provide a substantial benefit to the public health, safety, or welfare, will limit the disruptive effect of construction on the community, or is cost beneficial on a revenue producing project. The incentive/disincentive contract should include the identification of critical phases of work or critical locations within the project limits warranting use of incentive/disincentive provisions as a measure to mitigate the extent of anticipated problems.

(b) Monetary and Time Limitations. The monetary and time requirements for incentive/disincentive provisions should be established based on the facts supporting each project. Existing state statutes limit incentive/disincentive provisions to a maximum of \$10,000 per calendar day, except for revenue producing projects. For revenue producing projects, the incentive amount per calendar may be greater if an analysis indicates that additional revenues projected to be received upon completion of the project will exceed the cost of the incentive payments.

(c) Justification of Allowance.

1. Only projects determined to be capable of accelerated construction will be considered eligible for inclusion of an incentive/disincentive provision. The use of the incentive/disincentive provision requires detailed design drawings, pay items, specifications, utility information, maintenance of traffic plans, establishment of contract time, scheduling requirements, and other essential contract elements.

2. The incentive/disincentive monetary amount set for each project should be supported by an estimated cost of damages expected to be mitigated or revenue to be received by early or late completion for the overall project or critical phase of work. The cost for construction engineering inspection services, delay cost to facility users, or expected improvements at high-accident locations, are examples of impacts for which costs normally can be estimated.

3. Other justifications for use of incentive/disincentive provisions, such as more circuitous access to residences or businesses during construction, lessening disruptive impacts to community services, etc., cannot be converted easily to monetary terms, but are examples of valid impacts.

Specific Authority 334.044(2), 337.18(4)(b) FS. Law Implemented 337.18(4) FS. History--New

**STATE BOARD OF ADMINISTRATION**

RULE TITLE: Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes

RULE NO.: 19-8.013

PURPOSE AND EFFECT: To discuss proposed amendments to the bonding rule for the Florida Hurricane Catastrophe Fund.

SUBJECT AREA TO BE ADDRESSED: Conforming the rule to recent statutory enactments.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

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

TIME AND DATE: 9:00 a.m. – Noon, Wednesday, May 31, 2000

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON MAY 8, 2000.

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

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

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Probation and Parole – Use of Force

RULE NO.: 33-302.105

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the circumstances in which the use of force is appropriate in probation and parole settings and to establish procedures relating thereto. The effect is to clarify: situations in which use of force is permissible, the amount of force to be used, procedures relating to preparation of Use of Force Reports, review of Use of Force Reports, treatment of injuries sustained in incidents involving the use of force, and procedures relating to the use of chemical agents.

SUBJECT AREA TO BE ADDRESSED: Use of Force in Probation and Parole.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.35 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., May 29, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Giselle Lylen Rivera, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.105 Probation and Parole – Use of Force.

(1) Physical force shall not be used on offenders under supervision or others in the performance of duty unless required:

- (a) in self-defense or the protection of others; or
- (b) to prevent damage to property or
- (c) to quell a disturbance; or
- (d) to overcome physical resistance to a lawful command;

or

(e) to prevent an offender from inflicting injury to herself or himself; or

(f) when assisting law enforcement personnel in the lawful performance of their duties.

(2) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible. When use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. Force shall not be used solely in response to verbal abuse that does not rise to the level of a physical altercation.

(3) Use of Force Reports.

(a) The employee engaged in the use of force shall immediately notify his or her supervisor of the incident. A Community Corrections Report of Force Used, Form DC3-210, An Assault Incident Report Form shall be prepared, dated and signed by the employee using force and submitted to the circuit correctional probation administrator within one five working days (Monday through Friday) following the of such an incident with copies provided to the division director of community corrections. Form DC3-210 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 this form is \_\_\_\_\_.

(b) Each additional employee involved in the use of force who agrees with the facts and circumstances as reported shall prepare a Community Corrections Report of Force Used – Staff Supplement, Form DC3-211, and shall submit it to the circuit administrator within 1 working day (Monday through Friday) following the incident. Form DC3-211 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 this form is \_\_\_\_\_.

(c) Any employee involved in a use of force who disagrees with the facts and circumstances as reported on the Community Corrections Report of Force Used shall complete a separate Community Corrections Report of Force Used within one working day following the incident.

(d) Whenever an employee witnesses a use of force incident, but was not physically involved in the use of force, the employee shall complete an Incident Report, Form DC6-210. Form DC6-210 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 this form is \_\_\_\_\_.

(e) The Circuit Administrator will review the report and any other statements from the offender or witnesses and process his or her recommendation on whether the appropriate level of force was used in the incident to the Inspector General Field Office for review within five working days (Monday-Friday).

(f) The Inspector General Field Office will conduct a review and forward their findings to the Inspector General's Office within five working days (Monday-Friday).

(g) The Use of Force Unit within the Inspector General's Office will either approve the action and return the Community Corrections Report of Force Used to the Circuit Administrator for distribution, or if disapproved, refer it for investigation.

(h) The Inspector General will notify the Circuit Administrator and Regional Director of any officer involved in three or more use of force incidents in a 12-month period. The Regional Director will review the circumstances for possible reassignment of the officer.

(4) Staff or Offender Injury Sustained During Use of Force Incident.

(a) Medical attention for any injury sustained by staff during an incident involving the use of force will be sought through Worker's Compensation, unless injuries warrant the summoning of emergency medical personnel.

(b) When safety is not jeopardized, the offender will be asked if any injury was sustained as soon as possible following a use of force incident. If the offender responds in the affirmative and the offender is in custody of law enforcement, the correctional probation officer will convey the reported injury to law enforcement. The officer will document details of this reported injury in case notes, including the name of the law enforcement officer and any witnesses.

(c) If the offender is not in custody, the officer will call emergency services for the offender as soon as possible, without jeopardizing the officer's safety. Documentation of contacts for medical services will be included in the Community Corrections Report of Force Used.

(5)(2) Officers shall use handcuffs only in case of emergencies in the office involving self-defense or to prevent injury to others ~~or required in accordance with use of force procedures.~~

(6)(3) Use of chemical agents.

(a) Chemical agents shall be used only after all other reasonable efforts to avoid confrontation with a disorderly person or persons posing an immediate threat of bodily harm to an officer.

(b) Chemical agents shall be used only by persons trained by the Florida Department of Law Enforcement as certified instructors and shall be used only for authorized purposes as outlined in this rule. FDLE training shall be coordinated by the director of the Florida Corrections Academy. Officers shall receive training within 6 months after hire and shall receive retraining yearly. Training documentation shall be maintained in the employee's personnel file. Chemical agents shall be used only according to the principles taught by FDLE and only in situations authorized in this rule.

(c) Only those chemical agents containing oleoresin capsicum and that are non-flammable shall be approved for use. Chemical agents may be issued to correctional probation

staff including clerical support staff who have received training pursuant to (3)(b). Correctional probation staff who have received training may carry chemical agents upon their persons during working hours. If an employee has a question regarding chemical agents, he shall refer to the manufacturer's instructions or shall contact his supervisor.

(d) As soon as possible, consistent with continuing efforts to restore control of the situation, any part of the body exposed to chemical agents shall be flushed with water and the person should be given an opportunity to shower and change into fresh clothing.

(e) Local law enforcement shall be notified immediately following the use of chemical agents in every case to assist in gaining control of the emergency and in decontamination procedures.

(f) The supervisor and circuit administrator shall be notified immediately following the use of chemical agents.

~~(g)(f)~~ Use of chemical agents on animals shall be limited to those situations in which the officer is in danger of an immediate attack from the animal. Following use of chemical agents, the officer shall immediately remove himself from the area, contact local animal control officers, and make a formal complaint regarding the attack. Under no circumstances shall chemical agents be used on animals who are not posing an immediate threat to the officer.

~~(h)(g)~~ In any case in which chemical agents are used, an accurate record shall be maintained as to what type was used, how much was used, and the location and reason for use, and a factual description of the circumstances and the incident. This information shall be reflected on the Community Corrections Report of Force Used, Form DC3-210 Assault Incident Report, Form DC4-954. The officer who used the chemical agent shall complete the report within one working day (Monday through Friday) 48 hours after the incident. ~~This form is hereby incorporated by reference. A copy of the form may be obtained from the Probation and Parole Services Program Office, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope. The effective date of this form is March 4, 1992.~~

(7) Report of Suspected Offender Abuse

(a) Any employee who witnesses or has reasonable cause to suspect that an offender has been unlawfully abused will immediately prepare an independent report (not a Community Corrections Report of Force Used form) pursuant to s. 944.35(3)(d), F.S.

(b) The report or written communication will be delivered to the Inspector General's Office with a copy to the Regional Director of Community Corrections.

(c) If the Inspector General's investigation finds that a violation of law occurred, the State Attorney within the circuit of that probation office will be notified.

Specific Authority 944.09 FS. Law Implemented 944.35 FS. History—New 5-28-86, Amended 8-6-90, 2-15-98, Formerly 33-24.017, Amended \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Rural Health Clinic Services  
 RULE NO.: 59G-4.280

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, January 2000.

SUBJECT AREA TO BE ADDRESSED: Medicaid Rural Health Clinic Services Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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., May 23, 2000

PLACE: 2728 Ft. Knox Blvd., Building 3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kay Aloï, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7330

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.280 Rural Health Clinic Services.

(3) All rural health clinic providers enrolled in the Medicaid program must comply with the Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, January 2000 April 1997, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA 1500 and Child Health Check-Up EPSDT 221, incorporated by reference in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 4-14-80, Amended 12-28-80, Formerly 10C-7.51, Amended 8-11-91, 1-19-93, Formerly 10C-7.051, Amended 6-29-94, 6-10-96, 6-24-98, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Job Scopes for Registered Licensure Categories  
 RULE NO.: 61G4-15.0055

PURPOSE AND EFFECT: The Board proposes the development of a new rule to address uniformity of job scopes for registered licensure categories.

SUBJECT AREA TO BE ADDRESSED: Job scopes for registered licensure categories.



SPECIFIC AUTHORITY: 489.117(5) FS.  
 LAW IMPLEMENTED: 489.117(5) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G4-15.0055 Job Scopes for Registered Licensure Categories.  
The Board shall register only those local licensees whose job scopes substantially correspond to the scopes of services set out in the contractor definitions set forth in Sections 489.105(3)(a)-(o), F.S.

Specific Authority 489.117(5) FS. Law Implemented 489.117(5) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE TITLE: Clinical Training  
 RULE NO.: 64B9-2.008  
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment intended to reduce the student/instructor ratio in clinical training settings.  
 SUBJECT AREA TO BE ADDRESSED: The student/instructor ratio in clinical training settings.  
 SPECIFIC AUTHORITY: 464.006, 464.019 FS.  
 LAW IMPLEMENTED: 464.019 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: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-2.008 Clinical Training.  
 (1) through (4) No change.

(5) No more than ~~eight~~ ~~twelve~~ students shall be assigned to a faculty member for supervision in providing direct care to patients/clients for any one clinical instruction period.

(6) through (16) No change.

Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History--New 7-15-80, Amended 11-22-84, Formerly 21O-7.27, Amended 6-8-88, 2-15-90, 3-12-91, 3-24-91, Formerly 21O-7.027, Amended 9-7-93, 5-1-94, Formerly 61F7-2.008, Amended 11-16-95, Formerly 59S-2.008, Amended 12-11-97, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE TITLE: Standards for Continuing Education  
 RULE NO.: 64B9-5.003  
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address continuing education.

SUBJECT AREA TO BE ADDRESSED: Standards for continuing education.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.013(4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED 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: Dr. Ruth R. Steihl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-5.003 Standards for Continuing Education.

(1) No change.

(2) Subject Matter. The content shall be specifically designed to meet the objectives and the stated level and learning needs of the participants. The content shall be planned in logical order and reflect input from experts in the subject matter. Appropriate subject matter for continuing education offering shall reflect the professional educational needs for the learner in order to meet the health care needs of the consumer and consist of content from one or more of the following:

(a) through (e) No change.

(f) Subjects which are taken at an accredited educational institution as verified by an official transcript, that meet any one of the criteria in Rule 64B9-5.003(2)(a-e), F.A.C., and are relating to nursing practice which are required as part of a formal nursing program which is advanced beyond that completed for original licensure may be approved for continuing education under this rule.

(g) No change.

(3) through (8) No change.

Specific Authority 464.006 FS. Law Implemented 464.013(4) FS. History--New 9-12-79, Amended 10-6-82, Formerly 21O-13.09, Amended 8-18-88, 3-28-89, Formerly 21O-13.009, 61F7-5.003, Amended 5-2-95, Formerly 59S-5.003, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:

Drinking Water Systems                      64E-8

RULE TITLES:                                      RULE NOS.:

New Private and Multi-Family System Construction                      64E-8.003

Limited Use System Operating Permits                      64E-8.004

Water Quality Standards and Monitoring                      64E-8.006

Prohibited Acts                                      64E-8.010

Services Provided                                      64E-8.011

Cross-Connection Control                      64E-8.013

PURPOSE AND EFFECT: The changes will correct references and add categorical language changed by the previous rule, additionally changes to the rule are proposed to incorporate current standards.

SUBJECT AREA TO BE ADDRESSED: Modifications of the rule to reflect current standards in installation methodology.

SPECIFIC AUTHORITY: 381.0011, 381.006, 381.0062, 403.862 FS.

LAW IMPLEMENTED: 381.006, 381.0062, 403.862 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon, Monday, May 22, 2000

PLACE: Hurston Building, Room C, South Tower, 400 W. Robinson St., Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bill Melton, Bureau of Water and Onsite Sewage Programs, HSEWOS, 4052 Bald Cypress Way, Bin #A08 Tallahassee, FL 32399-1713, Phone number (850)488-4070

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-8.003 New Private and Multi-Family System Construction.

(1) No change.

~~(2) Private and multi family water systems must construct a two foot square concrete apron four inches thick centered on the well.~~

~~(2)(3)~~ No person shall construct or alter a multi-family water system without approval on Form DH 4093, 8/97; an applicant must complete and submit Form DH 4092B, 9/97, to the county health department with:

(a) Two sets of site plans drawn to scale and two sets of a construction plan, each drawing must be a minimum 8.5 × 11 inches and of sufficient clarity for reproduction; and

(b) A \$40 processing fee.

~~(3)(4)~~ Construction approval will be granted if the system meets the criteria in rules 64E-8.002(4),(5) and (6) and 64E-8.003(1).

~~(4)(5)~~ The applicant shall analyze the water per rule 64E-8.006(2)(d) and (e) and provide a copy of the results to the department. These results shall not exceed the MCL's in rule 64E-8.006.

~~(5)(6)~~ The department shall inspect to determine that the system has been constructed in compliance with the approved plans. Re-inspection requests must be accompanied by a \$25 fee.

~~(6)(7)~~ If the inspection and laboratory results are satisfactory, the department shall authorize operation using Form DH 4093.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062(1),(3), 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.026, Amended 1-26-98, 1-24-00, \_\_\_\_\_.

64E-8.004 Limited Use System Operating Permits.

(1) through (3) No change.

(4) A satisfactory sanitary survey conducted by the department in the last twelve months shall assure that:

(a) Setbacks in rule 64E-8.002 are met, except that a system supplied by a well constructed prior to ~~1972~~ 1-1-93 that is between 50 and 100 feet from an OSTDS shall be permitted without a variance if:

1. the well was constructed and approved as a potable water well;

2. both the well and the OSTDS were permitted and approved at the time of construction for the proposed and existing use, and the OSTDS is otherwise in compliance with rule chapter 64E-6, F.A.C.;

(b) through (6) No change.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a),(6) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062, 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.027, Amended 1-26-98, 1-24-00, \_\_\_\_\_.

64E-8.006 Water Quality Standards and Monitoring.

(1) through (4) No change.

(5) Monitoring by Supplier – Rule chapter 62-524, F.A.C., precludes all persons, except department staff, from sampling water systems for initial compliance with delineated area listed chemical MCL's within DEP delineated areas. For initial clearance, the department shall charge the supplier \$50 for each delineated area chemical sampling site visit, \$50 for delineated area clearance processing, and each laboratory analysis fee required ~~in rule 64E-8.012~~, for the particular contaminant(s).

Specific Authority 403.862(1)(f), 381.0011(4),(13), 373.309, 381.006, 381.0062(1),(3)(a), 381.0202(3) FS. Law Implemented 381.0012, 381.0061, 381.0067, 373.309(1)(e)6. 381.006(1),(2), 381.0062, 403.862(1)(f), 381.0202(3) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.029, Amended 1-26-98, 1-24-00,\_\_\_\_\_.

64E-8.010 Prohibited Acts.

The following are prohibited:

- (1) Failure to conduct required sampling or testing, or falsification of results.
- (2) Intentionally or otherwise introducing a contaminant determined to pose a health hazard into a Limited Use, Multi-family, or Private Water System or its source.
- (3) Failure to meet schedules for compliance or corrective actions.
- (4) Failure to conduct required public notification or corrective action.
- (5) Impersonating a department employee.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a) FS. Law Implemented 381.0012, 381.0025, 381.0061, 381.0067, 381.006(1)-(2), 381.0062, 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.033, Amended 1-26-98,\_\_\_\_\_.

64E-8.011 Services Provided.

(1) Any person who submits to the Department of Health and Rehabilitative Services water, soil, air and other samples for chemical, microbiological, and radiochemical analyses for compliance with federal, state and local regulations shall pay to the department the fee required for such analysis ~~as prescribed by section 64E-8.012 of this rule.~~ Fees shall be paid in advance to the state laboratory(ies).

(2) No change.

Specific Authority 381.0011(13), 381.0202, 403.862 FS. Law Implemented 381.0202, 403.862 FS. History--New 1-1-95, Formerly 10D-4.100, Amended \_\_\_\_\_.

64E-8.013 Cross-Connection Control.

(1) Cross-connections as defined in 64E-8.001(5) are prohibited.

(2) Any cross-connection involving a limited use, multi-family, or private water system shall be corrected using the methods established within "Recommended Practice for Backflow Prevention and Cross-Connection Control", American Water Works Association Manual M14, Second Edition, 1990, American Water Works Association, 6666 West Quincy Avenue, hereby incorporated by reference.

Specific Authority 381.0011(4),(13), 381.006, 381.0062(1),(3)(a), 403.862(1)(f) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1)-(2), 381.0062(1)-(3), 403.862(1)(f) FS. History--New 1-26-98, Amended \_\_\_\_\_.

Section II  
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: ADOPTION OF UNIFORM PACKAGING AND LABELING REGULATION  
RULE NO.: 5F-3.001

PURPOSE AND EFFECT: The purpose of 5F-3.001 is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 2000 edition of National Institute of Standards and Technology Handbook 130. Adoption of the current national standards will make Florida's requirements uniform with the national requirements and facilitate interstate commerce and trade.

SUMMARY: Updates Chapter 5F-3.001 to adopt the current national requirements for the packaging and labeling of commodities as adopted by the National Conference on Weights and Measures and published as the "Uniform Packaging and Labeling Regulation" in the 2000 edition of National Institute of Standards and Technology Handbook 130. SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 531.41(3) FS.  
LAWS IMPLEMENTED: 531.41(13), 531.47, 531.49 FS.  
IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 2:00 p.m., Wednesday, May 31, 2000  
PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, Phone (850)488-9140

THE FULL TEXT OF THE PROPOSED RULE IS:

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

The Department of Agriculture and Consumer Services hereby adopts the Uniform Packaging and Labeling Regulation promulgated by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2000 1999 Edition, as the Rule for packaging and labeling of commodities and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2000 1999 Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3) FS. Law Implemented 531.41(4) FS. History—New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98, 8-19-99, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 7, 2000

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: RULE NO.:

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

PURPOSE AND EFFECT: The purpose of this rule is to amend 5F-5.001 to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 2000 edition of National Institute of Standards and Technology Handbook 44. Adoption of the standards provides for uniformity of Florida’s requirements with the national requirements to facilitate interstate commerce and trade.

SUMMARY: 5F-5.001 adopts the current national standards for specifications, tolerances and other technical requirements for commercial weighing and measuring devices as published in the 2000 edition of National Institute of Standards and Technology Handbook 44.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, May 31, 2000

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 2000 1999 Edition, are hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of Agriculture and Consumer Services. A copy of NIST Handbook 44, 2000 1999 Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800.

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

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 7, 2000

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

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

PURPOSE AND EFFECT: The purpose of this rule is to adopt the most recent national standards for the method of sale of commodities established by the National Conference on Weights and Measures and published in the 2000 edition of National Institute of Standards and Technology Handbook 130. Adoption of the national standards will make Florida's requirements for methods of sale uniform with the national standards and facilitate interstate commerce and trade.

SUMMARY: Adopts the current national model methods of sale of commodities being sold by weight, measure or count, as published in National Institute of Standards and Technology Handbook 130 to provide for interstate commerce, facilitate value comparison and provide adequate quantity information for consumers and purchasers.

SUMMARY OF STATEMENT ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 531.41(3) FS.

LAWS IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, May 31, 2000

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-7.005 Adoption of Uniform Methods of Sale.

The Florida Department of Agriculture and Consumer Services hereby adopts the Uniform Regulation for the Method of Sale of Commodities, as published by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2000 ~~1999~~ Edition, as the Rule for the method of sale for commodities, and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2000 ~~1999~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800. Copies of this uniform regulation are available

from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3),(4), 531.45 FS. Law Implemented 531.41(3),(4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, 8-19-99,

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 7, 2000

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Aquaculture**

RULE CHAPTER TITLE: Comprehensive Shellfish  
 RULE CHAPTER NO.: 5L-1

Control Code	5L-1
RULE TITLES:	RULE NOS.:
Purpose and Intent	5L-1.001
Definitions	5L-1.002
Shellfish Harvesting Area Standards	5L-1.003
Production and Market Standards	5L-1.004
Shellfish Processing Plant Certification	5L-1.005
Suspension or Revocation of Shellfish Processing Plant Certification License, Routine or Emergency Action	5L-1.006
Container Identification, Terminal Sale Date; Prohibitions	5L-1.007
Shellfish Handling	5L-1.008
Shellfish Relaying	5L-1.009
Buildings and Facilities	5L-1.010
Equipment for Shellfish Processing	5L-1.011
Sanitary Operations	5L-1.012
Plant Operation	5L-1.013
Heat Shock Method	5L-1.014
Depuration – Plant Operations	5L-1.015
Depuration – Process Water Sampling Procedures and Standards	5L-1.017
Laboratory Procedures and Sample Testing	5L-1.019

PURPOSE AND EFFECT: These amendments propose to reclassify the South Volusia and the Apalachicola Bay System shellfish harvesting areas in Volusia and Franklin Counties and update the four-digit area codes and maps which identify the locations of where shellfish are harvested. The proposed amendments will update the Department name, address, forms, and rule citations; amend, add, and delete definitions; update documents adopted by reference; make editorial clarifications and update rule language to be consistent with provisions of

the National Shellfish Sanitation Program; define labeling requirements for thawed shellfish; require mechanical refrigeration as part of certification; define the number of key item deficiencies needed for written notification of violation; clarify that the harvester tag is required for commercial harvest; define official sunrise and sunset times; allow shellfish relaying for marine biotoxins; allow alternative processing for hard clams; allow approval of alternative heat shock methods.

**SUMMARY:** These rule amendments propose reclassification of the South Volusia and Apalachicola Bay System shellfish harvesting areas in accordance with 5L-1.003 to protect the health of shellfish consumers and to provide access to renewable and natural shellfish resources; changing the Department name, address, and forms as a result of the legislative transfer that took effect July 1, 1999; updating rule language to allow for better compliance and enforcement; and implementing the following two industry-requested activities: alternative processing for hard clams, and relaying for biotoxin contamination.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** There is no anticipated regulatory cost.

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

**SPECIFIC AUTHORITY:** 370.021(1), 370.071(1) FS.

**LAW IMPLEMENTED:** 370.071 FS.

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

**TIME AND DATE:** 10:00 a.m., Tuesday, May 30, 2000

**PLACE:** 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel Management at (850)921-6262 at least seven days before the meeting.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Bobby Bickley, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida, Phone (850)488-5471

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

5L-1.001 Purpose and Intent.

(1) through (4) No change.

(5) Adoption of Federal Regulations and Standards – The following are hereby adopted as rules under the shellfish processors; regulation, Section 370.071, F.S. Interested persons may obtain copies of the pertinent sections of the Codes of Federal Regulations referenced in paragraph (a) below and by contacting the Superintendent of Documents,

U.S. Government Printing Office, Washington, D.C. 20402. Copies of the pertinent sections of the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration referenced in paragraph (b) below may be obtained from the department at 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301. Copies of all referenced documents are available for examination at the Florida Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301. The National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish (1997) published by the U.S. Department of Health and Human Services, is hereby incorporated by reference and available for inspection at the Department's offices located at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399.

(a) Those regulations, definitions, standards of sanitation, identity, quantity and fill of container, tolerances and exemptions from tolerances, and general regulations in the following.

1. Code of Federal Regulations, Title 21, part 7 – Enforcement Policy;

2. Code of Federal Regulations, Title 21, Part 101 – Food Labeling;

3. Code of Federal Regulations, Title 21, Part 109 – Unavoidable Contaminants in Food for Human Consumption and Food – Packaging Material;

4. Code of Federal Regulations, Title 21, Part 110 – Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food;

5. Code of Federal Regulations, Title 21, Part 123 – Fish and Fishery Products;

6. Code of Federal Regulations, Title 21, Part 161 – Fish and Shellfish;

7. Code of Federal Regulations, Title 21, Part 509 – Unavoidable Contaminants in Animal Food and Food Packaging Material.

(b) National Shellfish Sanitation Program, Guide for the Control of Molluscan Shellfish, provisions adopted:

1. The Purpose, the Definitions, and Chapters 1 through 13, and 15 of the "Model Ordinance 1997" published by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration 1997, are hereby adopted by reference as a rule under section 370.071, F.S., except for the following provisions:

a. Definition number (14)(d) Reshipper;

b. Definition number (81) Reshipper; and

c. Chapter XIV Reshipping.

All provisions in the "Model Ordinance 1997" that are adopted herein by reference shall apply to all certified shellfish establishments regulated by the Florida Department of Agriculture and Consumer Services. Interested parties may obtain copies of this publication by contacting the U.S. Government Printing Office. Copies are available for

examination at the Florida Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 11-5-92, Formerly 16R-7.001, Amended 7-3-95, 2-6-97, 6-23-99, Formerly 62R-7.001, Amended \_\_\_\_\_.

5L-1.002 Definitions.

(1) Adulterated – any shellfish harvested from closed waters; any shellfish shucked, packed, or otherwise processed in a plant which has not been certified and licensed by the Department in accordance with the requirements of these rules; any shellfish contaminated as determined by bacteriological or other analysis; any shellfish consisting in whole or in part of any filthy, putrid or decomposed substance, or otherwise unfit for food; any shellfish prepared, packed, or held under unsanitary conditions where it may have become contaminated with filth, or whereby it may have been rendered injurious to health.;

(2) Alternative Processing – any processing done to shellfish which does not follow the time-temperature matrix as stated in 5L-1.008(5).

(3)(2) Approved area – an area in which it is indicated by a sanitary survey or other monitoring program data that fecal material, pathogenic microorganisms, radionuclides, harmful chemicals, and marine biotoxins are not present in dangerous concentrations.

(3) ~~Assistant plant supervisor – an individual, so designated in writing to the Department, who supervises all activities associated with the operation of the shellfish depuration plant in the absence of the plant supervisor.~~

(4) Certified dealer – a shellstock shipper, shucker-packer, repacker, or depuration processor who possesses shellfish processing plant certification license from the Department.

(5) Clam relaying – the transferring of clams from a restricted or conditionally restricted area or an area otherwise closed for the harvesting of clams to an authorized growing area or a certified depuration plant.

(5)(6) Closed area (closed waters) – a growing area where the harvesting of shellfish is not permitted. Closed areas include prohibited and unclassified areas as well as temporarily closed approved, conditionally approved, restricted, and conditionally restricted areas.

(6)(7) Code – the Comprehensive Shellfish Control Code, Chapter 5L-1, F.A.C.

(7) Commercial harvester – a person that harvests with the intent to sell.

(8) through (10) No change.

(11) Critical limit – the maximum or minimum value to which a physical, biological, or chemical parameter must be controlled at a critical control point to prevent, eliminate, or reduce to an acceptable level the occurrence of the identified food safety hazard.

(12) through (13) No change.

(14) Depuration processor (depuration plant; controlled purification plant) (DP) – a person who obtains shellstock from approved, conditionally approved, restricted or conditionally restricted growing area(s) and submits such shellstock to an approved controlled purification process. The treatment process is designed to purge shellfish of bacterial and viral contamination to the extent that such shellfish are rendered safe for human consumption.

(15) No change.

(16) Food – any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

(17) Food contact surface – a surface of equipment or utensil which food normally comes into contact; or a surface of equipment or utensil from which food may drain, drip, or splash into food or onto a surface normally in contact with food.

(18) Food packaging materials – any material or container which food normally comes into contact.

(19)(16) Food safety hazard – any biological, chemical, or physical property that may cause a food to be unsafe for human consumption.

(20) Free liquor – that liquid portion of a container that passes through a porous straining device when the contents (oyster meats) of the container are drained.

(21)(17) Growing area – an area in which market or seed shellfish are growing either naturally or artificially.

(22)(18) HACCP – Hazard Analysis and Critical Control Points – A system of inspection, control, and monitoring measures initiated by a certified dealer to identify and control microbiological, chemical, or physical food safety hazards which are likely to occur in shellfish products produced by the firm.

(23)(20) Harvester – a person engaged in the harvesting of shellfish.

(24)(19) Health authority – the Department or its authorized representative.

(25) Heat shock – the process of subjecting molluscan shellstock to any form of heat treatment prior to shucking, including steam, hot water or dry heat, to facilitate removal of the meat from the shell without substantially altering the physical or organoleptic characteristics of the molluscan shellfish.

~~(26)~~(21) High density aquaculture lease areas – legally-defined parcels that are surveyed and properly marked, describing and indicating corners and boundaries, that have been subdivided into individual aquaculture leases issued pursuant to Section 253.68, F.S., and Rule 18-21.004(2)(1), F.A.C.

~~(27)~~(22) ICWW – Intracoastal Waterway.

~~(28)~~(23) Key deficiency – a condition or practice which may result in adulterated, or misbranded product.

~~(29)~~ Lot of shellstock – a single type of bulk shellstock or container of shellstock of no more than one day's harvest from a single harvest area gathered by one or more harvesters.

~~(30)~~ Lot of shucked shellfish – a collection of containers of no more than one day's shucked product from a single harvest area produced under conditions as nearly uniform as possible, and designated by a common container code or marking.

~~(31)~~(24) Lot wet storage/depuration – all shellfish from a single depuration or wet storage tank or series of tanks serviced by a common treatment system.

~~(32)~~(25) Misbranded – any shellfish product whose labeling is false or misleading; any shellfish product in package form unless it bears labeling including (1) the name and place of business of the manufacturer, packer, or distributor; (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; and (3) meets labeling requirements of the Department within this Chapter.

~~(33)~~ Mechanical refrigeration provided by an electric compressor in a system where temperature can be adjusted with a thermostat and the unit will maintain a temperature of 45 degrees F or less.

~~(34)~~(26) NSSP Model Ordinance Manual – the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish, Manual of Operations, Parts I and II, published by the U.S. Department of Health and Human Services, which is hereby incorporated herein by reference except for Section 5L-1.001(5)(b)(1).

~~(35)~~(27) Other deficiency – a condition or practice that is not in accordance with rule requirements but is not a key or critical deficiency.

~~(28)~~ Oyster relaying – the transfer of oysters from one water bottom to another water bottom which activity would otherwise be prohibited; or the transfer of oysters from a restricted or conditionally restricted area or an area otherwise closed for the harvesting of oysters to a certified depuration plant.

~~(36)~~ Pest – refers to any objectionable animals or insects, including, but not limited to, birds, rodents, flies, and larvae.

~~(37)~~(29) Plant supervisor – An individual, so designated in writing to the Department, who supervises all activities associated with the operation of the shellfish depuration plant. Responsibilities include, but are not limited to, overseeing the

proper handling of shellfish, maintenance of the treatment plant, assuring compliance with sampling schedules and resultant bacteriological and water quality standards, and the maintenance of accurate records. The plant supervisor shall be held accountable for compliance with all laws, rules, and permits applicable to business operation.

~~(38)~~ Processing – is the handling, unloading, storing, shucking, freezing, preparing, changing into different market form, manufacturing, preserving, packing, or labeling of shellfish or shellfish products.

~~(39)~~(30) Prohibited area – an area from which the taking of shellfish is not permitted.

~~(40)~~(31) Retail sale – sale to the ultimate consumer or to a person who will not resell the product.

~~(41)~~(32) Repacker (RP) – a person, other than the original certified shucker-packer, who repacks shucked shellfish into other containers for distribution or sale. A repacker may also repack and ship shellstock. A repacker shall not shuck shellfish.

~~(42)~~(33) Restricted area – an area in which it is indicated by a sanitary survey or other monitoring program data that fecal material, pathogenic microorganisms, radionuclides, harmful chemicals, and marine biotoxins are not present in dangerous concentrations such that shellfish harvested from such an area and subjected to a suitable and effective purification process are safe for human consumption.

~~(43)~~(34) Sanitize – the effective bactericidal treatment of clean food contact surfaces of equipment and utensils by a process using only those safe sanitizing agents that have an available field test for strength and/or sanitizing agents that have an available field test for strength and/or effectiveness, and is effective to yield a reduction of 5 logs, which is equal to a 99.999% reduction of representative disease microorganisms of public health importance in destroying vegetative cells of pathogenic bacteria and in substantially reducing other microorganisms. Such treatment shall not adversely affect the product and shall be safe for the consumer.

~~(44)~~(35) Scheduled Depuration Process (SDP) – a process which places shellfish harvested from restricted or approved waters into a controlled aquatic environment selected by the processor as adequate to effectively reduce the level of bacteria and viruses in live shellfish.

~~(45)~~(36) Scheduled Heat Shock Process (SHSP) – the process selected by the processor to heat shock a shellfish species in order to facilitate shucking without adversely affecting the microbial quality or altering the organoleptic characteristics of the species.

~~(46)~~(37) Scheduled Wet Storage Process (SWSP) – a process which places shellfish harvested from approved waters in containers or floats in natural bodies of water or in tanks containing natural or synthetic seawater for product enhancement.



~~(47)~~~~(38)~~ Shellfish – all edible species of oysters, clams and mussels, either shucked or in the shell, fresh, or ~~fresh~~ frozen.

~~(48)~~ Shellfish Relaying – the transfer of shellfish from one water bottom to another water bottom which activity would otherwise be prohibited; or the transfer of shellfish from a restricted or conditionally restricted area or an area otherwise closed for the harvesting of shellfish to a certified depuration plant.

~~(49)~~~~(39)~~ Shellstock – shellfish which remain in their shells.

~~(50)~~~~(41)~~ Shellstock plant – any establishment or place where shellstock are washed and packed or otherwise prepared for sale or shipment.

~~(51)~~~~(40)~~ Shellstock shipper (SS) – a person who grows, harvests, buys, or repacks and sells shellstock. A shellstock shipper is not authorized to act as a shucker-packer or repacker.

~~(52)~~~~(42)~~ Shuck date – the date shucked shellfish are initially removed from their shells.

~~(53)~~~~(43)~~ Shucked shellfish – shellfish or parts thereof which have been removed from their shells.

~~(54)~~~~(44)~~ Shucker-packer – a person who shucks and packs shellfish and who may act as a shellstock shipper and/or repacker.

~~(55)~~ Swing deficiency – a deficiency that could either be a "critical" or a "key" deficiency depending on the location, severity and circumstances.

~~(56)~~~~(45)~~ Terminal sale date – the last day freshly packed shellfish ~~shall may~~ be offered for sale; that being no more than 14 calendar days subsequent to the date the product was shucked, or for oyster shellstock harvested from the Gulf of Mexico, no more than 14 days subsequent to the date shellstock was harvested.

~~(57)~~~~(46)~~ Time of Harvest – is defined as that time when shellfish are first removed from growing waters and placed on or in a manmade conveyance or other means of transport.

~~(58)~~~~(47)~~ Time of Refrigeration – is defined as the time when shellfish are first placed within an ambient environment of 45 degrees F or less.

~~(59)~~~~(48)~~ Unclassified area – an area for which no recent sanitary survey exists.

~~(60)~~~~(49)~~ UV – Ultraviolet.

~~(61)~~~~(50)~~ Wet storage – the temporary storage of shellfish received from permitted or approved sources and intended for marketing, on privately-owned or leased bottom, in tanks containing seawater, or on floating facilities in natural bodies of water.

~~(62)~~~~(51)~~ Wholesale sale – any sale to any person other than the ultimate consumer.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History–New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 11-5-92, 5-20-93, Formerly 16R-7.003, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.003, Amended \_\_\_\_\_.

#### 5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Chapters II and IV Section C of the National Shellfish Sanitation Program Model Ordinance Manual of Operations, Part I. Copies of the document Shellfish Harvesting Area Classification Maps individual shellfish harvesting area maps, revised \_\_\_\_\_ April 14, 1999, and the document Shellfish Harvesting Area Classification Boundaries and Management Plans, revised \_\_\_\_\_ April 14, 1999, containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria herein incorporated by reference may be obtained by writing to the Department at 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 ~~3900 Commonwealth Boulevard, Room 822, Tallahassee, Florida 32399.~~

(2) Approved areas – Growing areas shall be classified as approved when a sanitary survey, conducted in accordance with Chapter IV Section C of the National Shellfish Sanitation Program Model Ordinance Manual of Operations, Part I, indicates that pathogenic microorganisms, radionuclides, and/or harmful industrial wastes do not reach the area in dangerous concentrations and this is verified by laboratory findings whenever the sanitary survey indicates the need. Shellfish may be harvested ~~taken~~ from such areas for direct marketing. This classification is based on the following criteria:

(a) through (b) No change.

(3) Conditionally approved areas – A growing area shall be classified as conditionally approved when a sanitary survey, conducted in accordance with Chapter IV Section C of the National Shellfish Sanitation Program Model Ordinance Manual of Operations, Part I, indicates that the area is subjected to intermittent microbiological pollution. The suitability of such an area for harvesting shellfish for direct marketing may be dependent upon attainment of established performance standards by wastewater treatment facilities discharging effluent directly or indirectly into the area. In other instances, the sanitary quality of the area may be affected by seasonal populations, climatic and/or hydrographic conditions, non-point source pollution, or sporadic use of a dock, marina, or harbor facility. Such areas shall be managed by an operating procedure that will assure that shellfish from the area are not harvested from waters not meeting approved area criteria. In order to develop effective operating procedures, these

intermittent pollution events shall be predictable. Harvest from temporarily closed conditionally approved areas shall be unlawful.

(4) Restricted areas – A growing area shall be classified as restricted when a sanitary survey, conducted in accordance with Chapter IV Section C of the National Shellfish Sanitation Program Model Ordinance Manual of Operations, Part I, indicates that fecal material, pathogenic microorganisms, radionuclides, harmful chemicals, and marine biotoxins are not present in dangerous concentrations after shellfish from such an area are subjected to a suitable and effective purification process. The bacteriological quality of every sampling station in those portions of the area most probably exposed to fecal contamination shall meet the following standard: The median or geometric mean fecal coliform Most Probable Number (MPN) of water shall not exceed 88 per 100 ml. and not more than 10 percent of the samples shall exceed a fecal coliform MPN of 260 per 100 ml. (per 5-tube, 3-dilution test) in those portions of the area most probably exposed to fecal contamination during the most unfavorable meteorological, hydrographic, seasonal, and point source pollution conditions. Harvest is permitted according to permit conditions specified in Rule 5L-1.009, F.A.C. Harvest from temporarily closed restricted areas shall be unlawful.

(5) Conditionally restricted area – A growing area shall be classified as conditionally restricted when a sanitary survey or other monitoring program data, conducted in accordance with Chapter IV Section C of the National Shellfish Sanitation Program Model Ordinance Manual of Operations, Part I, indicates that the area is subjected to intermittent microbiological pollution. The suitability of such an area for harvest of shellfish for relaying or depuration activities is dependent upon the attainment of established performance standards by wastewater treatment facilities discharging effluent, directly or indirectly, into the area. In other instances, the sanitary quality of such an area may be affected by seasonal population, non-point sources of pollution, or sporadic use of a dock, marina, or harbor facility, and these intermittent pollution events are predictable. Such areas shall be managed by an operating procedure that will assure that shellfish from the area are not harvested from waters not meeting restricted area criteria. Harvest is permitted according to permit conditions specified in Rule 5L-1.009, F.A.C. Harvest from temporarily closed conditionally restricted areas shall be unlawful.

(6) Prohibited area – A growing area shall be classified as prohibited if a sanitary survey indicates that the area does not meet the approved, conditionally approved, restricted, or conditionally restricted classifications shellfish from the area are not sanitarilly safe for use as food. Harvest of shellfish from such areas shall be unlawful. The waters of all man-made canals and marinas are classified prohibited regardless of their location.

(7) No change.

(8) Approved, ~~or~~ conditionally approved, restricted, or conditionally restricted waters shall be temporarily closed to the harvesting of shellfish when counts of the red tide organism *Gymnodinium breve* exceed 5000 cells per liter in bays, estuaries, passes or inlets adjacent to shellfish harvesting areas. Areas closed to harvesting because of presence of the red tide organism shall not be reopened until counts are less than or equal to below 5000 cells per liter inshore and offshore of the affected shellfish harvesting area, and shellfish meats have been shown to be free of toxin by laboratory analysis.

(9) through (10) No change.

Specific Authority 570.021(2) FS. Law Implemented 370.071 FS. History-- New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.004, Amended.

5L-1.004 Production and Market Standards.

(1) through (3) No change.

(4) No frozen shellfish products shall may be thawed to be processed or sold as fresh shellfish products. Thawed frozen shellfish shall be labeled as "previously frozen" in accordance with section 5L-1.007.

(5) Shellfish having undergone a depuration process shall not be released for sale prior to laboratory analysis and approval by the plant supervisor or representative assistant plant supervisor. Shellfish shall not be released if the geometric mean of three samples exceeds a fecal coliform MPN of 45 per 100 grams of sample, or if any sample's fecal coliform MPN exceeds 100 per 100 grams of sample.

(6) through (7) No change.

(8) Shellfish or shellfish products determined to be adulterated, or misbranded shall be subject to recall by the certified dealer responsible for distribution of the products. For a first offense in a certification license year, the department will apply mitigation measures if applicable. Mitigation measures include on-the-spot correction and reconditioning. For repeat violations, and where mitigation measures are not available, the department shall issue an order to stop the sale or to condemn, and destroy, shellfish or shellfish containers found to be adulterated, misbranded, or found to be held in non-compliance with any of the provisions of this Chapter. Reconditioning shall be a mitigation option only if the products will meet the safety standards of Rule 5L-1.004, F.A.C., and the labeling standards of Rule 5L-1.007~~6~~, F.A.C. Stop sale, condemnation, or reconditioning of products or containers shall be based on individual conditions found during inspections and shall be conducted using a Stop Sale Notice, DACS DEP Form 15001 34-013, revision 1/2000 2/96. This form is herein incorporated by reference, and available for inspection at the Department's offices located at 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 3900 Commonwealth Boulevard, Mail Station # 205, Tallahassee, Florida 32399.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, Formerly 16R-7.006, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.006, Amended \_\_\_\_\_.

#### 5L-1.005 Shellfish Processing Plant Certification.

(1) Upon request, the Department shall provide an application form entitled Shellfish Processing Plant Certification License Application, Form Number DACS DEP 15007 34-006 revision 1/2000 6/94, herein incorporated by reference, and obtainable by writing the Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 3900 Commonwealth Boulevard, Mail Station # 205, Tallahassee, Florida 32399, necessary for certification licensing of shellfish establishments. The following information shall be requested: (a) the name and address of the firm, corporation, or establishment; (b) the name and address of the owner and operator; (c) the plant classification; and (d) the type of product to be processed.

(2) A shellfish processing plant certification license number will be assigned by the Department upon receipt of a completed Shellfish Processing Plant Certification License Application. Upon receipt of a completed application, inspection of the physical facility will be conducted within 30 calendar days. Certification Licenses and numbers are not transferable; the establishment, not the operator is certified.

(3) Certification is granted only to firms who meet the following inspection requirements: ~~4~~ no "Critical" item deficiencies; not more than two (2) "Key" item deficiencies; and ~~3~~ not more than three (3) "Other" item deficiencies. Failure of a certification inspection requires reapplication by the applicant. After successful inspection of the facility and the applicant's meeting the requirements of Rule 5L-1.005, F.A.C., a shellfish certification license, DACS DEP Form 15002 34-014 revision 1/2000 3/96, will be issued. This form is herein incorporated by reference, and obtainable by writing the Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 3900 Commonwealth Boulevard, Mail Station # 205, Tallahassee, Florida 32399. After a firm is certified, unannounced inspections using the DACS DEP plant inspection forms 15009 34-004 Revision 1/2000 6/94, and 15012 34-003 Revision 1/2000 6/94, and 34-002 Revision 2/96, if necessary, shall be conducted during periods of operation and at such frequency as necessary to assure that adequate operational and sanitary conditions are maintained. These forms are herein incorporated by reference, and obtainable by writing the Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 3900 Commonwealth Boulevard, Mail Station # 205, Tallahassee, Florida 32399. At the completion of each inspection, a copy of the completed inspection forms shall be issued to the plant supervisor or the plants designated representative a responsible individual at the firm.

(4) Renewal certification – A dealer shall make application for certification renewal annually. The certification shall not be renewed for any dealer until the dealer has: eliminated any critical deficiencies and agreed to a compliance schedule which carries forward into the next certification period no more than 1 key and 2 other deficiencies identified in previous inspections; and addresses any new key or other deficiencies in a new or revised compliance schedule.

(5)(4) In the event that a licensed certified shellfish processing plant changes its name, changes owners, changes location, or changes address ~~When the name of an establishment location, or owner changes,~~ a new application, DACS DEP form 15007 34-006, revision 1/2000 must be completed and submitted to the department. The firm will be required to go through the complete certification process and recertification license, DEP form 34-011, shall be required.

(6)(5) Possession of a wholesale license to sell saltwater products issued under provisions of section 370.07, F.S., shall be required for certification licensing under this Chapter.

(7)(6) Possession of satisfactory bacteriological water analysis results, which shall not equal or exceed two cfu (colony forming units) per 100 mls for total coliform bacteria on any consecutive samples, and shall not equal or exceed two cfu per 100 mls for fecal coliform or E. coli bacteria on any samples, shall be required for certification under this Chapter. Analysis shall be from the source water, and an outlet location within the plant, and ice if any is used. If the source is a public water supply, only a sample from an outlet in the plant and ice if used, is required.

(8) Possession of a mechanically cooled non portable storage unit able to maintain an ambient temperature of 45° F or below and be of sufficient size to handle one day's production, shall be required for certification under this chapter.

(9)(7) Each applicant for a shellfish certification license shall have conducted a Hazard Analysis to determine whether there are food safety hazards that are reasonably likely to occur for ~~of the~~ shellfish products produced at the location listed on DACS DEP form 15007 34-006, revision 1/2000 Shellfish Processing Plant Certification License Application. Each certified dealer shall prepare a written HACCP plan. The HACCP plan shall incorporate critical control points that will eliminate, prevent, or control the hazards identified in the hazard analysis. Critical control points shall have established critical limits for parameters to ensure when exceeded the dealer takes corrective actions. The HACCP plan shall include the procedures, and frequency thereof that will be used to monitor each of the critical control points to ensure compliance with the critical limits. The HACCP plan shall provide for a recordkeeping system that documents the monitoring of the critical control points. The records shall contain the actual values and observations obtained during monitoring. The plan shall be signed and dated by the owner or corporate officers of

the firm at the time of its implementation, and after any modification. Each establishment shall develop or adopt acceptable sanitation monitoring records to meet the requirements in 5L-1.013(12).

~~(10)(8)~~ Each owner or corporate officer who is a certified dealer shall verify that the HACCP plan is adequate to control food safety hazards that are reasonably likely to occur, and that the plan is being effectively implemented. Verification shall include at a minimum:

(a) Reassessment of the HACCP plan on an annual basis, or when changes occur that could affect the hazard analysis: and

(b) Ongoing verification including a review of any consumer complaints received by the processor to determine whether they relate to the performance of critical control points or reveal the existence of unidentified critical control points, the calibration of process-monitoring instruments.

~~(11)(9)~~ All persons who commercially engage in purchasing shellfish from harvesters, shucking, packing, or repacking shellfish are subject to inspection and shall allow inspection by Department representatives during normal operating hours in order to determine compliance with sections of this rule.

~~(12)(10)~~ It is unlawful for persons to commercially engage in purchasing from harvesters, shucking, packing, or repacking shellfish without having complied with these rules and applied for and obtained a shellfish processing plant certification license from the Department. All certification licenses expire automatically on June 30 following date of issue.

~~(13)(11)~~ Upon issuance of a processing plant certification license, the Department shall notify the U.S. Food and Drug Administration of those certified dealers ~~wishing to do business in interstate commerce, and request the dealer's~~ business name and certification license number be published in the Interstate Certified Shellfish Shippers List.

~~(14)(12)~~ The shellfish processing plant certification license shall be posted in a conspicuous location on the premises.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.007, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.007, Amended.

5L-1.006 Suspension or Revocation of Shellfish Processing Plant Certification License, Routine or Emergency Action.

(1) The Department shall initiate enforcement action as follows:

(a) When a "Critical" deficiency is detected, operations affected by the critical deficiency will be suspended and the deficiency will be corrected during the inspection or the firm's certification license to operate shall be suspended as an immediate public health threat.

(b) When "Key" item deficiencies, are cited in violation of Chapter 5L-1, F.A.C. detected, the firm will be noticed that the firm's operation is in violation of sections of this Chapter, ~~and~~ The firm's representative will be requested to provide the Department a commitment documentation that the corrections will be have been made. When "Key" item deficiencies are cited, the Department may initiate a warning letter which will ask the firm to write a corrective action plan and list the corrective actions that will be taken or have been taken to ensure correction of the violations. Failure to make satisfactory corrective actions of "Key" item deficiencies within an agreed upon time period as specified in a corrective correction action plan, shall result in the issuance of a letter of intent to suspend the firm's certification license for a minimum period of seven (7) calendar days, and until corrections have been completed.

(c) through (e) No change.

(f) Prior to suspending or revoking any certification license, the Department shall provide at least 21 days notice by certified mail or hand delivery to the certification license holder, and plant operator if different from the certification license holder, of the Department's intended action. The notice shall contain:

1. The specific facts or conduct which are relied upon to establish the violation;
2. The statutory provision or rule alleged to have been violated; and
3. A statement that the certification license holder has 21 days from receipt of the notice in which to file a petition requesting an administrative hearing pursuant to Section 120.57, F.S.

(2) The Department or its agents shall summarily suspend a certification license if it is determined that there is an immediate serious danger to the public health, safety, or welfare requiring such emergency action. The Department shall, at the time the emergency action is taken, initiate proceedings as provided in Section 120.60, F.S.

(3) Upon suspension or revocation of a certification license, the Department shall notify the U.S. Food and Drug Administration so that the dealer's business name and certification license number may be removed from the Interstate Certified Shellfish Shippers List. Upon reinstatement of the license, the Department shall notify the U.S. Food and Drug Administration so that the dealer's business name and certification license number may be reinstated on the Interstate Certified Shellfish Shippers List.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, Formerly 16R-7.009, Amended 7-3-95, 2-6-97, Formerly 62R-7.009, Amended.

5L-1.007 Container Identification, Terminal Sale Date; Prohibitions.

(1) Shucked shellfish container – The packer's or repacker's shellfish processing plant certification license number preceded by the state abbreviation must be embossed,

imprinted, lithographed, or otherwise permanently and legibly recorded on the external body of containers or on the lid if the lid becomes an integral part of the container during the sealing process (Example: FL-872-SP). Containers shall permanently indicate type of product, quantity, and name and address of packer, repacker, or distributor. Containers of fresh shellfish, with a capacity of less than 64 ounces, shall further clearly and permanently bear the terminal sale date, by the numerical month, day, and last digit of the year. Containers of fresh shellfish with a capacity of 64 ounces or more, bears the actual shucking date by numerical month, day, and last digit of the year, in that order (Example: 01015). Reusable bulk storage containers shall be identified with state of origin, harvest date, and shuck date. Containers of frozen or previously frozen shellfish shall further clearly and permanently bear the date of shucking by numerical month, day, and last digit of the year, in that order (Example: 02097). Previously frozen shucked shellfish shall also have the freeze date and the thaw date following the same format. The terminal sale date for previously frozen shucked shellfish will be calculated by adding the day of shucking plus amount of time under refrigeration if not frozen, and adding the days that the product has been held thawed. Repacked shellfish containers shall also bear an appropriate code identifying the original packer.

(2) Each commercial harvester or ~~and~~ each certified dealer shall affix a durable, waterproof tag of minimal size – 2 5/8 by 5 1/4 inches – to each container of shellstock; for commercial harvesters this shall be done ~~prior to landing unless the harvest has occurred at more than one harvest location, then each container shall be tagged at each~~ the harvest location; for certified dealers this shall be done after final packing prior to shipment. In the case where a certified dealer is also the harvester, that dealer's tag may also be used as the harvester's tag.

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

(a) The harvester's saltwater product license number or aquaculture certificate number as assigned by the Department;

(b) through (d) No change.

(e) The identification of the harvest area using the four digit area number ~~code~~ or name of the harvest area listed in Table 2, which is incorporated herein and appears at the end of this Chapter, as well as the most precise identification within that area as practicable;

(f) through (g) No change.

(4) Bulk tagging is allowed for those aquaculturists operating with an aquaculture certificate under a Special Activity License issued by the Department. A bulk tag transaction record, containing the information required in (3)(a)-(g), along with the name of the certified dealer which the product is consigned to ~~consignee~~, shall be completed at each harvest location prior to landing.

(5) Bulk tagging, by a certified dealer, while in the washing, packing, depuration, wet storage, and staging, and intrastate transport of shellfish is permissible up to final packaging only when the lot container (i.e., pallet), contains shellfish which are harvested on the same day, from the same harvest area, and have the same intended use (i.e., for halfshell consumption, for shucking, or for further processing), and is tagged as follows:

(a) through (e) No change.

(6) The dealer's tag shall contain legible and indelible information arranged in the specific order as follows:

(a) through (g) No change.

(h) If shellstock exceeds the time limit for refrigeration found in Chapter 5L-1.008(5)(6), F.A.C. the shellstock dealer tag shall be identified with the language "FOR SHUCKING ONLY BY A CERTIFIED DEALER".

(i) through (j) No change.

(7) through (8) No change.

(9) In addition to the identification and labeling requirements of subsections (1) and (2), containers of fresh, frozen, previously frozen or repacked shellfish or containers of shellstock must indicate the state of origin of the shellfish, e.g., LA, MS, TX.

(10) No change.

(11) It shall be unlawful for any person, firm, corporation, wholesale or retail dealer to sell or offer for sale any fresh, or previously frozen shellfish after the terminal sale date has expired, or sell or offer for sale any fresh, frozen, or previously frozen shellfish not in compliance with any and all requirements of Rule 5L-1, 62R-7 F.A.C.

(12) Whoever knowingly or willfully alters or damages in any manner, or loans or transfers to another person any certification license number or shellfish tags, or any person who uses the certification license or shellfish tags, other than the person to whom they were issued, shall be in violation of this section and shall be subject to certification license suspension or revocation in addition to any other penalty for violation of Rule 5L-1, F.A.C.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 8-30-89, 5-6-93, 9-14-93, 8-21-94, Formerly 16R-7.010, Amended 9-1-95, 5-8-96, 2-6-97, 10-12-97, 2-12-98, 2-25-98, 7-1-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.010, Amended \_\_\_\_\_.

#### 5L-1.008 Shellfish Handling.

(1) Wet storage shall be conducted upon execution of an agreement between a person, firm, or corporation possessing a shellfish processing plant certification license and the Department. Each agreement shall include the following provisions:

(a) through (g) No change.

(h) No shellfish shall be removed from a wet storage facility when the shellfish harvesting area in which such shellfish are stored is closed pursuant to Chapter 5L-1.003, F.A.C., or because of emergency conditions as defined by Chapter 5L-1.002, F.A.C.

(i) through (j) No change.

(k) The agreement shall be valid for no more ~~greater~~ than 1 year from the date it is signed by the Department.

(2) Boats and vehicles – Boats and vehicles used in harvesting or transporting shellfish shall be constructed, operated, and maintained so as to protect the shellfish from contamination. Fuel tanks or other sources of contamination shall not be permitted to come into contact with shellfish. All boats used for commercial harvesting and handling shellfish shall be designed in such a way provided with false bottoms and bulkheads fore and aft to prevent shellfish from coming in contact with any bilge water. No dogs or other animals shall be allowed at any time on vessels or vehicles used to harvest or transport shellfish. No bodily wastes shall be discharged overboard from a harvest vessel. Shellstock harvested with commercial intent shall be protected by effective shading on harvest boats and vehicles to protect shellstock from exposure to sun, birds, and other adverse conditions. Shellfish shall be held under conditions which allows air circulation and promotes evaporative cooling.

(3) through (4) No change.

(5) Throughout the year, shellfish shall be harvested between sunrise and sunset as established by the U.S. Weather Service. During the months of November, December, January, February, and March, shellfish shall be refrigerated within the same day as harvest. During the months of April, May, and October, oysters or clams shall be refrigerated within twelve (12) hours of the time of harvest, or within the same day as harvest, ~~whichever is earlier~~. During the months of June, July, August, and September, oysters shall be refrigerated within six (6) hours of the time of harvest, or within the same day as harvest, whichever is earlier. During the months of June, July, August, and September, clams shall be refrigerated within ten (10) hours of the time of harvest, or within the same day as harvest, whichever is earlier. All shellfish shall be delivered directly to a certified dealer possessing a shellfish processing plant certification license.

(6) Once received by a certified dealer, the shellstock lot shall be immediately processed and placed under temperature control and until sale to final consumer, the shellstock shall be maintained at an environmental temperature of 45° F or less and not be permitted to remain outside of temperature control for more than 2 hours at points of transfer such as loading docks or in the plant during processing.

Specific Authority 570.072(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, Formerly 16R-7.011, Amended 7-3-95, 2-6-97, 3-18-99, 6-23-99, Formerly 62R-7.011, Amended

5L-1.009 Shellfish Relaying.

(1) through (2) No change.

(3) Anyone wishing to conduct shellfish relaying operations shall provide the Department, upon application form entitled "Application for A Special Activity License to Relay Shellfish", Form Number DACS DEP 15109 34-110, effective 1/2000 12-30-91, available from the Department of Agriculture and Consumer Services Environmental Protection, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 3900 Commonwealth Boulevard, Tallahassee, FL 32399, and herein incorporated by reference, with the following information:

(a) through (j) No change.

(4) The Department, after reviewing the application and finding the plan in compliance with all applicable rules and regulations, and determining that the activity will not degrade, destroy or affect marine resources, shall issue a Special Activity License to Relay Shellfish within the general conditions set forth below.

(a) through (d) No change.

(e) The licensee must notify the local Marine Enforcement Patrol District Office and the Department Division of Marine Resources within twelve (12) hours by telephone and in writing by certified mail or hand delivery, within three days of any changes in ownership or person named as being responsible for the activities conducted under the conditions of the "Special Activity License to Relay Shellfish".

(f) The Licensee shall use only Department of Environmental Protection approved monitors, as specified by subsection 5L-1.009(5), to supervise relay harvesting, relay transport operations, placement on permitted site, and completion of required relay reports.

(g) Approved monitors must have completed the Department of Environmental Protection monitor training course and have a current "Department of Environmental Protection Approved Monitor Identification Card" showing successful completion of the course.

(h) Approved monitors shall have in their possession and available for immediate inspection, a current "Department of Agriculture Approved Monitor Identification Card" and a valid picture identification card during relay operations, available for immediate inspection.

(i) through (n) No change.

1. Any harvester who wishes to engage in a diving operation shall be required to obtain an "Underwater Shellfish Harvester Certificate" from the Florida Marine Enforcement Patrol District Office in which geographic area the harvester works. No certificate shall be issued to any applicant with a conviction of harvesting in a restricted, conditionally restricted, prohibited, or unclassified area within one year prior to application. No certificate shall be issued to any applicant who is not a certified diver.

2. It shall be unlawful for a diver to harvest shellfish on an relay crew without an "Underwater Shellfish Harvester Certificate" issued by the Florida Marine ~~Enforcement Patrol~~ District Office in which geographic area harvesting occurs.

3. through 13. No change.

(o) No change.

(p) If shellfish are relayed to a lease in Approved or Conditionally Approved areas, they shall not be harvested without written permission from the Department. Permission will be granted only after a minimum of 15 days have elapsed to allow the shellfish to cleanse themselves, and this cleansing is verified by laboratory analysis. The fifteen days will commence when the Department receives the licensee's "Special Activity License to Relay Shellfish" for cancellation. The fifteen day period does not include days that shellfish harvesting areas have been temporarily closed to harvest. Laboratory analysis shall consist of a minimum of five samples (each sample to consist of a minimum of 12 individual shellfish), collected by an employee of a laboratory with a current Department certification letter or staff of the Department. Four samples are to be collected from four corners of the lease and one sample collected from approximately the center of the lease. High-density aquaculture lease areas will be treated as a single entity pursuant to subsection 5L-1.009(4)(s)3. and 8., F.A.C. for ~~bacteriological~~ sampling. The laboratory must be certified by the Department State Laboratory Certification Officer pursuant to Guidance document A.11 Appendix E of the National Shellfish Sanitation Program Model Ordinance Manual of Operations, Part I (1990), and the Shellfish Laboratory Evaluation Checklist (1995) (1992), published by the U.S. Food and Drug Administration, which is hereby incorporated by reference and available for inspection at the Department's offices located at 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 ~~3900 Commonwealth Boulevard, Tallahassee, Florida 32399~~. Laboratory analysis shall include approved methods for fecal coliform bacteria and standard plate count. The bacteriological quality of the relayed shellfish shall be equal to or better than shellfish of the same species harvested from nearby Approved or Conditionally Approved areas. The holder of the "Special Activity License to Relay Shellfish" must coordinate with the certified laboratory and other persons or agencies that these criteria are met and communicate this information to the Department. Upon verification that the criteria have been met the Department will issue the written permission in the form of a letter. If shellfish are being relayed due to marine biotoxins, laboratory analysis shall include mouse bioassays for toxin.

(q) No change.

(r) Persons engaged in relaying operations shall fly a flag on their vessel, the color of which was applied for and approved by the Department in the "Special Activity License to Relay Shellfish". The flag will be a rigid flag, minimum size of

12 inches high by 18 inches wide. Only one color design will be approved for each license, except as provided in subsection 5L-1.009(4)(s)4.a.-d. The flags will be free standing and identifiable from the air and the water. The vessel which contains the Department of ~~Environmental Protection~~ approved monitor will fly a flag of the same description as before described but differentiated by two, three (3) inch wide strips, of contrasting color to the flag, extending diagonally from corner to corner, forming an X. Individual flags shall be mounted such that the entire flag extends a minimum of 2 feet higher than the highest point on the craft.

(s) Special conditions shall apply to high-density aquaculture lease areas, to relaying and transport operations, ~~laboratory bacteriological~~ sampling, and harvesting when more than one person or licensee participates on a relay crew composed of other persons or licensees from the same high-density aquaculture lease area.

1. through 2. No change.

3. For a high-density aquaculture lease area to be considered as a single entity for ~~laboratory bacteriological~~ sampling and harvesting, all relaying activity must be terminated by the designated expiration date. The number of participating licensees shall be determined by the number of applicants using the same expiration date and the number of participants is limited by the number of individual aquaculture leases located in the high-density aquaculture lease area. When an expiration date has been established for relaying to a high-density aquaculture lease area, all applicants shall terminate relay activities on or before the established expiration date regardless of the effective date of the Special Activity License to Relay Shellfish; except when a single licensee surrenders the Special Activity License to Relay Shellfish for cancellation and harvests shellfish pursuant to subsection 5L-1.009(4)(p).

4. through 7. No change.

8. High-density aquaculture lease areas will be treated as a single entity pursuant to subsection 5L-1.009(4)(s)3. for ~~laboratory bacteriological~~ sampling when all participating licensees have surrendered their Special Activity License to Relay Shellfish pursuant to subsection 5L-1.009(4)(s)6. Laboratory analysis shall consist of a minimum of five samples (each sample to consist of a minimum of 12 individual shellfish), collected by an employee of a laboratory with a current Department certification letter or staff of the Department. Four samples are to be collected from individual aquaculture leases located most proximate to the four corners of the high-density aquaculture lease area and one sample collected from an individual lease located near the center of the high-density aquaculture lease area.

9. No change.

(5) Requirements for Department of ~~Agriculture~~ approved monitors include the following:

(a) Department of ~~Agriculture~~ approved monitors must be current "Certified Law Enforcement Officers" or licensed "Class D Security Guards" working for a licensed "Class B Security Agency", hired by a "Special Activity License to Relay Shellfish" licensee, or staff of the Department. Staff of the Department, who are not "Certified Law Enforcement Officers", shall monitor only relay operations directed and supervised by the Department during cooperative shellfish resource development programs. Staff of the Department shall monitor shellfish relays to licensed leases pursuant to subsections 5L-1.009(4)(g)-(i), 5L-1.009(5), and 5L-1.009(6)(b), F.A.C.

(b) through (c) No change.

(d) Department of ~~Agriculture~~ approved monitor training will consist of a course developed and approved by the Florida Marine Enforcement Patrol and the Division of Aquaculture Marine Resources. The course shall cover the responsibilities of the approved monitor, shellfish laws, shellfish relay license rules, water classifications, health issues and other information deemed necessary by the Department. Training shall be conducted by Department personnel, as follows:

1. through 3. No change.

4. An applicant who completes the course satisfactorily will be issued a "Department of ~~Agriculture~~ Approved Monitor Identification Card" in his or her name. The Identification Card will bear an expiration date that coincides with eligibility requirements established for a Department of ~~Agriculture~~ approved monitor. This identification card will expire on the expiration date printed on the identification card, or in no case longer than one year from the date of issue. The identification card will be renewed only after satisfactory completion of the training course.

(e) A Department of ~~Agriculture~~ approved monitor whose identification card has expired may reapply and will be issued a new identification card with a new expiration date if he or she meets the eligibility requirements established for a Department of ~~Agriculture~~ Protection approved monitor.

(6) Penalty for violation of Rule 5L-1.009, F.A.C.

(a) No change.

(b) An approved monitor's failure to supervise shellfish relay operations, complete required reports, and comply with the requirements of Rule 5L-1.009 and the "Special Activity License to Relay Shellfish", will result in the suspension of his authorization to act as a Department of ~~Agriculture~~ approved monitor.

(c) A diver, who is permitted by the Florida Marine Enforcement Patrol to harvest shellfish on a relay crew, will have his "Underwater Shellfish Harvester Certificate" suspended for any conviction of violating subsection 5L-1.009(4)(n)1.-15. The suspension will be for one year from the date of conviction.

(d) through (g) No change.

Specific Authority 570.07(2) FS. Law Implemented 370.071, 370.16(17) FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 12-23-91, 4-21-93, 5-20-93, 6-9-94, Formerly 16R-7.012, Amended 1-1-98, Formerly 62R-7.012, Amended.

5L-1.010 Buildings and Facilities.

(1) Plant construction and design. Plant buildings and structures shall be suitable in size, construction, and design to facilitate maintenance and sanitary operations for food manufacturing purposes. The plant and facilities shall:

(a) through (c) No change.

(d) Provide adequate lighting in hand-washing areas, dressing and locker rooms, and toilet rooms and in all areas where food is examined, processed, or stored and where equipment or utensils are cleaned; and provide safety-type light bulbs, fixtures, skylights, or other glass suspended over exposed food in any step of preparation or otherwise protect against food contamination in case of glass breakage.

(e) Provide adequate ventilation or control equipment to minimize air borne dust and particulates, odors and vapors in areas where they may contaminate food; and locate and operate fans and other air-blowing equipment in a manner that minimizes the potential for contaminating food, food-packaging materials, and food contact surfaces.

(f) Provide screening or other protection to prevent the entrance of ~~against~~ pests.

(2) No change.

(3) The water supply shall be sufficient for the operations intended. Any water that contacts food or food contact surfaces shall be safe and of sanitary quality. Running water at a suitable temperature of 110° F or above, and under pressure as needed, shall be provided in all areas where required for the processing of food, for the cleaning of equipment, utensils, and food-packaging materials, or for employee sanitary facilities. Sanitary quality shall be maintained by the following steps:

(a) through (b) No change.

(4) No change.

(5) Sewage and all in-plant wastewater shall be discharged into a public sewage treatment system or other approved sewage treatment system in accordance with provisions of Chapter ~~64E-6~~ 10D-6, Florida Administrative Code.

(6) Each plant shall provide its employees with readily accessible toilet facilities. Compliance with this requirement shall be accomplished by:

(a) through (d) No change.

(e) Providing toilet tissue.

(7) Handwashing facilities shall be furnished and easily accessible, where persons handle food, food packaging materials, or food contact surfaces, and include the following:

(a) through (d) No change.

(e) Readily understandable signs directing employees handling exposed ~~unprotected~~ food, unprotected food-packaging materials, or food-contact surfaces, to wash and sanitize their hands prior to handling these ~~items~~ materials.



These signs ~~shall~~ ~~may~~ be posted in the processing room at all hand wash stations and in all other areas where employees may handle such food, materials, or surfaces.

(8)(a) Refuse receptacles shall be constructed and maintained in a manner that protects against contamination of food. ~~(b)~~ Rubbish and any offal shall be so conveyed, stored, and disposed of as to minimize the development of odor, minimize the potential for the waste becoming an attractant and harborage or breeding place for pest, and protect against contamination of food, food-contact surfaces, water supplies, and ground surfaces.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, Formerly 16R-7.013, Amended 7-3-95, 2-6-97, Formerly 62R-7.013, Amended \_\_\_\_\_.

#### 5L-1.011 Equipment for Shellfish Processing.

(1) through (3) No change.

(4) Three compartment sinks shall be properly installed, maintained and provided with hot and cold running water to all three compartments in establishments required to wash, rinse and sanitize food contact surfaces. Signs shall be posted indicating proper use of the three compartment sink. A three compartment sink shall be used for washing, rinsing and sanitizing food contact surfaces shall not be used for hand washing.

~~(5)(4)~~ Each freezer and cold storage compartment used to store and hold shellfish shall be mechanically refrigerated, nonportable and shall be fitted with an indicating thermometer, temperature-measuring device, or temperature-recording device so installed as to show the temperature accurately within the compartment, and should be fitted with an automatic control for regulating temperature or with an automatic alarm system to indicate a significant temperature change ~~in a manual operation~~.

~~(6)(5)~~ Compressed air or other gases mechanically introduced into food or used to clean food-contact surfaces or equipment shall be treated in such a way that food is not contaminated.

~~(7)(6)~~ Blowers – devices which use compressed air to circulate wash water around and through shucked shellfish shall be properly designed and constructed as to be easily dismantled for cleaning, examination, and repair.

~~(8)(7)~~ Blowing time – blowing time shall not exceed 15 minutes.

~~(9)(8)~~ Depuration tanks shall be designed to allow for good water circulation and prevent short-circuiting of the seawater. Tanks shall be designed so that scum and sludge, including shellfish feces and pseudo-feces, sand, and grit can be easily removed or flushed out. The bottom shall be sloped longitudinally at least 1/4 to 1/2 inch per foot toward the outlet end.

~~(10)(9)~~ To facilitate proper cleaning and sanitation, as well as proper treatment of shellfish, tanks shall be constructed from impervious, non-toxic, and inert materials. Coatings,

when used, may include epoxy resins, powdered polyesters, vinyl bituminous water-tank paint, and paraffin. These coatings are not only for waterproofing but should provide a smooth, hard, non-porous surface to facilitate cleaning.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.014, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.013, Amended \_\_\_\_\_.

#### 5L-1.012 Sanitary Operations.

(1) through (2) No change.

(3) Only sanitizing agents found in Title 21, Code of Federal Regulations, Section 178.1010, hereby incorporated by reference and available for inspection at the Department's offices located at 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 ~~3900 Commonwealth Boulevard, Tallahassee, Florida 32399~~, will be used at recommended levels in shellfish processing plants.

(4) Toxic cleaning compounds, sanitizing agents, and pesticide chemicals shall be identified, held, used and stored in a manner that protects against contamination of food, food-contact surfaces, or food-packaging materials. Test kits that measure the concentration of sanitizing solutions shall be provided and used for verifying the proper sanitizing solution concentration.

(5) through (10) No change.

(11) Each certified dealer shall monitor the conditions and practices during processing with sufficient frequency to ensure, at a minimum, conformance with those conditions and practices specified in 5L-1.010(a) and (b), 5L-1.010(6) and (7), 5L-1.011(1), 5L-1.012(1) through (10), 5L-1.013(7) and (8), and 5L-1.014(5).

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.015, Amended 7-3-95, Amended 2-6-97, 6-23-99, Formerly 62R-7.015, Amended \_\_\_\_\_.

#### 5L-1.013 Plant Operation.

(1) The plant shall operate in accordance with the HACCP plan designed and approved by the owner or corporate officers.

(2) Prior to acceptance of shellstock from a licensed harvester and/or certified aquaculturist, the certified dealer will ensure that shellstock are properly identified as specified in 5L-1.007(5)(3), are clean, and wholesome, and alive, ~~and are received at an appropriate temperature that will minimize microbial growth and retard decomposition.~~

(3) Upon acceptance of shellstock from a licensed harvester, certified aquaculturist or certified dealer, the receiving certified dealer shall determine the appropriate use of the shellfish through examination of shellfish labeling as follows:

(a) Shellfish which fails to meet the requirements of Chapter 5L-1.008(5)(3), or is labeled in compliance with Chapter 5L-1.007(6)(h), shall only be used for shucking by a

certified shellfish dealer, or shall undergo an alternative processing method to assure a safety level equivalent to product meeting Chapter 5L-1.008(5)(3).

(b) Tempering, as an alternative process shall consist of those methods which have demonstrated through verification studies that the process renders hard clams which are as safe as hard clams meeting 5L-1.008(5). Prior to initiating tempering a certified dealer shall have written approval from the Department. The certified dealer must provide the following: Compliance with Chapter 5L-1.008(3), F.A.C. shall allow shellfish for use as shellstock or shucked product.

1. A description of all facilities, equipment and methods to be used in the alternative process. This process must be included in the firm's HACCP plan.

2. The source of hard clams and the maximum capacity of hard clams to undergo the process at any one time.

3. The process to be followed shall not exceed 16 hours total time between hard clam harvest and refrigeration at 45 degrees F or less. Product harvest, processing, tempering and food storage at 45 degrees F or less must be scheduled to occur as a continuous procedure.

4. Upon initiation, the tempering process must have temperature control of 68 degrees F or less and be maintained until hard clams are placed into refrigeration of 45 degrees F or less.

5. If facilities, equipment or methods change, the Department must be notified.

(4) Shellfish shall be segregated by the certified dealer in accordance with its intended use as determined in subsection (3)(2)(a) and (b) above and identified per Chapter 5L-1.007(5) or (6).

(5) Unidentified, adulterated, unwholesome, dead, or contaminated shellstock shall be discarded.

(6) Shucking of shellfish – Shellfish shall be shucked in a manner such that they are not subjected to possible contamination. Only live shellfish shall be shucked.

(a) No change.

(b) Shucked meats shall be thoroughly drained, cleaned as necessary, and packed promptly after delivery to the packing room. Packing operations shall be scheduled and conducted so as to chill all meats to an internal temperature of 45° F or less within two hours of delivery to the packing room. Shucked meats which are packed into containers having a capacity of more than one gallon shall be pre-chilled to 45° F or less prior to packing.

(7) No change.

(8) Ice shall be manufactured from potable water in a commercial machine which has been properly installed and maintained without connections to nonpotable water sources.

(9) No change.

(10) Records – Complete, legible, and accurate dated records of purchase and sale of all shellfish shall be kept by all shellfish establishments operating in the state. Records shall indicate:

(a) through (j) No change.

(k) Records covering purchases and sales of frozen or previously frozen shellfish should be retained for at least two years or for a period of time that exceeds the shelf-life of the product.

(l) No change.

(11) Monitoring records of HACCP plan critical control points shall be maintained and reviewed at least weekly as specified in the firm's HACCP plan. Records shall be reviewed to ensure that the records are complete and to verify that they document values that are within the critical limits. The review shall occur within one week of the day that the records are made. The reviewed records shall be signed and dated by an individual who is in a supervisory position in the firm and is knowledgeable of HACCP.

(12) through (13) No change.

(14) Responsibility – It shall be the duty and responsibility of each owner, manager, and operator of a shellfish plant to insure that all regulations pertaining thereto are strictly adhered to and that only safe, wholesome, unadulterated shellfish shall be produced offered for sale to the consuming public. It shall be his or her duty and responsibility to see that the plant is properly supervised at all times and all shellfish can be identified, whether shellstock or shucked shellfish, to insure that they were harvested from approved growing waters and that they have been handled and processed in a sanitary manner.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, Formerly 16R-7.016, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.016, Amended \_\_\_\_\_.

5L-1.014 Heat Shock Method.

(1) No change.

(2) Temperature and change of dip water – During the heat shock process the water shall be maintained at a temperature not less than 145° F or more than 150° F. The water shall be completely drained or removed from the heat shock tank when it becomes dirty or at the end of each working day. An accurate indicating or recording thermometer shall be used during the heat shock process for temperature measurements.

(3) Time interval of immersion – Shellstock subjected to the heat shock process shall not be immersed in the heat shock water for periods longer than 5 minutes. An accurate timing device shall be available and used to control the time of immersion. Only containers of 2 bushels or less capacity shall be used in the heat shock process.

(4) through (5) No change.

(6) Refrigeration of heat shocked shellfish – Shucked meat from all shellstock which has been subjected to the heat shock process shall be cooled to an internal temperature of 45° F or

less within 2 hours after the heat shocking process. Shucked meats shall be immediately cooled by placing ice in shucking containers prior to and during the shucking process.

(7) No change.

(8) Shucker-packers may submit, for department review and written approval, a written processing schedule together with all validation and supporting documents for their alternative heat shock operation. The written processing schedule must address these factors:

(a) No changes in the physical and organoleptic properties of the species shall occur;

(b) Process shall not kill the shellfish;

(c) No increase in microbial deterioration of the shucked shellfish shall occur;

(d) Type and size of shellfish;

(e) Time and temperature of exposure;

(f) Type of process;

(g) Size of tank, tunnel or retort;

(h) Water to shellfish ratios in tanks; and

(i) Temperature and pressure monitoring devices.

(9)(8) The written heat shock process shall be on display in the processing area. All responsible persons involved with the heat shock process must be aware of the requirements.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.017, Amended 7-3-95, 2-6-97, Formerly 62R-7.017, Amended \_\_\_\_\_.

5L-1.015 Depuration Plant Operations.

(1) Source of shellfish – Shellfish shall be accepted for treatment at a shellfish treatment plant only from areas specified by the Department pursuant to Rule 5L-1.009, F.A.C. The plant supervisor or representative assistant plant supervisor shall inspect all containers of untreated shellfish upon arrival at the plant to verify that they contain the species and quantity stated on the monitor's reports.

(2) No change.

(3) Culling – All untreated shellfish, prior to, or upon arrival at the plant, shall be thoroughly inspected and culled by personnel under the supervision of the plant supervisor or representative assistant plant supervisor. All dead shellfish or shellfish in broken or cracked shells shall be destroyed. The plant supervisor or representative assistant plant supervisor shall be responsible for the culling and the removal and disposal of dead shellfish or shellfish with broken or cracked shells both before and after depuration.

(4) through (7) No change.

Specific Authority 570.07(2), 370.071(1) FS. Law Implemented 370.071, 381.061(7) FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.021, Amended 7-3-95, Formerly 62R-7.021, Amended \_\_\_\_\_.

5L-1.017 Depuration – Process Water Treatment Sampling Procedures and Standards.

(1) through (3) No change.

(4) Bacteriological – All water to be used in shellfish treatment tanks shall be subjected to UV light treatment. The water discharged from the UV unit shall be of bacterial quality equal to or better than the quality of water required in the U. S. P. H. S. Drinking Water Standards, as stated in the NSSP Model Ordinance Manual, Part I.

(5) through (12) No change.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.024, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.024, Amended \_\_\_\_\_.

5L-1.019 Laboratory Procedures and Sample Testing.

(1) Samples of shellfish, processing water, or ice, may be taken at any reasonable time or place by the Department and examined for compliance with sections of this Chapter. Samples of shellfish shall be furnished by processors of such shellfish upon request of the Department. Samples will be collected and appropriate sample collection and receipt forms will be used by Department staff to document sample collections. Forms include DACS DEP 15005 34-008, Collection/Analysis Water Report, Revision 1/2000 6/94, DACS 15004 34-009, Shellfish Sample Collection Report, Revision 1/2000 6/94, and DACS DEP 15013 34-014, Receipt for Samples, Revision 1/2000 2/94. These forms are herein incorporated by reference, and obtainable by writing the Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 3900 Commonwealth Boulevard, Mail Station # 205, Tallahassee, Florida 32399.

(2) Bacterial examinations of shellfish and seawater shall be conducted in accordance with *The Recommended Procedures for Bacterial Examination of Seawater and Shellfish* published by the American Public Health Association which is hereby incorporated herein by reference and is available for inspection at the Department's office, located at 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida 32301 3900 Commonwealth Boulevard, Tallahassee, Florida 32399.

(3) No change.

(4) The laboratory must be certified by the Department in accordance with Appendix L of the National Shellfish Sanitation Program Model Ordinance Manual of Operations, Part I.

Specific Authority 570.07(2) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.030, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.030, Amended \_\_\_\_\_.

TABLE 2: FOUR DIGIT AREA NUMBERS CODES AND NAMES OF HARVEST AREAS

AREA NUMBER CODE	HARVEST AREA NAME
0222	Pensacola Bay; Conditionally Approved (Escambia Bay; Winter; <u>Nov – Mar</u> <del>November 1 through March 30</del> )

0232	Pensacola Bay: Conditionally Approved (East Bay; Winter; <del>Nov – Feb November 1 through March 30</del> )	1631	Apalachicola Bay: Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 (Summer <u>Jul – Sep</u> )
0242	Pensacola Bay: Conditionally Approved (Escambia Bay, Spring/Fall, <u>Apr – Jun, Oct April 1 through June 30 and October 1 through October 31</u> )	1612	Apalachicola Bay: Conditionally Approved West 1 (Winter <u>Jan – Jun, Oct – Dec</u> )
0252	Pensacola Bay: Conditionally Approved (East Bay; Spring/Fall; <u>Mar – Jun, Oct April 1 through June 30 and October 1 through October 31</u> )	1622	Apalachicola Bay: Conditionally Approved West 2 (Winter <u>Jan – Jun, Oct – Dec</u> )
0215	Pensacola Bay: Restricted (Escambia Bay Spring/Fall; <u>Apr – Jun, Oct April 1 through June 30 and October 1 through October 31</u> )	1632	Apalachicola Bay: Conditionally Approved West 3 (Winter <u>Jan – Jun, Oct – Dec</u> )
0216	Pensacola Bay: Conditionally Restricted (Escambia Bay Winter; <u>Nov – Mar November 1 through March 30</u> )	1642	Apalachicola Bay: Conditionally Approved East (Winter <u>Jan – Jun, Oct – Dec</u> ) or Apalachicola Bay Approved East Hole (Summer <u>Jul – Sep</u> )
0226	Pensacola Bay: Conditionally Restricted (East Bay; Winter; <u>Nov – Feb November 1 through March 30</u> )	1652	Apalachicola Bay: Conditionally Approved North (Summer <u>Jul – Sep</u> )
0622	Choctawhatchee Bay: Conditionally Approved (Central)	1662	Apalachicola Bay: Conditionally Approved South (Summer <u>Jul – Sep</u> )
0632	Choctawhatchee Bay: Conditionally Approved (Eastern)	1606	Apalachicola Bay: Conditionally Restricted
0806	West Bay: Conditionally Restricted (Spring/Fall, <u>Apr – Jun, Oct – Nov April 1 through June 30 and October 1 through November 30</u> )	2002	Ochlockonee Bay: Conditionally Approved
0812	West Bay: Conditionally Approved (Winter; <u>Dec – Mar December 1 through March 31</u> )	2006	Ochlockonee Bay: Conditionally Restricted
0822	West Bay: Conditionally Approved (Spring/Fall; <u>Apr – Jun, Oct – Nov April 1 through June 30 and October 1 through November 30</u> )	2206	Wakulla County: Conditionally Restricted
1012	North Bay: Conditionally Approved (Western)	2212	Wakulla County: Conditionally Approved (Zone 1)
1022	North Bay: Conditionally Approved (Eastern)	2222	Wakulla County: Conditionally Approved (Zone 2)
1206	East Bay: Conditionally Restricted	2501	Horseshoe Beach: Approved (Summer)
1212	East Bay: Conditionally Approved (Section 1)	2502	Horseshoe Beach: Conditionally Approved (Winter)
1222	East Bay: Conditionally Approved (Section 2)	2506	Horseshoe Beach: Conditionally Restricted (Winter)
1401	St. Joe Bay: Approved	2802	Suwannee Sound: Conditionally Approved
1506	Indian Lagoon: Conditionally Restricted	2806	Suwannee Sound: Conditionally Restricted
1512	Indian Lagoon: Conditionally Approved Zone X (Spring/Fall; <u>Apr – Jun, Oct – Dec April 1 – June 30 &amp; October 1 – December 31</u> )	3012	Cedar Key: Conditionally Approved (Zone A)
1522	Indian Lagoon: Conditionally Approved Zone Y (Spring/Fall; <u>Apr – Jun, Oct – Dec April 1 – June 30 &amp; October 1 – December 31</u> )	3022	Cedar Key: Conditionally Approved (Zone B)
1523	Indian Lagoon: Conditionally Approved Zone Z (Spring/Fall <u>Apr – Jun, Oct – Dec April 1 – June 30 &amp; October 1 – December 31</u> )	3006	Cedar Key: Conditionally Restricted
1542	Indian Lagoon: Conditionally Approved Zone A (Winter; <u>Jan – Mar January 1 – March 31</u> )	3202	Waccasassa Bay: Conditionally Approved
1552	Indian Lagoon: Conditionally Approved Zone B (Winter; <u>Jan – Mar January 1 – March 31</u> )	3206	Waccasassa Bay: Conditionally Restricted
1611	Apalachicola Bay: Approved (Winter <u>Jan – Jun, Oct – Dec</u> )	3402	Withlacoochee Bay: Conditionally Approved
1621	Apalachicola Bay: Approved (Summer <u>Jul – Sep</u> )	3406	Withlacoochee Bay: Conditionally Restricted
		3702	Citrus County: Conditionally Approved
		3706	Citrus County: Conditionally Restricted
		4202	Boca Ciega Bay: Conditionally Approved
		4802	Lower Tampa Bay: Conditionally Approved
		4806	Lower Tampa Bay: Conditionally Restricted
		5402	Sarasota Bay: Conditionally Approved
		5406	Sarasota Bay: Conditionally Restricted
		5602	Lemon Bay: Conditionally Approved
		5802	Gasparilla Sound: Conditionally Approved
		6002	Myakka River: Conditionally Approved
		6006	Myakka River: Conditionally Restricted
		<del>6202</del>	<del>Pine Island Sound: Conditionally Approved</del>
		<u>6212</u>	<u>Pine Island Sound Conditionally Approved Western Section</u>
		<u>6222</u>	<u>Pine Island Sound Conditionally Approved Eastern Section</u>

6602	Ten Thousand Islands: Conditionally Approved	7726	Body C: Conditionally Restricted ( <del>Spring/Summer/Fall Mar – Nov March 1 through November 30</del> )
7001	Indian River/St. Lucie: Approved		
7006	Indian River/St. Lucie: Restricted		
7202	North Indian River: Conditionally Approved	7802	Body B: Conditionally Approved
7206	North Indian River: Conditionally Restricted	7805	<del>Body B: Restricted</del>
7412	Body F: Conditionally Approved ( <del>Zone 1</del> )	7902	South Banana River: Conditionally Approved
7422	<del>Body F: Conditionally Approved (Zone 2)</del>	7906	South Banana River: Conditionally Restricted
7416	Body F: Conditionally Restricted ( <del>Zone 3</del> )	8001	Body A: Approved
7426	<del>Body F: Conditionally Restricted (Zone 4)</del>	8005	Body A: Restricted
7506	Body E: Conditionally Restricted	8201	<u>South</u> Volusia: Approved
7602	Body D: Conditionally Approved	8212	<u>South</u> Volusia: Conditionally Approved (Zone 1)
7606	Body D: Conditionally Restricted	8222	<u>South</u> Volusia: Conditionally Approved (Zone 2)
7712	Body C: Conditionally Approved (Zone 1; <del>Spring/Summer/Fall Mar – Nov March 1 through November 30</del> )	8206	<u>South</u> Volusia: Conditionally Restricted
7722	Body C: Conditionally Approved (Zone 2; <del>Spring/Summer/Fall Mar – Nov March 1 through November 30</del> )	8802	St. Johns South: Conditionally Approved
7732	Body C: Conditionally Approved ( <del>Winter Dec – Feb December 1 through February 28 (or February 29 during a leap year)</del> )	8806	St. Johns South: Conditionally Restricted
7716	Body C: Conditionally Restricted ( <del>Winter Dec – Feb December 1 through February 28 (or February 29 during a leap year)</del> )	9202	St. Johns North: Conditionally Approved
		9206	St. Johns North: Conditionally Restricted

INDEX OF SHELLFISH HARVESTING AREA  
CLASSIFICATION MAPS, BOUNDARIES AND MANAGEMENT PLANS

Revised \_\_\_\_\_ April 14, 1999

Shellfish Harvesting Area

Name	Area Number	Map Number(s)	Effective Revised date
Apalachicola Bay System	16	16A, 16B	April 14, 1999
Boca Ciega Bay	42	42	June 18, 1997 April 15, 1997
Body A	80	80	December 28, 1997 October 10, 1997
Body B	78	78	February 7, 1996 April 15, 1997
Body C	77	77A, 77B	January 1, 1994 April 15, 1997
Body D	76	76	August 1, 1996 April 15, 1997
Body E	75	75	January 1, 1994 April 15, 1997
Body F	74	74	April 15, 1997
Cedar Key	30	30	November 5, 1992 April 15, 1997
Choctawhatchee Bay	06	06	July 17, 1989 April 15, 1997
Citrus County	37	37	May 6, 1996 April 15, 1997
Duval County	96	96	January 31, 1996 April 15, 1997
East Bay	12	12	January 1, 1995 April 15, 1997
Gasparilla Sound	58	58	January 25, 1996 April 15, 1997
Horseshoe Beach	25	25A, 25B	March 18, 1999 January 6, 1999
Indian Lagoon	15	15A, 15B	November 5, 1992 April 15, 1997
Indian River/St. Lucie Counties	70	70	June 18, 1997 April 15, 1997
Lemon Bay	56	56	July 20, 1998 May 20, 1998
Lower Tampa Bay	48	48	June 18, 1997 April 15, 1997
Myakka River	60	60	October 28, 1998
North Bay	10	10	January 1, 1995 April 15, 1997
North Indian River	72	72	June 18, 1997 April 15, 1997
North St. Johns	92	92	January 1, 1995 April 15, 1997
Ochlockonee Bay	20	20	November 3, 1998 August 26, 1998
Pensacola Bay System	02	02A, 02B	January 31, 1996 April 15, 1997
Pine Island Sound	62	62	December 28, 1998 October 28, 1998
Sarasota Bay	54	54	May 6, 1993 April 15, 1997
South Banana River	79	79	July 22, 1997 May 21, 1997
South St. Johns	88	88	December 16, 1997 April 15, 1997
South Volusia	82	82A, 82B	December 10, 1997
St. Joseph Bay	14	14	November 1986 April 15, 1997
Suwannee Sound	28	28	February 25, 1998 December 17, 1997
Ten Thousand Islands	66	66	June 18, 1997 April 15, 1997
Waccasassa Bay	32	32	November 5, 1992 April 15, 1997
Wakulla County	22	22	January 1, 1995 April 15, 1997
West Bay	08	08A, 08B	December 28, 1998 October 28, 1998
Withlacoochee Bay	34	34	November 5, 1992 April 15, 1997

INDEX OF SHELLFISH HARVESTING AREA  
CLASSIFICATION BOUNDARIES AND MANAGEMENT PLANS  
Revised April 14, 1999

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Shellfish Harvesting Area

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Bobby Bickley  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sherman Wilhelm, Director, Division of Aquaculture  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

**STATE BOARD OF ADMINISTRATION**

RULE TITLE: Reimbursement Premium Formula  
RULE NO.: 19-8.028  
PURPOSE AND EFFECT: This rule implements the 2000-2001 contract year for the Florida Hurricane Catastrophe Fund, pursuant to Section 215.555, Florida Statutes.  
SUMMARY: Proposed amended rule 19-8.028 provides definitions and adopts the 2000-2001 reimbursement premium formula and the rates.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be minimal.  
Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
SPECIFIC AUTHORITY: 215.555(3) FS.  
LAW IMPLEMENTED: 215.555(2),(3),(4),(5),(6),(7) FS.  
REGARDLESS OF WHETHER OR NOT ONE IS REQUESTED, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:  
TIME AND DATE: 9:00 a.m. – Noon, Wednesday, May 31, 2000  
PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack Nicholson, Chief Operating Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Drawer 13300, Tallahassee, FL 32317-3300, Tel. (850)413-1340

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.028 ~~1999~~ Reimbursement Premium Formula.

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

(2) Definitions.

(a) Actuarially Indicated Premium

This term refers to premiums which are derived according to or consistent with accepted actuarial standards of practice. Actuarially indicated means an amount determined according

to principles of actuarial science to be adequate, but not excessive, in the aggregate, to pay current and future obligations and expenses of the fund, and determined according to principles of actuarial science to reflect each insurer's relative exposure to hurricane losses.

(b) Independent Consultant

This term means the independent individual, firm, or organization with which the SBA contracts to prepare the premium formula and any other actuarial services for the FHCF, as determined under the contract with the consultant.

(c) Excess Insurance

This term means any direct insurance policy written by an authorized insurer or a Joint Underwriting Association for a Covered Policy which provides coverage above the policy limits of an underlying policy covering the same property.

(d) Formula or the Premium Formula

This term means the formula approved by the SBA for the purpose of determining the Actuarially Indicated Premium to be paid to the FHCF. The Premium Formula is defined as an approach or methodology which leads to the creation of premium rates. The resulting rates are therefore incorporated as part of the Premium Formula and are the result of the approach or methodology employed.

(e) High Deductible

This term means any direct insurance policy written by an authorized insurer or a Joint Underwriting Association for a Covered Policy which provides coverage with a deductible or self-insured retention of \$50,000 or greater.

(f) New Companies

The term means all Companies which write Covered Policies and which are granted a certificate of authority by the Department of Insurance after the beginning of the FHCF's Contract Year on June 1; or which already have a certificate of authority but begin writing Covered Policies on or after the beginning of the FHCF's Contract Year on June 1 and did not or was not required to enter into a contract on June 1 of the contract year. A Company is writing new business if it writes Covered Policies after the beginning of the FHCF's Contract Year on June 1 and did not do so prior to the beginning of the Contract Year, or if it removes exposure from the RPCJUA pursuant to an assumption agreement effective after June 1 and had written no other Covered Policies on or before June 1.

(g) Premium

This term means the same as Reimbursement Premium, which is the premium which is determined by multiplying each \$1,000 of insured value reported by the Company in accordance with subsection (5)(b) of the Statute, by the rate as derived from the Premium Formula.

(h) Section I as described in the Data Call

This term means policies other than Excess Insurance or High Deductible policies, as those policies are defined herein.

(i) Section II as described in the Data Call



This term means Excess Insurance or High Deductible policies, as those terms are defined herein.

(3) The 1999 Premium Formula.

(a) Because of the diversity of the insurers and the risks they insure which are affected by Section 215.555, Florida Statutes, the 1999 Premium Formula is adopted in this subsection (3), below, adopts the basic Formula and also addresses and special circumstances are addressed in subsection (4), below. The 1999 Formula for determining the actuarially indicated premium to be paid to the Fund, as required by Section 215.555(5)(b), is the rate times the exposure per \$1,000 of insured value and this equals the premium to be paid in dollars. The rates adopted ~~in paragraph (b), below;~~ were determined by taking into account four factors: geographic location by zip code; construction type; policy deductible; and type of insurance. The Formula is developed by an independent ~~actuarial~~ consultant selected by the Board, as required by Section 215.555(5)(b).

(b) For the 1999-2000 contract year, (The Formula developed by the Board's independent actuarial consultant, "Florida Hurricane Catastrophe Fund: 1999 Ratemaking Formula Report to the Florida State Board of Administration, March 5, 1999," which is supplemented by the "Florida Hurricane Catastrophe Fund Addendum to the March 5, 1999 Ratemaking Report, May 26, 1999," both of which are hereby adopted and incorporated by reference. (b) The basic premium rates developed in accordance with the premium formula methodology approved by the Board on 5/11/99, are hereby adopted and incorporated by reference in Form FHCF-Rates 1999, "Florida Hurricane Catastrophe Fund/1999-2000 Rates," rev. 8/99.

(c) For the 2000-2001 contract year, the Formula developed by the Board's independent consultant, "Florida Hurricane Catastrophe Fund: 2000 Ratemaking Formula Report to the Florida State Board of Administration, March 2, 2000," and the addendum thereto, "Florida Hurricane Catastrophe Fund: Addendum to the March 2, 2000 Ratemaking Report, April 6, 2000," are hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the premium formula methodology approved by the Board on 4/25/00, are hereby adopted and incorporated by reference in Form FHCF-Rates 2000, "Florida Hurricane Catastrophe Fund/2000-2001 Rates," rev. 5/00.

(4)(a)(e) Special Circumstances. ~~4.~~ The premium formula for Section II exposure will be based on the use of computer modeling for each individual company for which it is applicable. Because of the difference in potential loss exposure between Section I and Section II, it is generally not equitable to apply FHCF rates developed for Section I exposures to Section II exposures. Because of the wide variations in attachments, retentions, limits, and participation levels for excess insurance, it is not practical to develop separate rates for all the potential combinations of per policy excess/high deductible exposures.

Therefore, the Independent Actuarial Consultant will recommend guidelines for individual company Section II portfolio modeling to estimate individual company FHCF expected losses. Individual company FHCF expected losses for Section II exposures will be loaded for investments and expenses on the same basis as the FHCF premium rates used for Section I exposures, but will also include a loading for the additional cost of individual company modeling. The minimum exposure threshold for FHCF Section II rating will be sufficient to generate FHCF premium greater than the cost of modeling and other considerations. Upon the Board's approval of the ~~1999/2000~~ FHCF rates, the Independent Actuarial Consultant will calculate the minimum threshold of Section II exposure required for the separate coverage levels of 45%, 75%, and 90%. This methodology will be based on sound actuarial principles to establish greater actuarial equity in the premium structure. The calculated thresholds will be included in the ~~1999-2000~~ Data Call, as adopted and incorporated by reference in Rule 19-8.029. Companies with exposure meeting the definition of Section II, but with an aggregate of such exposure under the applicable threshold, shall report the said exposure under Section I using Section I reporting specifications.

~~(b)1.2.a.~~ Insurers which have forfeited their certificates of authority or which have withdrawn from the state or discontinued writing all kinds of insurance in this state after the beginning of the contract year shall have their premiums determined in accordance with subsection (3) paragraphs (a) and (b), above. Special recognition is not given to insurers which do not have exposure for covered policies for an entire contract year, except for new companies as described in paragraph (c) of this subsection (4) subparagraph 3 of this rule.

~~2.b.~~ Any insurer which has forfeited its certificate of authority or which has discontinued writing in accordance with an order issued by the Department of Insurance effective prior to June 1 of each calendar year shall not be required to execute a Reimbursement Contract with the Board provided that the insurer has no exposure to hurricane loss after June 1.

~~(c)1.3.a.~~ For purposes of this rule, the term "new companies" refers to:

- i. all companies which write covered policies, as that term is defined in Section 215.555(2)(c), Florida Statutes, and
- ii. which are granted a certificate of authority by the Department of Insurance on or after the beginning of the Fund's contract year on June 1; or which already have a certificate of authority but begin writing covered policies on or after the beginning of the Fund's contract year on June 1 and did not or was not required to enter into a contract on June 1 of the contract year.

b. For purposes of this rule, a company is writing new business if it writes covered policies on or after the beginning of the Fund's contract year on June 1 and did not do so prior to the beginning of the contract year, or if it removes exposure

from the RPCJUA pursuant to an assumption agreement on or after June 1 and had written no other covered policies before June 1.

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

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

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

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

ii. On or before March 1 of the contract year, the company shall report its actual exposure as of December 31 of the contract year to the Administrator on Forms ~~FHCF-D1B, "Florida Hurricane Catastrophe Fund 1999 Data Call for Newly Licensed Companies," rev. 5/99; Form FHCF-MOD, "CLASIC DATA FORMAT (tm) for Excess Insurance, Version 1.1," rev. 12/22/94; and in accordance with the FHCF computer validation software provided on diskette and called "FHCF Preliminary Validation Software Version 5.0," with its instructions. The two forms and the software with its instructions identified in the immediately preceding sentence, which are hereby adopted and incorporated by reference in Rule 19-8.029. The forms and the software are available from the Administrator as described in subsection (5), below defined in Rule 19-8.027. All new companies engaging in JUA take-outs on an assumption basis as described in subparagraph 4 of this paragraph shall comply with the reporting requirements of that subparagraph, except for the reporting due dates. The reporting requirements for assuming insurers are set out in Form FHCF-D1B adopted immediately above. The Administrator shall calculate the company's actual reimbursement premium for the period specified in sub-subparagraph b. based on its actual exposure. To recognize that new companies have limited exposure during this period, the actual premium as determined by processing the company's exposure data shall then be divided in half, the provisional premium shall be credited, and the resulting amount shall be the total premium due for the company for the remainder of the contract year. However, if that amount is less than \$1,000.00, then the insurer shall pay \$1,000.00. The premium payment is due no later than May 1 of the contract year. The company's retention and coverage will be determined based on the total premium due which is the premium calculated based on the company's 12/31 exposure and divided in half as described in this sub-subparagraph.~~

f. This sub-subparagraph applies to companies writing new business on or after December 1 but up to and including May 31. All new companies writing new business during this

period shall pay a premium of \$1,000 to provide consideration for the contract. The company shall pay no other premium for the remainder of the contract year. The company shall not report its exposure data for this period to the Board. The premium shall be paid upon signing the reimbursement contract.

g. For purposes of this subparagraph, the requirement that a report is due on a certain date means that the report shall be in the physical possession of the Fund's Administrator in Minneapolis no later than 5 p.m., Central Time, on the due date applicable to the particular report. If the applicable due date is a Saturday, Sunday or legal holiday, and if the due date's being a Saturday, Sunday or legal holiday means that neither the United States Postal Service nor private delivery services are operating that day, then the applicable due date will be the day immediately following the applicable due date which is not a Saturday, Sunday or legal holiday. For purposes of the timeliness of the submission, neither the United States Postal Service postmark nor a postage meter date is in any way determinative. Reports sent to the Board in Tallahassee, Florida, will be returned to the sender. Reports not in the physical possession of the Fund's Administrator by 5 p.m., Central Time, on the applicable due date are late.

~~4.a. Treatment of Assumed Exposure for Purposes of Calculating Reimbursement Premium. So as not to impair the financial incentives for insurers engaging in RPCJUA take-outs pursuant to Sections 627.351(6)(g)3. and 627.3511, Florida Statutes, the Board has determined that for purposes of reporting exposure, calculating reimbursement premiums, determining retentions, and paying loss reimbursements, the Board shall treat all exposure removed from the RPCJUA pursuant to an assumption agreement as the exposure of the assuming insurer. This policy is effective December 1, 1996.~~

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

value — building, total insured value — appurtenant structures, and total insured value — contents. The detailed report shall be sorted by type and line of business and shall reconcile to the summary report.

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

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

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

relating to the Board's audit requirements for 5 years or until the Fund has completed either an exposure audit or a loss reimbursement audit or both, whichever is later.

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

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

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

~~5. Since the calculation of the actuarially indicated rates assumes that the companies will pay their reimbursement premiums timely, interest charges will accrue under certain circumstances. If a company chooses to estimate its own premium installments, then an interest charge will accrue on any premium which is underestimated. No interest will accrue regarding any provisional premium, if paid as billed by the Fund's Administrator. However, if the premium payment is not received from a company when it is due, an interest charge will accrue on a daily basis until the payment is received. An interest credit will be applied for any premium which is overpaid as either an estimate or as a provisional premium. Interest shall not be credited past December 1 of any contract year. The applicable interest rate for interest credits will be the projected average rate earned by the Board for the Fund for the first six months of the Contract Year. The applicable interest rate for interest charges will accrue at this rate plus 3%.~~

~~(5)(4) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Reinsurance Risk Management Services, Inc., 3600 West 80th Street, Minneapolis, Minnesota 55431.~~

Specific Authority 215.555(3) FS. Law Implemented 215.555(2),(3),(4),(5),(6),(7) FS. History—New 9-20-99, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jack Nicholson, Chief Operating Officer, Florida Hurricane  
 Catastrophe Fund, State Board of Administration  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Trustees of the State Board of  
 Administration  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: April 25, 2000  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: January 14, 2000

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 980643-EI

RULE TITLES:	RULE NOS.:
Annual Reports	25-6.135
Cost Allocation and Affiliate Transactions	25-6.1351
Depreciation	25-6.0436

PURPOSE AND EFFECT: The purpose of the amendments is to prescribe procedures utilities must follow when allocating costs between utilities and affiliates. The intent is to ensure that ratepayers do not subsidize nonregulated operations.

SUMMARY: The amendments to Rule 25-6.1351 prescribe the procedures utilities must follow when accounting for affiliate transactions and utility nonregulated activities. The amendments to Rule 25-6.1351 require utilities to file an updated annual report form on an annual basis. The amendments to Rule 25-6.0436 concern the treatment of depreciation reserve accounts associated with transfers of property between affiliates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: All five of Florida's investor-owned electric utilities would be affected by the proposed amendments. There should be no impact on the Commission or local government entities other than the Commission's rulemaking costs. Ratepayers, including small businesses, small cities, and small counties, should benefit if they do not subsidize utility affiliates. Several utilities expressed concerns that the rule amendments are unnecessary and the costs prohibitive. Florida Power & Light Company stated that it could not estimate the costs of complying with the rule because the rule applies to future transactions. Florida Power Corporation stated that the cost of compliance would be negligible. Tampa Electric Company estimated a start-up cost of \$35 million and ongoing O&M costs of \$2 million per year. Gulf Power Company stated that it would cost \$50,000 to \$100,000 to administer the rule on an annual basis, and that the start-up costs would be greater than the annual cost. Florida Public Utilities Company stated that it would cost \$2,600 initially, and \$500 annually to comply with the rule.

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: 366.05(1), 350.127(2) FS.

LAW IMPLEMENTED: 350.115, 366.04(2)(a),(f), 366.05(1),(2),(9), 366.093(1), 366.04(2)(f), 366.05(1),(2)(a) FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULES MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

TIME AND DATE: 9:30 a.m., June 22, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULES IS:

25-6.135 Annual Reports.

(1) Each investor-owned electric utility shall file annual reports with the Commission on Commission Form PSC/AFA 19 (~~xx/xx 12/94~~) which is incorporated by reference into this rule. Form PSC/AFA 19\_\_, entitled "Annual Report of Major Electric Utilities", may be obtained from the Commission's Division of Auditing and Financial Analysis. These reports shall be verified by a responsible accounting officer of the utility making the report and shall be due on or before April 30 for the preceding calendar year. A utility may file a written request for an extension of time with the Division of Auditing and Financial Analysis no later than April 30. One extension of 31 days will be granted upon request. A request for a longer extension must be accompanied by a statement of good cause and shall specify the date by which the report will be filed.

(2) No change.

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 350.115, 366.04(2)(f), 366.05(1),(2)(a) FS. History--New 12-27-94, Amended

25-6.1351 Cost Allocation and Affiliate Transactions Diversification Reports.

(1) Purpose. The purpose of this rule is to establish cost allocation requirements to ensure proper accounting for affiliate transactions and utility nonregulated activities so that these transactions and activities are not subsidized by utility ratepayers. This rule is not applicable to affiliate transactions

for purchase of fuel and related transportation services that are subject to Commission review and approval in cost recovery proceedings.

~~(1) Each investor owned electric utility shall file information on its affiliates and affiliated transactions on Commission Form PSC/AFA 16 (12/94) which is incorporated into this rule by reference. Form PSC/AFA 16, entitled "Analysis of Diversification Activities", may be obtained from the Commission's Division of Auditing and Financial Analysis.~~

(2) Definitions

(a) Affiliate – Any entity that directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with a the utility. As used herein, "control" means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a company, whether such power is exercised through one or more intermediary companies, or alone, or in conjunction with, or pursuant to an agreement, and whether such power is established through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, associated companies, contracts or any other direct or indirect means. Ownership of five 5 percent or more of the voting securities of an entity shall be conclusively deemed to constitute the control thereof.

(b) Affiliated Transaction – Any transaction in which both a utility and an affiliate thereof are each participants, except other than transactions related solely to the filing of consolidated tax returns.

(c) Cost Allocation Manual (CAM) – The manual that sets out a utility's cost allocation policies and related procedures.

(d) Direct Costs – Costs that can be specifically identified with a particular service or product.

(e) Fully Allocated Costs – The sum of direct costs plus a fair and reasonable share of indirect costs.

(f) Indirect Costs, including all overheads, that cannot be identified with a particular service or product.

(g) Nonregulated – Refers to services or products that are not subject to price regulation by the Commission or not included for ratemaking purposes and not reported in surveillance.

(h) Prevailing Price Valuation – Refers to the price an affiliate charges a regulated utility for products and services, which equates to that charged by the affiliate to third parties. To qualify for this treatment, sales of a particular asset or service to third parties must encompass more than 50 percent of the total quantity of the product or service sold by the entity. The 50 percent threshold is applied on an asset-by-asset and service-by-service basis, rather than on a product line or service line basis.

(i) Regulated – Refers to services or products that are subject to price regulation by the Commission or included for ratemaking purposes and reported in surveillance.

(3) Non-Tariffed Affiliate Transactions

(a) The purpose of subsection (3) is to establish requirements for non-tariffed affiliate transactions impacting regulated activities.

(b) A utility must charge an affiliate the higher of fully allocated costs or market price for all non-tariffed services and products purchased by the affiliate from the utility. Except, a utility may charge an affiliate less than fully allocated costs if the charge is above incremental cost. If a utility charges less than fully allocated costs, the utility must maintain documentation to support and justify how doing so benefits regulated operations. If a utility charges less than market price, the utility must notify the Division of Auditing and Financial Analysis within 30 days of the transaction.

(c) When a utility purchases services and products from an affiliate and applies the cost to regulated operations, the utility shall apportion to regulated operations the lesser of fully allocated costs or market price. Except, a utility may apportion to regulated operations more than fully allocated costs if the charge is less than or equal to the market price. If a utility apportions to regulated operations more than fully allocated costs, the utility must maintain documentation to support and justify how doing so benefits regulated operations and would be based on prevailing price valuation.

(d) When an asset used in regulated operations is transferred from a utility to a nonregulated affiliate, the utility must charge the affiliate the greater of market price or net book value. Except, a utility may charge the affiliate either the market price or net book value if the utility maintains documentation to support and justify that such a transaction benefits regulated operations. When an asset to be used in regulated operations is transferred from a nonregulated affiliate to a utility, the utility must record the asset at the lower of market price or net book value. Except, a utility may record the asset at either market price or net book value if the utility maintains documentation to support and justify that such a transaction benefits regulated operations. An independent appraiser must verify the market value of a transferred asset with a net book value greater than \$1,000,000. If a utility charges less than market price, the utility must notify the Division of Auditing and Financial Analysis within 30 days of the transaction.

(e) Each affiliate involved in affiliate transactions must maintain all underlying data concerning the affiliate transaction for at least three years after the affiliate transaction is complete. This paragraph does not relieve a regulated affiliate from maintaining records under otherwise applicable record retention requirements.

(4) Cost Allocation Principles.

(a) Utility accounting records must show whether each transaction involves a product or service that is regulated or nonregulated. A utility that identifies these transactions by the use of subaccounts meets the requirements of this paragraph.

(b) Direct costs shall be assigned to each non-tariffed service and product provided by the utility.

(c) Indirect costs shall be distributed to each non-tariffed service and product provided by the utility on a fully allocated cost basis. Except, a utility may distribute indirect costs on an incremental or market basis if the utility can demonstrate that its ratepayers will benefit. If a utility distributes indirect costs on less than a fully allocated basis, the utility must maintain documentation to support doing so.

(d) Each utility must maintain a listing of revenues and expenses for all non-tariffed products and services.

(5) Reporting Requirements. Each utility shall file information concerning its affiliates, affiliate transactions, and nonregulated activities on Form PSC/AFA 19 (xx/xx) which is incorporated by reference into this rule. Form PSC/AFA 19, entitled "Annual Report of Major Electric Utilities," may be obtained from the Commission's Division of Auditing and Financial Analysis.

(6) Cost Allocation Manual. Each utility involved in affiliate transactions or in nonregulated activities must maintain a Cost Allocation Manual (CAM). The CAM must be organized and indexed so that the information contained therein can be easily accessed.

~~(3) Within 45 days of coming under the jurisdiction of the Commission, each investor-owned electric utility shall file Schedules 1, 7, and 8 of Form PSC/AFA 16 with the Division of Auditing and Financial Analysis.~~

~~(4) Each investor-owned electric utility shall file Schedules 1-6 of Form PSC/AFA 16 as an attachment to its annual report.~~

~~(5) Each investor-owned electric utility shall keep a detailed backup report of the summary report to facilitate auditing and analysis. Each investor-owned electric utility shall maintain a clear audit trail from the summary report through the general ledger to the source documents supporting the transaction.~~

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 350.115, 366.04(2)(a)(f), 366.041(1), 366.05(1),(2),(9), 366.06(1), 366.093(1) FS. History—New 12-27-94, Amended \_\_\_\_\_.

25-6.0436 Depreciation.

(1) For the purposes of this part, the following definitions shall apply:

(a) through (c)4. No change.

(d) Net Book Value – The book cost of an asset or group of assets minus the accumulated depreciation or amortization reserve associated with those assets.

~~(e)(4)~~ (e) Remaining Life Method – The method of calculating a depreciation rate based on the unrecovered plant balance, less average future net salvage and the average remaining life. The formula for calculating a Remaining Life Rate (RLR) is:

$$RLR = \frac{100\% - Reserve\% - Average\ Future\ Net\ Salvage\ \%}{Average\ Remaining\ Life\ in\ Years}$$

(f) Reserve (Accumulated Depreciation) – The amount of depreciation/amortization expense, salvage, cost of removal, adjustments, transfers, and reclassifications accumulated to date.

(e) through (k) renumbered (g) through (m) No change.

(2)(a) No utility shall ~~may~~ change any existing depreciation rate or initiate any new depreciation rate without prior Commission approval.

(b) No utility shall ~~may~~ reallocate accumulated depreciation reserves among any primary accounts and sub-accounts without prior Commission approval.

(c) When plant investment is booked as a transfer from a regulated utility depreciable account to another or from a regulated company to an affiliate, an appropriate reserve amount shall also be booked as a transfer. When plant investment is sold from one regulated utility to an affiliate, an appropriate associated reserve amount shall also be determined to calculate the net book value of the utility investment being sold. Appropriate methods for determining the appropriate reserve amount associated with plant transferred or sold are as follows:

1. Where vintage reserves are not maintained, synthesization using the currently prescribed curve shape may be required. The same reserve percent associated with the original placement vintage of the related investment shall then be used in determining the appropriate amount of reserve to transfer.

2. Where the original placement vintage of the investment being transferred is unknown, the reserve percent applicable to the account in which the investment being transferred resides may be assumed as appropriate for determining the reserve amount to transfer.

3. Where the age of the investment being transferred is known and a history of the prescribed depreciation rates is known, a reserve can be determined by multiplying the age times the investment times the applicable depreciation rate(s).

4. The Commission shall consider any additional methods submitted by the utilities for determining the appropriate reserve amounts to transfer.

(3)(a) through (4) No change.

(5) Upon Commission approval by order establishing an effective date, the utility shall ~~may~~ reflect on its books and records the implementation of the proposed rates, subject to adjustment when final depreciation rates are approved.

(6) through (9) No change.

(10) For any category where current conditions indicate a need for revision of depreciation rates, amortization or capital recovery schedules and no revision is sought, the report shall explain why no revision is requested.

(10)(a) Prior to the date of retirement of major installations, the Commission shall ~~may~~ approve capital recovery schedules to correct associated calculated deficiencies where a utility demonstrates that (1) replacement of an installation or group of installations is prudent and (2) the associated investment will not be recovered by the time of retirement through the normal depreciation process.

(b) The Commission shall ~~may~~ approve a special capital recovery schedule when an installation is designed for a specific purpose or for a limited duration.

(c) No change.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 350.115, 366.04(2)(f), 366.06(1) FS. History—New 11-11-82, 1-6-85, Formerly 25-6.436, Amended 4-27-88, 12-12-91,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jay Revell, Division of Auditing and Financial Analysis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 25, No. 28, July 16, 1999

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

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

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 991651-PU

RULE TITLE: Customer Complaints RULE NO.: 25-22.032

PURPOSE AND EFFECT: To establish procedures that are designed to expedite processing of customer complaints without extensive Commission participation. It also provides an informal dispute resolution process for the customer and the company if they cannot resolve the complaint without Commission intervention.

SUMMARY: It is the Commission’s intent that disputes between regulated companies and their customers be resolved as quickly, effectively, and inexpensively as possible. This rule establishes customer complaint procedures that are designed to accomplish this intent. It includes an expedited telephone warm transfer and three day resolution process for complaints

that can be resolved quickly by the customer and the company without extensive Commission participation. It also includes a process for informal Commission resolution of the complaint if the company and the customer cannot resolve the complaint themselves.

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

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

SPECIFIC AUTHORITY: 350.127(2), 364.19, 364.0252, 366.05, 367.121 FS.

LAW IMPLEMENTED: 364.01, 364.0252, 364.03(1), 364.183, 364.185, 364.15, 364.19, 364.337(5), 366.03, 366.04, 366.05, 367.011, 367.111, 367.121, 120.54, 120.569, 120.57, 120.573 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 25-22.032 follows. See Florida Administrative Code for present text.)

25-22.032 Customer Complaints.

(1) Intent; Application and Scope.

It is the Commission’s intent that disputes between regulated companies and their customers be resolved as quickly, effectively, and inexpensively as possible. This rule establishes informal customer complaint procedures that are designed to accomplish that intent. This rule applies to all companies regulated by the Commission. It provides for expedited processes for customer complaints that can be resolved quickly by the customer and the company without extensive Commission participation. It also provides a process for informal Commission resolution of complaints that cannot be resolved by the company and the customer.

(2) Any customer of a Commission regulated company may file a complaint with the Division of Consumer Affairs whenever the customer has an unresolved dispute with the company regarding electric, gas, telephone, water, or wastewater service. The complaint may be communicated

orally or in writing. The complaint shall include the name of the company against which the complaint is made, the name of the customer of record, and the customer's service address. Upon receipt of the complaint, a staff member will determine if the customer has contacted the company and, if the customer agrees, will put the customer in contact with the company for resolution of the complaint using the transfer-connect system described in subsection (3), or by other appropriate means if the company does not subscribe to the transfer-connect system. If the customer does not agree to be put in contact with the company, for those companies subscribing to the transfer-connect system, the staff member will submit the complaint to the company for resolution in accordance with the three-day complaint resolution process set forth in subsection (4). For those companies not subscribing to the transfer-connect system, the staff member will submit the complaint to the company for resolution in accordance with the provisions of subsection (5).

(3) Transfer-connect system.

(a) Each company subject to regulation by the Commission may provide a transfer-connect (warm transfer) telephone number by which the Commission may directly transfer a customer to that company's customer service personnel. When the transfer is complete, any further charges for the call shall be the responsibility of the company and not the Commission or the customer. Each company that subscribes to the transfer connect system must provide customer service personnel to handle transferred calls during the company's normal business hours and at a minimum from Monday through Friday, 9:00 a.m. to 4:00 p.m., Eastern time, excluding all holidays observed by the company.

(4) Complaints resolved within three (3) days.

Companies that subscribe to the transfer-connect system may resolve customer complaints within three days in the following manner:

(a) The Commission staff member handling the complaint will forward a description of the complaint to the company for response and resolution. The three day period will begin at 5:00 p.m. on the day the information is sent to the company and end at 5:00 p.m. on the third day, excluding weekends and holidays. If the company satisfactorily resolves the complaint, the company shall notify the staff member of the resolution.

(b) The Commission will contact the customer to confirm that the complaint has been resolved. If the customer confirms that the complaint has been resolved, the complaint will not be reported in the total number of complaints shown for that company in the Commission Consumer Complaint Activity Report. However, the Commission will retain the information for use in enforcement proceedings, or for any other purpose necessary to perform its regulatory obligations.

(c) If the customer informs the Commission staff member that the complaint has not been resolved, the Commission will notify the company and require a full report as prescribed in subsection (5).

(d) For purposes of this subsection a complaint will be considered "resolved" if the company and the customer indicate that the problem has been corrected, or the company and the customer indicate that they have agreed to a plan to correct the problem.

(5) Complaints not resolved within three days.

If the customer does not agree to contact the company directly, if the customer is not satisfied with the company's proposed resolution of the complaint, or if the company does not subscribe to the transfer-connect system, a Commission staff member will investigate the complaint and attempt to resolve the dispute in the following manner:

(a) The staff member will notify the company of the complaint and request a response. The company shall provide its response to the complaint within fifteen (15) working days. The response shall explain the company's actions in the disputed matter and the extent to which those actions were consistent with applicable statutes and regulations. The response shall also describe all attempts to resolve the customer's complaint.

(b) The staff member investigating the complaint may request copies of bills, billing statements, field reports, written documents, or other information in the participants' possession that may be necessary to resolve the dispute. The staff member may perform, or request the company to perform, any tests, on-site inspections, and reviews of company records necessary to aid in the resolution of the dispute.

(6) During the complaint process, a company shall not discontinue service to a customer because of any unpaid disputed bill. However, the company may require the customer to pay that part of a bill which is not in dispute. If the company and the customer cannot agree on the amount in dispute, the staff member will make a reasonable estimate to establish an interim disputed amount until the complaint is resolved. If the customer fails to pay the undisputed portion of the bill the company may discontinue the customer's service pursuant to Commission rules.

(7) The staff member will propose a resolution of the complaint based on the information provided by all participants to the complaint and applicable statutes and regulations. The proposed resolution may be either oral or written. Upon request, either participant shall be entitled to a written copy of the proposed resolution.

(8) Informal Conference. If a participant objects to the proposed resolution the participant may request an informal conference on the complaint.

(a) The request for an informal conference shall be in writing and filed with the Division of Consumer Affairs within 30 days after the proposed resolution is sent to the participants.



(b) When the request for an informal conference is received, the Director of the Division of Consumer Affairs will assign a Commission staff member to process the request for an informal conference. The staff member will advise the participants to complete Form X (PSC/CAF Form X), incorporated by reference herein, and return the form to the Commission within fifteen (15) days. A copy of Form X may be obtained from the Division of Consumer Affairs. At a minimum, the participants shall provide the following information on the form:

1. A statement describing the facts that give rise to the complaint;
2. A statement of the issues to be resolved; and
3. A statement of the relief requested.

The informal conference shall be limited to the complaint and the statement of facts and issues identified by the participants in the form. The Commission staff will notify the requesting participant that the request for an informal conference will be denied if the requesting participant's form is not received within the 15 days.

(c) The Director of the Division will review the statements and either appoint a staff member to conduct the informal conference, or make a recommendation to the Commission for dismissal based on a finding that the complaint states no basis upon which relief may be granted.

(d) If a conference is granted, the staff member appointed to conduct the conference shall not have participated in the investigation or proposed resolution of the complaint.

(e) After consulting with the participants, the staff member will send a written notice to the participants setting forth the unresolved issues, the procedures to be followed at the informal conference, the dates by which written materials are to be filed, and the time and place for the conference. The conference may be held by telephone conference, video teleconference, or in person, no sooner than ten days following the notice.

(f) At the conference, the participants shall have the opportunity to present information, orally or in writing, in support of their positions. During the conference, the staff member may encourage the parties to resolve the dispute. The Commission will be responsible for tape-recording, but not transcribing, the informal conference. A participant may arrange for transcription at his own expense.

(g) The staff member may permit any participant to file additional information, documentation, or arguments. The opposing participant shall have an opportunity to respond.

(h) If a settlement is not reached within 20 days following the informal conference or the last post-conference filing, whichever is later, the staff member shall submit a recommendation to the Commission for consideration at the next available Agenda Conference. Copies of the recommendation shall be sent to the participants.

(i) If the Director denies the request for an informal conference, the participants shall be notified in writing. Within 20 days of giving notice, the staff shall submit a recommendation for consideration at the next available Agenda Conference. Copies of the recommendation shall be sent to the participants.

(j) The Commission will address the matter by issuing a notice of proposed agency action or by setting the matter for hearing pursuant to section 120.57, Florida Statutes.

(9) At any point during the complaint proceedings, a participant has the right to be represented by an attorney or other representative. For purposes of this rule a representative may be any person the party chooses, unless the Commission sets the matter for hearing. If the Commission sets the matter for hearing, the participants may be represented by an attorney or a qualified representative as prescribed in Rule 28-106.106, Florida Administrative Code, or may represent themselves. Each participant shall be responsible for his own expenses in the handling of the complaint.

(10) At any time the participants may agree to settle their dispute. If a settlement is reached, the participants or their representatives shall file with the Division of Consumer Affairs a written statement to that effect. The statement shall indicate that the settlement is binding on both participants, and that the participants waive any right to further review or action by the Commission. If the complaint has been docketed, the Division of Consumer Affairs shall submit the settlement to the Commission for approval. If the complaint has not been docketed, the Division will acknowledge the statement of settlement by letter to the participants.

(11) Record retention and auditing.

(a) All companies shall retain notes or documentation relating to each Commission complaint for two years, beginning when the complaint was first received.

(b) All companies shall file with the Commission, beginning 60 days after the effective date of this rule and monthly thereafter, a report that summarizes the following information for the preceding calendar month:

1. The total number of calls handled via transfer connect, including the customer's name, a brief description of the complaint, and whether or not the complaint was addressed;

2. The number of complaints handled under the three day complaint resolution procedure; and whether the complaint was resolved.

(c) The Commission shall have access to all such records for audit purposes.

Specific Authority 350.127(2), 364.19, 364.0252, 366.05, 367.121 FS. Law Implemented 364.01, 364.0252, 364.03(1), 364.183, 364.185, 364.15, 364.19, 364.337(5), 366.03, 366.04, 366.05, 367.011, 367.111, 367.121, 120.54, 120.569, 120.57, 120.573 FS. History—New 1-3-89, Amended 10-28-93,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pamela Johnson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 26, No. 2, January 14, 2000

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

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

**COMMISSION ON ETHICS**

RULE CHAPTER TITLE: Review, Investigation and Hearing of Complaints  
RULE CHAPTER NO.: 34-5

RULE TITLES: Investigation of Facts and Parties Materially Related to Complaint  
RULE NOS.: 34-5.0043

Action on Recommended Public Report or Recommended Order by the Full Commission  
34-5.024

Award of Attorney's Fees in Complaints Filed Before January 1, 1995  
34-5.029

Award of Attorney's Fees  
34-5.0291

PURPOSE AND EFFECT: The Commission is amending or repealing rules in this chapter to make them consistent with the law and the Commission's current practices.

SUMMARY: The Commission's procedures for notifying a party materially related to a complaint are amended; procedures for Commission member participation after serving as a hearing officer are amended; obsolete attorney's fee petition provisions are repealed and current attorney's fee petition procedures are amended.

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

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

SPECIFIC AUTHORITY: 112.322(10) FS.

LAW IMPLEMENTED: Art. II, Sec. 8(f),(h), Fla. Const., 112.312, 112.317(8), 112.322, 112.324 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULES IS:

34-5.0043 Investigation of Facts and Parties Materially Related to Complaint.

The Commission has the duty to investigate all facts and parties materially related to the complaint at issue.

(1) through (3) No change.

(4) Whenever the investigation of the complaint at issue indicates the existence of a party materially related to the complaint, the Executive Director shall order an investigation of that party. The investigator shall maintain a separate investigatory file and prepare a separate investigative report, neither of which shall be made available to the complainant or to the original respondent. The Advocate may recommend and the Commission may order a public hearing as to those violations of Art. II, Sec. 8, Fla. Const., or the Code of Ethics which are indicated by the investigator's report to have been committed by such a party. Separate proceedings from the original complaint at issue shall be commenced against such a party, who shall be deemed a "respondent," by sending to that person a copy of the Executive Director's order to investigate investigator's report and the Advocate's recommendation not less than 14 days prior to the hearing under Rule 34-5.006. From the date the investigation is ordered that hearing until final disposition of the matter, the charges against such a party (respondent) shall be treated as if they had been included in a complaint filed against such party. A separate public hearing shall be held on the matter unless consolidation with the original complaint is ordered as provided in Rule 34-5.016.

Specific Authority 112.322(10) FS. Law Implemented Art. II, Section 8(f),(h), Fla. Const., 112.322, 112.324 FS. History--New 2-16-95, Amended \_\_\_\_\_.

34-5.024 Action on Recommended Public Report or Recommended Order by the Full Commission.

(1) through (3) No change.

~~(4) A Commission member who participated in the hearing may participate with the full Commission in the formulation of the final public report.~~

Specific Authority 112.322(10) FS. Law Implemented Art. II, Section 8(f),(h), Fla. Const., 112.322, 112.324 FS. History--New 2-16-95, Amended 7-28-98, \_\_\_\_\_.

34-5.029 Award of Attorney's Fees in Complaints Filed Before January 1, 1995.

Specific Authority 112.322(10) FS. Law Implemented 112.317(8), 112.322, 112.324 FS. History--New 4-7-77, Amended 7-13-80, 6-10-81, Formerly 34-5.29, Amended 2-19-91, 2-16-95, Amended 7-28-98, Repealed \_\_\_\_\_.

34-5.0291 Award of Attorney's Fees in Complaints Filed After January 1, 1995.

This rule is applicable to complaints filed with the Commission after January 1, 1995.

(1) If the Commission determines that a person has filed a complaint against a public officer or employee with a malicious intent to injure the reputation of such officer or employee by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of the Code of Ethics, the complainant shall be liable for costs plus reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees.

(2) through (3) No change.

(4) The respondent has the burden of proving the grounds for an award of costs and attorney's fees by a preponderance of the evidence presented at the hearing.

(5) through (6) No change.

~~(7) A Commission member who participated in the hearing may participate with the full Commission in the formulation of the final order.~~

Specific Authority 112.322(10) FS. Law Implemented 112.317(8), 112.322, 112.324 FS. History--New 2-16-95, Amended 7-28-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julia Cobb Costas, Staff Attorney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rules Committee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

COMMISSION ON ETHICS

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Filing Full and Public Disclosure of Financial Interests Pursuant to Article II, Section 8, Florida Constitution	34-8
RULE TITLES:	RULE NOS.:
General Rule for Filing Full and Public Disclosure of Financial Interests	34-8.002
Choosing to File Copy of Income Tax Return	34-8.007

PURPOSE AND EFFECT: The Commission is amending two rules in this chapter to make them consistent with current law and the Commission's practices.

SUMMARY: Reference is made to the form the Commission has promulgated for the filing of full and public disclosure, and the timeframe for filing an amended income tax return is deleted.

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

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

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3147, 112.322(10), 120.53(1) FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.3144 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULES IS:

34-8.002 General Rule for Filing Full and Public Disclosure of Financial Interests.

Every person who, on or after January 4, 1977, holds an office specified in Rule 34-8.003, F.A.C., must file with the Secretary of State by July 1 of each year during which he or she is in office a sworn statement showing net worth, assets and liabilities on the form prescribed by the Commission which substantially complies with the form prescribed by the Commission in Rule 34-8.004, CE Form 6, adopted by reference in Rule 34-7.010(1)(c), Florida Administrative Code, together with either a copy of the person's most recent federal income tax return, including all attachments, or the completed income disclosure portion of the sworn statements specified in Rule 34-8.005, CE Form 6. A candidate for an elective office specified in Rule 34-8.003 or otherwise specified by law must file this information prior to or at the time he or she qualifies as a candidate.

Specific Authority Art. II, Section 8(h) Fla. Const., 112.322(10), 120.53(1) FS. Law Implemented Art. II, Section 8(a),(h) Fla. Const., 112.3144 FS. History--New 4-7-77, Amended 10-3-84, Formerly 34-8.02, Amended 8-7-94, \_\_\_\_\_.

34-8.007 Choosing to File Copy of Income Tax Return.

(1) No change.

(2) If a reporting official has filed a copy of his or her most recent federal income tax return with the Secretary of State in lieu of disclosing his sources of income pursuant to this chapter and that return is amended voluntarily, adjusted through I.R.S. examination or altered in any other way, the official shall file with the Secretary of State a copy of such amended, adjusted or altered return ~~within 30 days~~ following its filing with the I.R.S.

Specific Authority Art. II, Section 8(f),(h), Fla. Const., 112.322(10), 120.53(1) FS. Law Implemented Art. II, Section 8(a),(h), Fla. Const. History--New 5-17-77, Formerly 34-8.07, Amended 8-7-94, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Julia Cobb Costas, Staff Attorney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:

Rules Committee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

April 17, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

March 31, 2000

**COMMISSION ON ETHICS**

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Review, Investigation and Hearing of Matters Reported by Comptroller 34-11

RULE TITLES: RULE NOS.:

Scope and Applicability of Chapter 34-11.001

Time Periods 34-11.0015

Filing and Serving Documents;

Facsimile Transmissions 34-11.0016

Presiding Officer 34-11.0017

Staff Procedures Upon Receipt of

Report from Comptroller 34-11.002

Delegation of Authority 34-11.0035

Subpoenas During Preliminary Investigation 34-11.004

Investigations 34-11.005

Counsel 34-11.006

Probable Cause Notification 34-11.007

Notification of Manner of Disposition 34-11.008

Procedures for Public Hearings, Generally 34-11.010

Disqualification of Commission Members 34-11.017

Ex Parte Communications 34-11.0171

Stipulations, Settlements, and Consent Orders 34-11.020

Action on Recommended Final Order by

the Full Commission 34-11.024

Transmittal of Final Order 34-11.025

PURPOSE AND EFFECT: The Commission is repealing the rules in this chapter.

SUMMARY: The Commission's authority to promulgate rules for proceedings brought by the Comptroller pursuant to Section 287.175, F.S., has not been established. Therefore, these rules are being repealed.

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

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

SPECIFIC AUTHORITY: 112.322(10) FS.

LAW IMPLEMENTED: 112.317, 112.322, 112.324, 287.175 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULES IS:

34-11.001 Scope and Applicability of Chapter.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.01, Repealed \_\_\_\_\_.

34-11.0015 Time Periods.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 2-16-95, Amended 7-28-98, Repealed \_\_\_\_\_.

34-11.0016 Filing and Serving Documents; Facsimile Transmissions.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 2-16-95, Amended 7-28-98, Repealed \_\_\_\_\_.

34-11.0017 Presiding Officer.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 7-28-98, Repealed \_\_\_\_\_.

34-11.002 Staff Procedures Upon Receipt of Report from Comptroller.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.02, Amended 2-16-95, Repealed \_\_\_\_\_.

34-11.0035 Delegation of Authority.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 2-16-95, Amended 7-28-98, Repealed \_\_\_\_\_.

34-11.004 Subpoenas During Preliminary Investigation.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.04, Amended 7-28-98, Repealed \_\_\_\_\_.

34-11.005 Investigations.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.05, Amended 2-16-95, 7-28-98, Repealed.

34-11.006 Counsel.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.06, Amended 2-16-95, 7-28-98, Repealed.

34-11.007 Probable Cause Determination.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.07, Amended 2-16-95, 7-28-98, Repealed.

34-11.008 Notification of Manner of Disposition.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.08, Repealed.

34-11.010 Procedures for Public Hearings, Generally.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.10, Amended 2-16-95, 7-28-98, Repealed.

34-11.017 Disqualification of Commission Members.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.17, Amended 2-16-95, Repealed.

34-11.0171 Ex Parte Communications.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.171, Amended 2-16-95, Repealed.

34-11.020 Stipulations, Settlements, and Consent Orders.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.20, Amended 2-16-95, 7-28-98, Repealed.

34-11.024 Action on Recommended Final Order by the Full Commission.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 2-16-95, Amended 7-28-98, Repealed.

34-11.025 Transmittal of Final Order.

Specific Authority 112.322(10) FS. Law Implemented 112.317, 112.322, 112.324, 287.175 FS. History--New 8-27-85, Formerly 34-11.25, Amended 7-28-98, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Julia Cobb Costas, Staff Attorney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rules Committee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2000

COMMISSION ON ETHICS

RULE CHAPTER TITLE: Executive Branch Lobbyist Registration

RULE CHAPTER NO.: 34-12

RULE TITLES: Purpose and Scope of Rules

RULE NOS.: 34-12.010

Definitions

34-12.020

Agency Officers and Employees

34-12.130

as "Lobbyists"

34-12.750

Probable Cause Hearing

34-12.750

PURPOSE AND EFFECT: The Commission is amending rules in this chapter to make them consistent with current law and the Commission's practices.

SUMMARY: References to the Constitution Revision Commission are included as an agency for which lobbyists must register under Section 112.3215, F.S. Additionally, the Commission's current practice for probable cause proceedings and the complainant's participation therein is promulgated in the rule.

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

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

SPECIFIC AUTHORITY: 112.3215, 112.322(10) FS.

LAW IMPLEMENTED: 112.3215 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULES IS:

34-12.010 Purpose and Scope of Rules.

(1) No change.

(2) The rules of this Chapter shall apply to the functions and proceedings of the Commission on Ethics under Section 112.3215, Florida Statutes, including registration of persons who lobby agencies of the Executive Branch or the Constitution Revision Commission, reports which must be filed by such persons and their principals, opinions which may be requested from the Commission concerning the application of Section 112.3215, Florida Statutes, and proceedings involving complaints of a violation of the provisions of Section 112.3215, Florida Statutes. The rules do not apply to any of the other functions of the Commission under Article II, Section 8,

Florida Constitution, under Part III, Chapter 112, Florida Statutes, or under provisions of law other than Section 112.3215, Florida Statutes.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS. History—New 10-12-89, Amended 1-4-94,\_\_\_\_\_.

34-12.020 Definitions.

As used in this Chapter, unless the context otherwise requires:

(1) "Agency" means the Governor, Governor and Cabinet, or any department, division, bureau, board, commission, or authority of the executive branch, or the Constitution Revision Commission.

(2) through (8) No change.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS. History—New 10-12-89, Amended 1-4-94,\_\_\_\_\_.

34-12.130 Agency Officers and Employees as "Lobbyists".

An agency officer or employee is excluded from being a "lobbyist" when lobbying in behalf of the agency which he serves in the normal course of his duties. ~~However, an agency officer or employee who lobbies the Florida Legislature may be considered a lobbyist for purposes of Section 11.061, F.S., and legislative rules adopted pursuant thereto.~~

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS. History—New 10-12-89, Amended 1-4-94,\_\_\_\_\_.

34-12.750 Probable Cause Hearing.

(1) No change.

(2) Scope of Hearing. The probable cause hearing is the conclusion of the preliminary investigation. The Respondent and the Advocate shall be permitted to make brief oral statements in the nature of oral argument to the Commission, based on the investigator's report, before the probable cause determination. The Commission's determination shall be based upon the investigator's report, the Advocate's recommendation, the complaint, and staff recommendations, as well as any written statements submitted by the respondent and any oral statements made at the hearing. No testimony or other evidence will be accepted at the hearing. Complainant shall be entitled to attend the hearing for the sole purpose of permitting them an opportunity to make a statement to the Commission based on the report of investigation before the Commission determines probable cause. The determination shall be based only on the evidence contained in the report of investigation. Neither the Respondent nor the Complainant may call witnesses or present evidence at the probable cause hearing.

(3) No change.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS. History—New 10-12-89, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Julia Cobb Costas, Staff Attorney  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rules Committee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

COMMISSION ON ETHICS

RULE CHAPTER TITLE: Gifts and Honoraria  
RULE CHAPTER NO.: 34-13  
RULE TITLES: Specific Examples of What May

Constitute a Gift 34-13.212

Specific Examples of What Does Not Constitute a Gift 34-13.214

"Procurement Employee" Defined 34-13.250

Quarterly Gift Disclosure for Lobbyists and Others 34-13.420

Gift Valuation 34-13.500

PURPOSE AND EFFECT: The Commission is amending rules in this chapter to make them consistent with current law.  
SUMMARY: The statutory definitions of what are and are not gifts are included in this rule, as well as statutory valuation principles. Other amendments include correcting the reference to the Department of Business and Professional Regulation, and the reference to the Office of Legislative Services, which replaced the Joint Legislative Management Committee.

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

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

SPECIFIC AUTHORITY: 112.322(10)(b) FS.

LAW IMPLEMENTED: 112.312, 112.3148, 112.3149 FS.

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

TIME AND DATE: 9:00 a.m., June 1, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULES IS:

34-13.212 Specific Examples of What May Constitute a Gift.

A "gift" may include, but is not limited to, any of the following:

(1) through (6) No change.

(7) Transportation, other than that provided to a public officer or employee by an agency in relation to officially approved governmental business, lodging, or parking.

(8) Food or beverage, ~~other than that consumed at a single sitting or event.~~

(9) through (14) No change.

Specific Authority 112.322(10)(b) FS. Law Implemented 112.312, 112.3148, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_\_.

#### 34-13.214 Specific Examples of What Does Not Constitute a Gift.

The following are specifically excluded from being a "gift:"

(1) No change.

(2) Contributions or expenditures reported pursuant to the campaign financing law (Chapter 106, F.S.), campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party as long as it is not an indirect gift from a prohibited source.

(3) through (5) No change.

~~(6) Food or beverage consumed at a single sitting or event.~~

~~(6)(7)~~ The use of a public facility or public property, made available by a governmental entity, for a public purpose.

(7) Transportation provided to a public officer or employee by an agency in relation to officially approved governmental business.

(8) Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, government officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.

Specific Authority 112.322(10)(b) FS. Law Implemented 112.312, 112.3148, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_\_.

#### 34-13.250 "Procurement Employee" Defined.

A "procurement employee" means any employee of an officer, department, board, commission, or council of the executive branch or judicial branch of State government who participates in the procurement of contractual services or commodities costing more than \$1,000 in any year through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity.

(1) No change.

(2) "Contractual service" means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to: evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services,

such as services rendered by architects, engineers, and other professionals regulated by the Department of Business and Professional Regulation, as well as attorneys regulated by the Supreme Court of Florida. "Contractual service" does not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255, F.S.

Specific Authority 112.322(10)(b) FS. Law Implemented 112.312, 112.3148, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_\_.

#### 34-13.420 Quarterly Gift Disclosure for Lobbyists and Others.

(1) through (4) No change.

(5) The Commission shall promulgate CE Form 30, Donor's Quarterly Gift Disclosure, for use in making the disclosures required under this rule. CE Form 30 shall be filed with the Secretary of State, except with respect to gifts to reporting individuals of the legislative branch, in which case the form shall be filed with the Office of Legislative Services Joint Legislative Management Committee.

(6) through (9) No change.

Specific Authority 112.322(10)(b) FS. Law Implemented 112.3148 FS. History—New 4-16-92, Amended 2-27-95, \_\_\_\_\_.

#### 34-13.500 Gift Valuation.

In addition to the provisions contained in Section 112.3148(7), F.S., a donee shall use the following rules to determine the value of a gift received from a donor:

(1) "Actual cost to the donor" as stated in Section 112.3148(7)(a), F.S., means the price paid by the donor which enabled the donor to provide the gift to the donee, excluding taxes and gratuities. Where the donor engages in the business of selling the item or service, other than personal services, that is provided as a gift, the donor's "actual cost" includes the total costs associated with providing the items or services divided by the number of units of goods or services produced.

(2) through (4) No change.

(5) A ticket, entrance fee, or admission fee, such as a golf greens fee, which admits the donee to an event, function, or activity, is valued on the face value of the ticket or fee, or on a daily or per event basis, whichever is greater consistent with the provisions contained in Section 112.3148(7)(h), F.S., notwithstanding whether food or beverages are served at the event.

(a) through (e) No change.

(6) through (7) No change.

(8) Food and beverages consumed at a single sitting or meal are a single gift and are valued together.

(9) The value of a gift of an admission ticket shall not include that portion of the cost which represents a charitable contribution, if the gift is provided by the charitable organization benefiting from the contribution.

(10) The value of a gift provided to several individuals may be attributed on a pro rata basis among all of the individuals. If the gift is food, beverage, entertainment, or similar items, provided at a function for more than 10 people, the value of the gift to each individual shall be the total value of the items provided divided by the number of persons invited to the function, unless the items are purchased on a per person basis, in which case the value of the gift to each person is the per person cost.

Specific Authority 112.322(10)(b) FS. Law Implemented 112.312, 12.3148 FS. History—New 4-16-92, Amended 7-5-92, 2-27-95,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Julia Cobb Costas, Staff Attorney  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rules Committee  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

**DEPARTMENT OF MANAGEMENT SERVICES**

**Florida Commission on Human Relations**

RULE TITLE: Applicability  
PURPOSE AND EFFECT: The goal and effect of the proposed rule amendment is to remove all references to Redeterminations.

RULE NO.: 60Y-4.001

SUMMARY: The proposed rule amendment will update the current rule by removing all references to Redeterminations.

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

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

SPECIFIC AUTHORITY: 760.06(12), 760.11(14) FS.  
LAW IMPLEMENTED: 760.02, 760.03, 760.05, 760.06, 760.07, 760.10, 760.11 FS.

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

TIME AND DATE: 10:00 a.m., May 30, 2000  
PLACE: Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dana Baird, General Counsel, Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida 32303-4149, (850)488-7082, Ext. 1035

THE FULL TEXT OF THE PROPOSED RULE IS:

60Y-4.001 Applicability.

(1) No change.

(2) This chapter shall not apply to Complaints (Rule 60Y-5.001); Agreements for Referral of Complaints (Rule 60Y-5.002); Investigation of Complaints (Rule 60Y-4.004); Conciliation (Rule 60Y-5.005); Administrative Dismissal (Rule 60Y-5.006); or ~~Redetermination (60Y-5.007)~~; except as provided in subsection (3).

(3) No change.

(4) No change.

Specific Authority ~~760.06(12), 760.11(14)~~ ~~420.53, 760.06(13)~~ FS. Law Implemented ~~420.53~~ 760.02, 760.03, 760.05, 760.06, 760.07, 760.10, 760.11 FS. History—New 11-2-78, Formerly 9D-8.01, Amended 6-16-83, Formerly 22T-8.01, 22T-8.001, Amended\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dana Baird, General Counsel, Florida Commission on Human Relations

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ronald McElrath, Executive Director, Florida Commission on Human Relations

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 21, 2000

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE TITLE: Continuing Education as a Condition for Renewal  
RULE NO.: 64B6-5.001

PURPOSE AND EFFECT: The Board determined to strike text from the rule because it will give the Department greater flexibility.

SUMMARY: The text setting the binnium period of this rule is 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 to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.2124, 455.564(8), 484.044, 484.047(1),(4) FS.

LAW IMPLEMENTED: 484.047(4) FS.

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



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-5.001 Continuing Education as a Condition for Renewal.

(1) As a condition of the biennial renewal of an active license, each hearing aid specialist shall attend and certify attending 20 credit hours (per biennium) of Board approved continuing education which are relevant to, and which enhance, the licensee's ability to dispense hearing aids. ~~The biennium period begins March 1 and ends February 28 of each odd numbered year.~~ Board-approved means approved by a chairman-appointed committee of one, or as specified by Rule 64B6-5.002(1), F.A.C. Continuing education courses, or portions thereof, which are devoted to content areas other than those identified in Rule 64B6-2.003, or risk management, shall not be approved for continuing education credit. These certified hours shall include two hours per biennium relating to hearing aid laws and rules.

(2) No change.

Specific Authority 455.2124, 455.564(8), 484.044, 484.047(1),(4) FS. Law Implemented 484.047(4) FS. History--New 4-1-85, Formerly 21JJ-15.001, Amended 8-5-87, 4-8-90, 8-21-90, 8-19-91, Formerly 21JJ-5.005, Amended 11-20-95, Formerly 61G9-5.005, Amended 9-23-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 14, 2000

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLES:	RULE NOS.:
Application and Examination Fee for Licensure by Examination; Review Fee	64B19-12.002
Application Fee for Licensure by Endorsement	64B19-12.004

PURPOSE AND EFFECT: Rules 64B19-12.002 and 64B19-12.004 are being amended to update the application fees and to accommodate increasing fiscal expenses.

SUMMARY: Adjustment to the application, examination, and licensure fee is being proposed.

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

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

SPECIFIC AUTHORITY: 455.564(2), 490.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 455.564(2), 490.005(1)(a), 490.006(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B19-12.002 Application and Examination Fee for Licensure by Examination; Review Fee.

(1) The application fee for licensure by examination is \$500.00 ~~\$250.00~~.

(2) In addition to the application fee specified above, each applicant for certification for examination shall simultaneously submit the examination fees. The examination fee for both parts of the examination is \$500.00 ~~\$485.00~~. An applicant who is certified as exempt from the first part of the examination shall be required to pay an examination fee of \$120.00, and the remainder of the full fee submitted will be returned to the applicant.

(3) through (4) No change.

Specific Authority 455.564(2), 490.004(4), 490.005(1)(a) FS. Law Implemented 455.564(2), 490.005(1)(a) FS. History--New 2-22-82, Amended 7-2-84, Formerly 21U-12.02, Amended 11-21-88, 8-12-90, 1-16-92, Formerly 21U-12.002, Amended 10-12-93, 6-14-94, Formerly 61F13-12.002, Amended 1-7-96, 6-26-97, Formerly 59AA-12.002, Amended 12-3-98,\_\_\_\_\_.

64B19-12.004 Application Fee for Licensure by Endorsement.

The application fee for a psychology license by endorsement is \$500.00 ~~\$250.00~~.

Specific Authority 490.004(4) FS. Law Implemented 490.006(1) FS. History--New 2-22-82, Amended 5-12-82, Formerly 21U-12.04, Amended 8-12-90, Formerly 21U-12.004, Amended 6-14-94, Formerly 61F13-12.004, Amended 1-7-96, Formerly 59AA-12.004, Amended\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

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

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Investor Protection**

**RULE NO.:** 3C-100.948  
**RULE TITLE:** Reporting of Significant Events or Conditions

**NOTICE OF CHANGE**

Notice is hereby given that the Department has made the following changes to the above rule based on comments by the Joint Administrative Procedures Committee. When adopted, subsection (6) will read:

~~(6)(8)~~ Pursuant to Section 655.041, Florida Statutes, the Department may impose an administrative fine for late filing or non-filing of reportable events or occurrences. For late filing or non-filing of reportable events, the Department shall ~~may~~ impose an administrative fine of \$100 per day for each day the disclosure report is past due as a result of the negligence of the reporting financial institution, unless the late payment penalty is excused for incidental and isolated clerical errors or omissions. For intentional late filing or non-filing of any report, the Department shall ~~may~~ impose an administrative fine of \$1,000 per day for each day the report is past due.

**DEPARTMENT OF REVENUE**

**NOTICE OF CABINET AGENDA ON MAY 23, 2000**

The Governor and Cabinet, on May 23, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12-11.002, FAC. (Definitions); Rule 12-11.003, FAC. (Requests for Technical Assistance Advisements); Rule 12-11.004, FAC. (Requests for Conference Discussion); Rule 12-11.005, FAC. (Deletion of Private or Confidential Information); Rule 12-11.006, FAC. (Processing Requests for and Obtaining Copies of Technical Assistance Advisements); Rule 12-11.007, FAC. (Effect of Advisements); and Rule 12-11.008, FAC. (Requests by Representatives); and the proposed creation of Rule 12-11.013, FAC. (Informal Technical Tax Statements). The proposed amendments to these rules and proposed creation of the new rule were noticed for a rule development workshop in the Florida Administrative Weekly on November 12, 1999 (Vol. 25, No. 45, pp. 5197-5201) and the workshop was held on December 2, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on February 18, 2000 (Vol. 26, No. 7, pp. 734-737) and a public hearing was held on March 14, 2000. No comments were received at the hearing held on March 14, 2000. Written comments were received from the Joint Administrative Procedures Committee regarding the proposed amendments to Rule 12-11.003, FAC. (Requests for Technical Assistance Advisements), and Rule

12-11.007, FAC. (Effect of Advisements), and the proposed creation of Rule 12-11.013, FAC. (Informal Technical Tax Statements), regarding proposed amendments that allow the Department to accept a written statement from a taxpayer association authorizing the Department to disclose the issuance of a Technical Assistance Advisement to the association and the issuance of Tax Information Publications. In response to these comments, a Notice of Change will be published in the next available edition of the Florida Administrative Weekly.

**DEPARTMENT OF REVENUE**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
12-11.003	Requests for Technical Assistance Advisements
12-11.007	Effect of Advisements
12-11.013	Informal Technical Tax Statements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed amendments to Rules 12-11.003 and 12-11.007, FAC., and to the proposed creation of Rule 12-11.013, FAC., as published in Vol. 26, No. 7, pp. 733-737, February 18, 2000, issue of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee regarding a proposed rule amendment that allows the Department to accept a written statement from a taxpayer association authorizing the Department to disclose the issuance of a TAA to the association. The Committee commented on two proposed revisions to Rule 12-11.007, FAC. One comment concerns the Department's decision to revoke or modify a previously-issued TAA. The other deals with a member of a taxpayer association choosing to not follow the guidance provided in a TAA issued to the association. The Committee also recommended a change to proposed new Rule 12-11.013, FAC., to clarify when a Tax Information Publication is binding on the Department or on taxpayers.

Paragraph (e) of subsection (3) of Rule 12-11.003, FAC., has been changed, so that, when adopted, the paragraph will read as follows:

(3) Each written request for a technical assistance advisement from a taxpayer association or the association's representative must contain:

(e) A statement acknowledging that the provisions of s. 213.22(2), F.S., authorize the Department to publish the TAA for official purposes.

Subsections (1) and (5) of Rule 12-11.007, F.A.C., have been changed, so that, when adopted, the subsections will read as follows:

(1) A taxpayer may not rely on an advisement issued to another taxpayer, except that an advisement issued to a taxpayer association provides guidance to those taxpayers who are members of the taxpayer association for the particular transaction(s) discussed in the TAA. An advisement will ~~may~~

be revoked or modified at any time by the Department in the administration of the taxing statutes, if the applicable statutes, rules, case law, or policies supporting the TAA change, or if the circumstances initially described by the taxpayer in his or her request for the TAA change. If an advisement is revoked or modified, the revocation or modification shall be prospective only, and such revocation or modification shall not be applied retroactively against the taxpayer.

(5) Members of a taxpayer association who choose not to follow the guidance provided in a TAA will not be subject to the precedential value of the TAA, and are liable for the tax consequences of not adhering to the Department's position expressed in the TAA.

Paragraph (a) of subsection (2) of Rule 12-11.013, FAC., has been changed, so that, when adopted, the paragraph will read as follows:

(2)(a) TIPs cannot supersede, alter, or otherwise change any provision of Florida law, Department rule, or any other source of law. They are not binding on the Department or on taxpayers, except as provided in Rule Chapter 12-13, F.A.C.

**DEPARTMENT OF REVENUE**

**NOTICE OF CABINET AGENDA ON MAY 23, 2000**

The Governor and Cabinet, on May 23, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12-21.203, FAC., Notification to Custodians; Custodial Responsibilities. The proposed amendments to this rule were noticed for a rule development workshop in the Florida Administrative Weekly on November 5, 1999 (Vol. 25, No. 44, pp. 5023-5025) and the workshop was held on November 22, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on February 18, 2000 (Vol. 26, No. 7, pp. 737-739) and a public hearing was held on March 14, 2000. No comments were received at the hearing held on March 14, 2000. In response to written comments received from the Joint Administrative Procedures Committee regarding the deletion of language that incorporates by reference form DR-44 (Notice of Freeze), a Notice of Change will be published in the next available edition of the Florida Administrative Weekly. The Notice of Change deletes language in a rule provision that states that a custodian of property of a delinquent taxpayer cannot make a transfer or other disposition of the property until the Department of Revenue consents to the transfer, or until 60 consecutive calendar days have elapsed, whichever occurs first. The phrases "consecutive calendar" and "whichever occurs first" are being deleted.

**DEPARTMENT OF REVENUE**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
12-21.203	Notification to Custodians; Custodial Responsibilities

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12-21.203, FAC., as published in Vol. 26, No. 7, pp. 737-739, February 18, 2000, issue of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee regarding the deletion of language that incorporates by reference form DR-44 (Notice of Freeze). The revision to the rules as originally published deletes language in a rule provision that states that a custodian of property of a delinquent taxpayer cannot make a transfer or other disposition of the property until the Department of Revenue consents to the transfer, or until 60 consecutive calendar days have elapsed, whichever occurs first. The phrases "consecutive calendar" and "whichever occurs first" are being deleted.

Paragraph (b) of subsection (3) of Rule 12-21.203, FAC., has been changed, so that, when adopted, the paragraph will read as follows:

(b) The Notice of Freeze is effective as of the date of its receipt, and remains in effect until the Department consents to a transfer, disposition, or return, or until sixty (60) ~~consecutive calendar~~ days have elapsed from the date of its receipt; ~~whichever occurs first~~. However, if the noncompliant taxpayer contests the intended levy in circuit court or under Chapter 120, F.S., within the time period specified under s. 213.67, F.S., the Notice of Freeze will remain effective until final resolution of the contest.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

**NOTICE OF CABINET AGENDA ON MAY 23, 2000**

The Governor and Cabinet, on May 23, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.001, FAC., Specific Exemptions. The proposed amendments to Rule 12A-1.001, FAC., were noticed for a rule development workshop in the Florida Administrative Weekly on November 12, 1999 (Vol. 25, No. 45, pp. 5201-5204) and the workshop was held on December 1, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on February 18, 2000 (Vol. 26, No. 7, pp. 745-749) and a public hearing was held on March 14, 2000. No comments were received at the hearing held on March 14, 2000. In response to written comments received on March 16, 2000, from the Joint Administrative Procedures Committee, a Notice of Change will be published in the next available edition of the Florida Administrative Weekly. The Notice of Change clarifies that a work of art placed in storage for preparation for loan to an educational institution may not be displayed until such time as it is delivered to an educational institution. This clarification is also reflected in the suggested affidavit provided in the proposed amendments.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.:

RULE TITLE:

12A-1.001

Specific Exemptions

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed amendments to Rule 12A-1.001, FAC., Specific Exemptions, in response to comments received by the Department from the Joint Administrative Procedures Committee. The proposed amendments were published in the February 18, 2000 issue of the Florida Administrative Weekly (Vol. 26, No. 7, pp. 745-749). This change is in accordance with subparagraph 120.54(3)(d)1., F.S. This change clarifies that the purchaser affirms that a work of art placed in storage for preparation for loan to an educational institution will not be displayed until such time as it is delivered to an educational institution.

Sub-subparagraph a. of subparagraph 3. of paragraph (f) of subsection (3) of Rule 12A-1.001, FAC., Specific Exemptions, has been changed, so that when adopted, that sub-subparagraph will read as follows:

3.a. A "work of art," as defined in s. 212.08(7)(dd)8., F.S., is exempt from sales and use tax if the work of art is sold to or used by an educational institution, as defined in subparagraph 2., or if ~~it is sold to or used by any person under all of the following conditions specified in sub-subparagraphs b. through i.:~~

~~b. The work of art must have been~~ purchased in Florida or imported into Florida within six months from the date of purchase ~~by any person~~ exclusively for the purpose of being ~~donated to, or being~~ loaned to and made available for display by, an educational institution. A work of art is presumed to have been purchased in or imported into this state exclusively for loan to an educational institution if it is loaned or placed in storage in preparation for such a loan within 90 days after purchase or importation, whichever is later. A work of art will not be deemed to be "in storage" for purposes of this subparagraph if it is displayed at any place other than an educational institution.

Paragraph 3.a. of the suggested format of the affidavit, presented in the proposed amendments to sub-subparagraph ~~c.~~ of subparagraph 3. of paragraph (f) of subsection (3) of Rule 12A-1.001, F.A.C., Specific Exemptions, has been changed, so that when adopted, that sub-subparagraph will read as follows:

~~c.~~ The following is a suggested format of the affidavit to be provided by the purchaser or ~~the~~ ~~his~~ authorized agent to the vendor of the work of art:

**AFFIDAVIT FOR EXEMPTION OF A WORK OF ART TO BE DONATED ~~TO~~ OR LOANED TO AN EDUCATIONAL INSTITUTION**

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

Personally appears the below named affiant, who being duly sworn, deposes and says:

1. I claim exemption under s. 212.08(7)(dd), F.S., from Florida sales and use tax on the work(s) ~~or works~~ of art, described below, purchased in Florida or imported into Florida exclusively for the purpose of being (check one).

a. donated to \_\_\_\_\_, an educational institution as defined in s. 212.08(7)(o)2.d., F.S.

b. loaned to and made available for display for a period of at least 10 years to \_\_\_\_\_, an educational institution as defined in s. 212.08(7)(o)2.d., F.S.

2. If a donation, title to the work(s) of art is being or will be transferred to the educational institution, and at the time of transfer, I will submit to the Department an affidavit evidencing the transfer of title.

3. If a loan:

a. The work(s) of art will be loaned to the educational institution or placed in storage in preparation for loan within 90 days after it was purchased in or imported into Florida. If placed in storage, it will not be displayed until such time as it is delivered to an educational institution.

~~b.2.~~ I have entered into a written agreement with the educational institution providing for a loan of the work(s) of art and making the work(s) of art available to the educational institution for display for a term of not less than 10 years, ~~with the educational institution designated below~~, or will do so before the transfer of possession of the work(s) of art to the educational institution occurs. A copy of the loan agreement will be provided to the Florida Department of Revenue at the time that the agreement is executed.

~~c.3.~~ I understand that the exemption provided in s. 212.08(7)(dd), F.S., is allowed during the period of time in which the work(s) ~~or works~~ of art, ~~as designated below~~, is in the possession of the educational institution ~~designated below~~, ~~and:~~

~~d.4.~~ I understand that tax based upon the sales price as stated below will shall become due and payable at the time the provisions of s. 212.08(7)(dd), F.S., are no longer met, and the statute of limitations as provided in s. 95.091, F.S., will shall begin to run at that time. However, if I donate the work(s) of art to an educational institution after the loan ceases, no tax will be due.

~~5.~~ ~~The work or works of art as designated below will be loaned to the educational institution designated below or placed in storage in preparation for loan within 90 days after it~~

was purchased in or imported into Florida. If placed in storage, it will not be displayed until such time as it is delivered to the educational institution designated below.

4.6. A signed copy of this affidavit is being has been forwarded to the Florida Department of Revenue at the time the original is given to of forwarding to the seller of the work(s) or works of art designated below of another signed copy of this affidavit.

Name of Purchaser \_\_\_\_\_

Purchaser's Permanent Address \_\_\_\_\_(Street) \_\_\_\_\_(City) \_\_\_\_\_(State)

Name of Seller \_\_\_\_\_

Seller's Permanent Address \_\_\_\_\_(Street) \_\_\_\_\_(City) \_\_\_\_\_(State)

DESCRIPTION OF WORK(S) OF ART

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sales Price \_\_\_\_\_ Date of Sale \_\_\_\_\_

Name of Educational Institution \_\_\_\_\_

Institution's Address \_\_\_\_\_(Street) \_\_\_\_\_(City) \_\_\_\_\_(State)

Educational Institution's Florida Consumer's Certificate of Exemption Number \_\_\_\_\_

~~(-) I have entered into an agreement with the educational institution designated above.~~

~~(-) The work of art is in storage and I have not entered into a loan agreement with an educational institution. However, I will notify the Florida Department of Revenue at such time that I enter into a loan agreement with an educational institution and provide the Department a copy of the loan agreement, the date on which the loan agreement was entered into, the name of the educational institution, the institution's address, and the educational institution's Florida Consumer's Certificate of Exemption Number.~~

Under the penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true to the best of my knowledge and belief.

\_\_\_\_\_  
(Signature of Purchaser or Authorized Agent)

Sworn to and  
subscribed before me  
this \_\_\_\_\_ day of  
\_\_\_\_\_ (Month), 19 \_\_\_\_ (Year).

\_\_\_\_\_  
Notary Public, State of Florida  
My commission expires: \_\_\_\_\_

NOTARY SEAL  
Personally known ( )

Produced Identification ( ) Type: \_\_\_\_\_

Original to be retained by the seller and made part of the seller's records

1st Copy to be submitted to the Florida Department of Revenue, Compliance Enforcement, Enforcement Operations, P. O. Box 6417, Tallahassee, Florida 32314-6417

2nd copy: Purchaser's copy

DEPARTMENT OF REVENUE

Sales and Use Tax

NOTICE OF CABINET AGENDA ON MAY 23, 2000

The Governor and Cabinet, on May 23, 2000, sitting as head of the Department of Revenue, will consider the proposed substantial rewording of Rule 12A-1.0371, FAC., Sales of Coins, Currency, or Bullion. The proposed substantial rewording of this rule was noticed for a rule development workshop in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5778-5780) and the workshop was held on January 31, 2000. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on March 10, 2000 (Vol. 26, No. 10, pp. 1181-1183) and a public hearing was conducted on April 4, 2000. No comments were received at the hearing conducted on April 4, 2000; no written comments were received by the Department.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:	RULE TITLE:
12A-1.096	Industrial Machinery and Equipment for Use in a New or Expanding Business

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12A-1.096, FAC., Industrial Machinery and Equipment for Use in a New or Expanding Business, in response to comments received by the Department from the Joint Administrative Procedures Committee. The proposed amendments were published in the February 18, 2000 issue of the Florida Administrative Weekly (Vol. 26, No. 7, pp. 749-760). These changes are in accordance with subparagraph 120.54(3)(d)1., F.S. These changes clarify when an alternative measurement period for expanding businesses will be authorized and provide a technical change to the law implemented section of the rule.

Paragraph (h) of subsection (1) of Rule 12A-1.096, FAC., Industrial Machinery and Equipment for Use in a New or Expanding Business, has been changed, so that when adopted, that sub-subparagraph will read as follows:

~~(h)(f)~~ "Productive output" ordinarily means the number of units actually produced by a single plant or operation in a single continuous 12 month period, ~~irrespective of sales~~. The increase in "productive output" shall be measured by the output for 12 continuous months immediately following the

completion of the installation of machinery and equipment for the expansion project as compared to the “productive output” of 12 continuous months immediately preceding the beginning of the installation of machinery and equipment for the expansion project. However, if a different 12 month continuous period would more accurately reflect the increase in productive output as a result of a business expansion, the increase in productive output will may be measured during that an alternate 12 month continuous period provided that prior to the start of production by the expanded business the Executive Director or the Executive Director’s designee agrees to such alternate measuring period. Such alternate continuous 12 month measuring period approved by the Executive Director or the Executive Director’s designee must begin within 24 months following the completion of installation of qualifying machinery and equipment. If an alternate 12 month measuring period is requested by the business entity and is agreed to by the Executive Director or the Executive Director’s designee, only the selected alternate 12 month period will be used to measure the increased productive output for the business expansion, even though some 12 month period other than the selected and approved 12 month period may show a production increase of 10 percent or more as a result of the expansion project. Productive output may not be measured by sales dollars or by production labor hours for the purposes of this exemption.

The law implemented section of the proposed amendments to Rule 12A-1.096, FAC., Industrial Machinery and Equipment for Use in a New or Expanding Business, has been changed, so that, when adopted, the law implemented section will read as follows:

Law Implemented 212.02(4),(14),(21),(22), 212.05, 212.06, 212.08(5)(b), 212.0805, 212.13(2), 215.26(2) FS.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

**NOTICE OF CABINET AGENDA ON MAY 23, 2000**

The Governor and Cabinet, on May 23, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.096, FAC., Industrial Machinery and Equipment for Use in a New or Expanding Business, and to Rule 12A-1.097, Public Use Forms. The proposed amendments to Rule 12A-1.096, FAC., were previously noticed for rule development workshops in the Florida Administrative Weekly on January 3, 1997 (Vol. 23, No. 1, pp. 5-16) and on February 20, 1998 (Vol. 24, No. 8, pp. 864-874). Rule development workshops were held on January 23, 1997, and on March 11, 1998, respectively. Comments received at these workshops are incorporated into the proposed rule amendments. The proposed amendments to Rule 12A-1.096, FAC., Industrial Machinery and Equipment for Use in a New or Expanding Business, and Rule 12A-1.097, FAC., Public Use Forms, were noticed for a rule development workshop in

the Florida Administrative Weekly on November 5, 1999 (Vol. 25, No. 44, pp. 5031-5042). A rule development workshop was held on December 1, 1999. Comments received at this workshop were incorporated into the Notice of Proposed Rulemaking, as published in the Florida Administrative Weekly on February 18, 2000 (Vol. 26, No. 7, pp. 749-760). A public rule hearing was held on March 14, 2000, regarding these proposed amendments. No comments were received at the rule hearing held on March 14, 2000. In response to comments received on March 27, 2000, from the Joint Administrative Procedures Committee, technical changes will be made to proposed paragraph (1)(h) of Rule 12A-1.096, FAC., and to the law implemented section of the rule.

**STATE BOARD OF ADMINISTRATION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
19-8.010	Reimbursement Contract
19-8.029	Insurer Reporting Requirements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 12, March 24, 2000, issue of the Florida Administrative Weekly:

Re Rule 19-8.010:

1) To reflect a recently-passed legislative change pursuant to SB 2304 which amends Section 215.555(4), Article IV(3) of the contract will now read: “In determining reimbursements under this Article, the SBA shall:”

2) In Article V(2) of the reimbursement contract adopted in Rule 19-8.010, the definition will now read: “Actuarially Indicated means, with respect to Premiums paid by insurers for reimbursement provided by the FHCF, an amount determined in accordance with the definition in subsection (2)(a) of the Statute.”

3) In Article VIII(1), the language will now read: “Subsection (4)(d)1. of the Statute provides the SBA with the right to offset amounts due and payable to the SBA from the Company against any reimbursement amounts due and payable to the Company from the SBA as a result of the liability of the SBA.”

4) In Article VIII(2), the language will now read: “Subsection (4)(d)1. of the Statute provides the SBA with the right to seek the return of excess loss reimbursements which have been paid to the Company. Excess loss reimbursements are those payments made to the Company by the SBA on the basis of incorrect exposure submissions or resubmissions, incorrect calculations of reimbursement premiums or retentions, incorrect proof of loss reports, incorrect calculation of reinsurance recoveries, or subsequent readjustment of policyholder claims, including subrogation and salvage, or any combination of the foregoing. Regarding incorrect reinsurance recoveries, please see also Article X(3)(b)4.”

5) In Article X(4)(b)2., (4)(c)2., and (4)(d)2., the following will be added after “statutory accounting principles” and before the colon: “which are the rules and procedures governing insurer financial reporting for regulatory purposes.”

6) In Article X(4)(b)3., the language will now read: “Companies seeking advances pursuant to subsection (4)(e)1. of the Statute shall also describe any steps they have taken to pay claims, including liquidation of assets, and may also supply such other information as they deem necessary and appropriate to aid the SBA in reaching a determination regarding whether or not to grant an advance pursuant to subsection (4)(e) of the Statute.”

7) In Article (4)(c)3., the language will now read: “Entities seeking advances pursuant to subsection (4)(e)2. of the Statute shall describe any steps they have taken to pay claims, including liquidation of assets, and may also supply such other information as they deem necessary and appropriate to aid the SBA in reaching a determination regarding whether or not to grant an advance pursuant to subsection (4)(e) of the Statute.”

8) In Article XIII(2), the first sentence will now read: “The Company shall retain complete and accurate records, in policy level detail, of all exposure data submitted to the SBA in any contract year until the SBA has completed its audit of the Company’s exposure submissions.”

In Rule 19-8.029, regarding insurer reporting requirements:

9) In Form FHCF-D1A, the regular data call adopted in Rule 19-8.029, the second sentence on page 4 of the data call under Resubmissions will be deleted. In Form FHCF-D1B, the data call for newly licensed companies, the second sentence on page 3 under Resubmissions will be deleted.

10) In Form FHCF-D1A, the third sentence on page 5 of the data call under Generation of the SBA Audit File will be rewritten to read: “If, at the time the SBA reviews your audit file, it is determined that these files are not in agreement, your company will be required to resubmit both files and will be subject to the \$1,000 resubmission fee.” The fourth sentence will be deleted. Similarly, in Form FHCF-D1B, on pages 4 to 5 of the data call under Generation of the SBA Audit File the third sentence will be rewritten to read: “If, at the time the SBA reviews your audit file, it is determined that these files are not in agreement, your company will be required to resubmit both files and will be subject to the \$1,000 resubmission fee.” The fourth sentence will be deleted.

11) In Form FHCF-D1A on page 21 and in Form FHCF-D1B on page 20, the word “person” on the first line under (b) regarding residential structures will now read “personal.”

12) In Form FHCF-D1A on page 22 and in Form FHCF-D1B, the last sentence will now read: “Furthermore, if an SBA audit of your data finds that the geographical locations used to calculate your FHCF premium are incorrect and therefore your reimbursement premium is incorrect, you will be required to resubmit your data.”

13) In Form FHCF-D1A on page 31 and in Form FHCF-D1B on page 30, the next to the last sentence will now read: “We acknowledge that if it is determined, subsequent to our Data Call submission, that these files are not in agreement, our company will be required to resubmit both files and will be subject to the \$1,000 resubmission fee.” The final sentence will be deleted.

14) In the Instructions to the Preliminary Validation Software, on page 3, at paragraph C under Reports Generated: in the next to the last sentence, the word “may” will be changed to “shall.” The final sentence will now read: “Valid ZIP Code to County Code matches will become a required data quality standard beginning in the 2002-2003 contract year.”

15) In Form FHCF-L1C, the word “inuring” will be added before “agreement” in the next to the last line of the italicized paragraph.

16) In Form FHCF-L1C, the third sentence on the back of the form under Records Retention Requirements will be changed to read: “Therefore, all insurers shall retain complete and accurate records of all losses paid by the FHCF until the FHCF has completed its audit of the insurer.”

**DEPARTMENT OF CITRUS**

RULE NO.:	RULE CHAPTER TITLE:
20-3	Monthly Reports by Citrus Fruit Dealers

RULE NO.:	RULE TITLE:
20-3.002	Processed Product Report

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 10, March 10, 2000 issue of the Florida Administrative Weekly.

20-3.002(4) has been changed as follows:

(4) The following licensed citrus fruit dealers are exempt from the reporting requirements of this section:

- (a) All gift fruit shippers
- (b) Retail processors

(c) Processors engaged in the production of fresh squeezed unpasteurized juice. ~~Roadside stand operators engaged in the production of fresh squeezed unpasteurized juice who squeeze less than 30,000 boxes annually.~~

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.:	RULE TITLE:
40C-8.031	Minimum Surface Water Levels and Flows and Groundwater Levels

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made in the proposed rule, published in the Florida Administrative Weekly, Vol. 26, No. 8, February 25, 2000.

The changes were made in response to comments received at a Public Hearing held on April 12, 2000. The changes delete the proposed minimum flow for Blue Spring in Volusia County and reorganized the other proposed minimum flows and levels within Rule 40C-8.031.

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) The following minimum surface water levels and flows and minimum groundwater levels are established:

(a) Wekiva River at the SR 46 Bridge.

	Level	Flow	Duration	Return Interval
	(ft NGVD)	(cfs)	(days)	(years)
Minimum Infrequent High	9.0	880	≥7	≤5
Minimum Frequent High	8.0	410	≥30	≤2
Minimum Average	7.6	240	180	≥1.7
Minimum Frequent Low	7.2	200	≤90	≥3
Phase 1 Restriction	7.0	190	NA	NA
Phase 2 Restriction	6.9	180	NA	NA
Phase 3 Restriction	6.7	160	NA	NA
Phase 4 Restriction	6.5	150	NA	NA
Minimum Infrequent Low	6.1	120	≤7	≥100

(b) Wekiva River Minimum Groundwater Levels and Spring Flows

	Head	Discharge
	(ft NGVD)	(cfs)
Messant Spring	32	12
Seminole Spring	34	34
Rock Spring	31	53
Wekiva Spring	24	62

Miami Spring	27	4
Sanlando Spring	28	15
Starbuck Spring	31	13
Palm Spring	27	7

(c) Black Water Creek at the SR 44 Bridge

	Level	Flow	Duration	Return Interval
	(ft NGVD)	(cfs)	(days)	(years)
Minimum Infrequent High	27.0	340	≥7	≤5
Minimum Frequent High	25.8	145	≥30	≤2
Minimum Average	24.3	33	180	≥1.7
Minimum Frequent Low	22.8	.5	≤90	≥15
Phase 1 Restriction	22.7	2	NA	NA
Phase 2 Restriction	22.5	1	NA	NA
Phase 3 Restriction	22.4	0.6	NA	NA
Phase 4 Restriction	22.3	0.3	NA	NA
Minimum Infrequent Low	21.9	0	≤7	≥100

(d) St. Johns River 1.5 miles downstream of Lake Washington weir

	Level	Flow	Hydroperiod Category
	(ft NGVD)	(cfs)	
<u>Minimum Frequent High</u>	<u>15.3</u>	<u>1,450</u>	<u>Seasonally flooded</u>
<u>Minimum Average</u>	<u>12.7</u>	<u>240</u>	<u>Typically saturated</u>
<u>Minimum Frequent Low</u>	<u>11.3</u>	<u>28</u>	<u>Semipermanently flooded</u>

(e) Taylor Creek 1.7 miles downstream of structure S-164

	Flow	Hydroperiod Category
	(cfs)	
<u>Minimum Frequent High</u>	<u>95</u>	<u>Seasonally flooded</u>
<u>Minimum Average</u>	<u>17</u>	<u>Typically saturated</u>
<u>Minimum Frequent Low</u>	<u>0.5</u>	<u>Semipermanently flooded</u>

(2) The following minimum surface water levels are established:



LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT HIGH	MINIMUM FREQUENT HIGH	MINIMUM AVERAGE LEVEL	MINIMUM FREQUENT LOW	MINIMUM INFREQUENT LOW
BIG	Volusia	Seasonally Flooded		26.1			
		Typically Saturated			25.0		
		Semipermanently Flooded				23.7	
COON POND	Volusia	Seasonally Flooded		35.7			
		Typically Saturated			34.6		
		Semipermanently Flooded				33.1	
GERTIE	Volusia	Temporarily Flooded		27.5			
		Typically Saturated			25.6		
		Semipermanently Flooded				23.3	
HIRES	Volusia	Seasonally Flooded		41.0			
		Typically Saturated			39.5		
		Semipermanently Flooded				38.0	
HOKEY	Volusia	Seasonally Flooded		35.4			
		Typically Saturated			33.7		
		Semipermanently Flooded				32.3	
LOUISA	Lake	Seasonally Flooded		96.5			
		Typically Saturated			95.4		
		Semipermanently Flooded				94.0	
NORTH TALMADGE	Volusia	Seasonally Flooded		55.6			
		Typically Saturated			54.4		
		Semipermanently Flooded				52.9	
SCOGGIN	Volusia	Seasonally Flooded		35.0			
		Typically Saturated			34.1		
		Semipermanently Flooded				32.7	
STAR	Putnam	Seasonally Flooded		77.5			
		Typically Saturated			75.4		
		Semipermanently Flooded				74.0	
TROUT	Volusia	Seasonally Flooded		23.3			
		Typically Saturated			20.9		
		Semipermanently Flooded				17.7	
WASHINGTON	Brevard	Seasonally Flooded		15.6			
		Typically Saturated			14.2		
		Semipermanently Flooded				12.8	
WEIR	Marion	Seasonally Flooded		57.2			
		Typically Saturated			56.4		
		Semipermanently Flooded				54.9	
WINONA	Volusia	Seasonally Flooded		36.1			
		Typically Saturated			33.5		
		Semipermanently Flooded				32.0	

(5) The following minimum surface water levels and flows are established:

**Lake Washington**

	Level (ft NGVD)	Hydroperiod-Category
Minimum-Frequent High	15.6	Seasonally-flooded
Minimum-Average	14.2	Typically-saturated
Minimum-Frequent Low	12.8	Semipermanently-flooded

**St. Johns River 1.5 miles downstream of Lake Washington weir**

	Level (ft NGVD)	Flow (cfs)	Hydroperiod-Category
Minimum-Frequent High	15.3	1,450	Seasonally-flooded
Minimum-Average	12.7	240	Typically-saturated
Minimum-Frequent Low	11.3	28	Semipermanently-flooded

**Taylor Creek 1.7 miles downstream of structure S-164**

	Flow (cfs)	Hydroperiod-Category
Minimum-Frequent High	95	Seasonally-flooded
Minimum-Average	17	Typically-saturated
Minimum-Frequent Low	0.5	Semipermanently-flooded

**Blue Spring, Volusia County**

	Flow (cfs)	Hydroperiod-Category
Minimum-Average	134	Typically-saturated

**DEPARTMENT OF MANAGEMENT SERVICES**

**Personnel Management System**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

60L-20 State Child Care Program

RULE NO.: RULE TITLE:

60L-20.002 Statements of Policy

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 8, February 25, 2000, issue of the Florida Administrative Weekly. A Notice of Change was published in Vol. 26, No. 14, April 7, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by staff of the Joint Administrative Procedures Committee. Subsection (6) of the rule shall now read as follows:

(6) The sponsoring state agency may elect to operate the center when a second request for proposals fails to procure a qualified service provider or when the service provider's contract is canceled and attempts to procure a qualified provider are unsuccessful, provided plans for the direct operation by the sponsoring agency are approved by the Department.

The Department shall approve the sponsoring agency's written plan for direct operation, provided the plan outlines the continuing efforts by the agency to secure a qualified provider, including the following:

(a) Steps to be taken to make improvements to the physical facility if such improvements are necessary to attract a quality provider.

(b) Steps to increase center enrollment.

(c) Steps to broaden the eligible employee population that supports the center, for example entering into consortium arrangements with other public sector employers in close proximity to the center.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Administrative Hearings**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

60Q-3 Medical Malpractice Arbitration

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 12, (March 24, 2000), issue of the Florida Administrative Weekly. These changes correct a typographical error and reflect comments received from the Joint Administrative Procedures Committee and the Academy of Florida Trial lawyers.:

60Q-3.001 Applicability.

(1) These rules shall apply to all voluntary binding arbitration proceedings of medical negligence claims initiated in accordance with Sections 766.201 through 766.212, Florida Statutes, to determine and to allocate the amount of damages FS.

(2) Any agreement to arbitrate medical negligence claims filed with the Office of the Clerk shall be deemed to incorporate by reference this chapter Chapter 60Q-3, Florida Administrative Code, including amendments taking effect after the agreement is made.

Specific Authority ~~120.53(1), 120.65(10),~~ 766.207(9),(10) FS. Law Implemented 766.201-.212 FS. History—New 9-6-88, Formerly 22I-7.001, Amended \_\_\_\_\_.

60Q-3.002 Computation of Time.

In computing any period of time prescribed or allowed by these rules, by order of ~~the~~ a chief arbitrator, ~~or~~ by order of an ~~arbitration panel, or by an~~ applicable statute, the day of the ~~act~~ Act from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday in which event the period shall run until the end of the next day which is not a Saturday, Sunday or a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation. As used in these rules, legal holiday means those days designated in Section 110.117, Florida Statutes F.S. Whenever a party is required or permitted to do an act within some prescribed time after service of a document, and the document is served by U.S. mail, five days shall be added to the prescribed period. One business day shall

be added to the prescribed period when service is made by overnight courier. No additional time shall be added to the prescribed period if service is made by hand, facsimile telephone transmission, or other electronic transmission.

Specific Authority ~~120.53(1), 120.65(10), 766.207(9),(10) FS. Law Implemented 766.201-.212 FS. History—New 9-6-88, Formerly 22I-7.002, Amended \_\_\_\_\_.~~

60Q-3.003 Representation By Attorney.

(1) A party has the right to be represented by an attorney at any arbitration proceeding or hearing conducted under Sections 766.201 through 766.212, Florida Statutes, ~~and Chapter 60Q-3, Florida Administrative Code.~~

(2) ~~As soon as possible,~~ Attorneys shall promptly file notices of appearance. Counsel who file any pleading with the Office of the Clerk or the chief arbitrator have entered an appearance and shall be deemed counsel of record.

(3) On written motion served on the party represented and all other parties of record, the chief arbitrator shall grant counsel of record leave to withdraw for good cause shown.

Specific Authority ~~120.53(1), 120.65(10), 766.207(9),(10) FS. Law Implemented 766.201-.212 FS. History—New 9-6-88, Formerly 22I-7.002, Amended \_\_\_\_\_.~~

60Q-3.005 Initiation of Arbitration Proceedings.

(1) All parties ~~agreeing~~ ~~consenting~~ to arbitration shall execute and file with the Office of the Clerk a request for arbitration substantially in the following form:

"We hereby agree to submit to arbitration under Sections 766.201 through 766.212, Florida Statutes, and Chapter 60Q-3, Florida Administrative Code, the determination of the amount of damages arising from the following medical incident: (Describe the medical incident briefly, specifying dates and the categories of damages sought). ~~the following controversy: (Describe briefly, specifying dates.)~~

We further agree that the determination of the amount of damages this controversy be submitted to a three-member panel constituted or reconstituted in accordance with Sections 766.201 through 766.212, Florida Statutes, and Chapter 60Q-3, Florida Administrative Code.

We further agree that we will faithfully observe this agreement, ~~and all applicable statutory and rule provisions,~~ and that we will abide by and fulfill ~~perform~~ any award rendered by an arbitration panel, and that a judgment of ~~a~~ the court having jurisdiction may be entered on the award, provided only that the liability of any insurer shall be subject to applicable insurance policy limits."

(2) The request for arbitration shall contain the name and address of each party joining in the request and shall also state the name and address of each party who, although not joining in the request, was named in a notice of intent to initiate litigation served in connection with the controversy.

~~(2) The parties shall attach to their request for arbitration copies of all notices of intent to initiate litigation served in connection with the controversy.~~

~~(3) In the event the insurer or self insurer of a defendant joins in a request for arbitration in which the insured defendant fails to join, or accepts an offer to arbitrate which the insured defendant does not accept, the insurer or self insurer shall attach the insured defendant's written consent to the insurer's or self insurer's participation in arbitration.~~

~~(3)(4) No filing fee is shall be required in order to initiate arbitration under these rules.~~

Specific Authority ~~120.53(1), 120.65(10), 766.207(9),(10) FS. Law Implemented 766.201-.212 FS. History—New 9-6-88, Formerly 22I-7.002, Amended \_\_\_\_\_.~~

60Q-3.006 ~~Motions and Stipulations to Terminate Assessment Arbitration.~~

At any time before entry of an arbitration award, all parties may agree to terminate the arbitration proceedings due to a settlement.

~~(1) The chief arbitrator shall rule on motions to terminate arbitration, but shall deny any motion to terminate arbitration made out of time.~~

~~(2) No motion to terminate assessment arbitration shall be granted, unless the movant shows that a non-arbitrating claimant has filed a notice of intent to initiate litigation against an arbitrating defendant on account of the same medical incident.~~

~~(3) No motion to terminate shall be filed more than 20 days after the movant receives a copy, or otherwise obtains actual knowledge, of a notice of intent to initiate litigation filed by a claimant or claimants who neither joined in the original notice of intent to initiate litigation nor thereafter offered or accepted an offer to arbitrate.~~

~~(4) At any time before entry of an arbitration award, all parties may agree in writing to terminate assessment arbitration, with or without prejudice to the initiation of allocation proceedings. When filed with the Office of the Clerk, such an agreement shall preclude subsequent initiation or resumption of assessment arbitration proceedings, except for purposes of Rule 60Q-3.034.~~

~~(5) At any time before entry of an arbitration award, all parties may agree in writing to terminate arbitration proceedings altogether. When filed with the Office of the Clerk, such an agreement shall preclude subsequent initiation or resumption of arbitration proceedings, except for purposes of Rule 60Q-3.034.~~

Specific Authority ~~120.53(1), 120.65(10), 766.207(9),(10) FS. Law Implemented 766.201-.212 FS. History—New 9-6-88, Formerly 22I-7.006, Amended \_\_\_\_\_.~~

60Q-3.009 Disqualification of Arbitrators.

(1) Unless good cause is shown, ~~all~~ motions for disqualification of arbitrators shall be filed within 15 days from the selection or appointment of that arbitrator with the Office of the Clerk at least 15 days before the arbitration hearing. At least one affidavit shall accompany the motion and state particular grounds, ~~which shall be limited to those for which a judge may be disqualified, and to those set out in Section 766.207, Florida Statutes. A motion to disqualify the chief arbitrator shall be limited to those grounds for which a judge may be disqualified.~~ Any party filing a motion for disqualification shall state all grounds for ~~an arbitrator's~~ disqualification in one motion, if known to, or discoverable with reasonable diligence by, the movant.

(2) Unless denied by the chief arbitrator as untimely, or as being a successive motion ~~filed in violation of section one,~~ the motion shall be ruled on by the Director, whose sole function shall be to determine the legal sufficiency of the motion and affidavit. The Director shall, for purposes of the motion, take as true all allegations of fact in the affidavit, unless the movant has previously sought disqualification of an another arbitrator in the same case.

Specific Authority ~~120.53(1), 120.65(10), 766.207(9),(10) FS. Law Implemented 766.201-.212 FS. History-New 9-6-88, Formerly 22I-7.009, Amended \_\_\_\_\_.~~

60Q-3.011 Discovery.

(1) Parties may obtain discovery ~~as through the means and in the manner~~ provided in Rules 1.280 through 1.400, Florida Rules of Civil Procedure, provided that no party defendant may serve ~~on any claimant nor any claimant serve on any defendant~~ any written interrogatories, requests for production or inspection, requests for admissions or requests for physical or mental examinations later than 50 ~~70~~ days before the assessment arbitration hearing, or after such other date as the chief arbitrator may order orders.

~~(2) Objections or motions for protective orders addressed to written interrogatories, requests for production or inspection, requests for admissions or requests for physical or mental examinations must be served within five days of receipt, unless the chief arbitrator sets another time by which objections and motions for protective orders must be served. Unless made timely, all such objections are waived, and no such motion shall be granted.~~

~~(2)(3) Unless, within five days of receipt of the objections, a party upon whom objections are served files a motion to compel contesting the objections, the objections shall be sustained.~~ Motions to compel discovery shall contain a statement certifying that the movant has conferred with the opposing parties in a good faith effort to resolve by agreement each issue raised and that they have been unable to do so. Motions to compel discovery shall quote verbatim each interrogatory, request for admission, request for production or inspection, or request for physical or mental examination, and

the response thereto, followed by a statement of the grounds for the motion. Grounds shall be addressed to the specific interrogatory or request and may not be stated generally.

~~(4) In the absence of timely objections or a timely motion for protective order, the parties shall answer written interrogatories and requests for admissions and comply with requests for production or inspection, or requests for physical or mental examinations, within 30 days, notwithstanding Rule 1.340(a), Florida Rules of Civil Procedure.~~

~~(3)(5) All depositions of assessment arbitration witnesses and all physical or mental examinations must be completed no later than 20 days before the assessment arbitration proceeding, unless the chief arbitrator sets a different time. Counsel shall not be present for any physical or mental examination of a claimant.~~

~~(4)(6) Sanctions to enforce discovery shall include those provided by the Florida Rules of Civil Procedure, except contempt.~~

Specific Authority ~~120.53(1), 120.65(10), 766.207(9),(10) FS. Law Implemented 766.201-.212 FS. History-New 9-6-88, Formerly 22I-7.011, Amended \_\_\_\_\_.~~

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.: 64B2-17.006  
 RULE TITLE: Retention of Chiropractic Records; Time Limitations

**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. 26, No. 13, March 31, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (5) shall now read as follows:

(5) A chiropractor who relocates his or her practice and will no longer be available to his or her former patients shall follow the procedures listed in paragraph (1),(2), and (3) above. A chiropractor who relocates to a practice site no more than 20 miles away from the previous practice site shall either provide written notice of such relocation to all patients by U.S. Mail, or shall follow the procedures listed in paragraph (2).

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-30.002  
 RULE TITLE: Application for Licensure

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Medicine hereby gives notice of an additional public hearing to be held on the above-referenced rule in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board will consider the rule at its next meeting scheduled for June 2-4, 2000, at the Marriott Hotel, 6650 North Andrews Avenue, Fort Lauderdale, Florida 33309. The rule was originally published in Vol. 26, No. 6, of the February 11, 2000, Florida Administrative Weekly.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

**RULE NO.:** 64B15-6.002      **RULE TITLE:** Application for Certification

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Osteopathic Medicine hereby gives notice of an additional public hearing to be held on the above-referenced rule in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board will consider the rule at its next meeting scheduled for June 9-11, 2000, at the Crowne Plaza Hotel, 950 N. W. LeJeune Road, Miami, Florida. The rule was originally published in Vol. 26, No. 6, of the February 11, 2000, Florida Administrative Weekly.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** William Buckhalt, Executive Director, Board of Osteopathic Medicine/M.A., 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (ADD).

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

**RULE NO.:** 64B32-3.005      **RULE TITLE:** Fees for Application, Examination, Initial and Renewal Licensure

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Respiratory Care hereby gives notice of an additional public hearing on the above-referenced rule to be held on July 14, 2000 at 9:00 a.m., at Ft. Lauderdale Airport Sheraton, Ft. Lauderdale, Florida. The rule was originally published in Vol. 26, No. 6, of the Florida Administrative Weekly.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Kaye Howerton, Executive Director, Board of Respiratory Care, 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's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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**Section IV  
Emergency Rules**

**NONE**

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom.'s petition for waiver of Rule 25-24.490(2), Florida Administrative Code, filed January 24, 2000, in Docket No. 000080-TI was considered by the Commission at its April 4, 2000, Agenda Conference. Upon consideration, it was determined by the Commission that a waiver of the rule was not appropriate, but the company was excused from the bond requirement found in the rule upon a showing of their fiscal responsibility. The rule provides that a company may select that alternative, if approved by the Commission. Order No. PSC-00-0639-PAA-TI, issued April 5, 2000 memorialized the decision. Notice of the petition was published in the FAW on February 9, 2000. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

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NOTICE IS HEREBY GIVEN that on March 29, 2000, the Florida Public Service Commission has received a Petition from Telaleasing Enterprises, Inc. (Docket No. 000446-TL), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The location of the pay telephone station is as follows:

Gator Linton Square, 1563 S. Congress Avenue, Delray Beach, Florida. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice. A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770. For additional information, write Diana Caldwell, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6175.

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### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on April 14, 2000, the South Florida Water Management District (SFWMD) received a Petition for Variance (Application 000414-18) from E B Conoley II, Paul L Moschel and Margaret F Moschel, and Fishback Groves Inc. for a 367 acre citrus grove in St. Lucie County. The petition seeks relief from Section 3.2.1(B), Basis of Review for Water Use Permit Applications Within the South Florida Water Management District, October 1997, incorporated by reference in Rule 40E-2.091(1), Fla. Admin. Code, pertaining to restricted allocation areas. A copy of the petition may be obtained from Beth Colavecchio at (561)682-6905 or e-mail at bcolavec@sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk. For additional information, contact Beth Ross at the above address, or telephone (561)687-6257, or e-mail bross@sfwmd.gov.

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### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Board of Cosmetology hereby gives notice that it received a petition for variance filed by Frances Hunnings. The Petitioner sought a waiver of Rule 61G5-20.002(4), FAC., which requires a cosmetology salon to contain a minimum of two hundred (200) square feet of floor space. Based on its review of the facts and circumstances presented in the petition, the Board GRANTED a TEMPORARY VARIANCE pursuant to the Order filed in this matter.

A copy of the order can be obtained from Julie Baker, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

The Board of Cosmetology hereby gives notice that it received a petition for variance filed by Ronald and Patricia Guntrum (Uroda). The Petitioners sought a waiver of Rule 61G5-20.002(1)(c)5., FAC., which requires that "a speciality salon that exclusively provides speciality services as defined in section 477.013(6), Florida Statutes, need not have a shampoo bowl, but must have a sink or lavatory equipped with hot and cold running water on the premises of the salon." Base on its review of the facts and circumstances presented in the petition, the Board DENIED the petition pursuant to the Order filed in this matter.

A copy of the order can be obtained from Julie Baker, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection has taken action on two petitions for variance received from Natural Resource Recovery Group, Inc. (NRRG), on February 16, 2000. Notice of receipt of these petitions was published in the March 10, 2000, edition of the Florida Administrative Weekly. No public comment was received. The petitions requested variances from the zone of discharge prohibition for discharges through wells under rule 62-522.300(2)(a) of the Florida Administrative Code for the use of hydrogen peroxide and potassium permanganate to clean up sites with contaminated soils and ground water. The petition for use of hydrogen peroxide requested a zone of discharge for pH and chloride within a 50-foot radius from the point of discharge for 365 days. The petition for use of potassium permanganate requested a zone of discharge for total dissolved solids, color, pH, iron, chloride, manganese, cadmium, chromium, nickel, and lead within a 30-foot radius from the point of discharge for 365 days. On April 10, 2000, the Department granted the variances to NRRG in two final orders, OGC File Nos.: 00-0502 (for potassium permanganate) and 00-0503 (for hydrogen peroxide). The final orders granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the process must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for the use of hydrogen peroxide for pH and chloride shall be a 50-foot radius from the point of injection; that the extent of the zone of discharge for the use of potassium permanganate for total dissolved solids, iron, color, pH, chloride, manganese, cadmium, chromium, nickel, and lead shall be a 30-foot radius; that the injection of the products shall be at such a rate and volume that no

undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions, and for the use of potassium permanganate also should include monitoring for aluminum, antimony, arsenic, mercury, molybdenum, thallium, and vanadium, which are all possible impurities from the ore from which the potassium permanganate is extracted; and that such monitoring should continue for at least one year after active remediation.

For a copy of the final order write or call Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on April 10, 2000, a petition from S & W Water, L.L.C., seeking a variance and waiver under section 120.542 of the Florida Statutes. The petition requested the following: a variance from the requirement for prints of drawings of the work project and the complete specifications of the project necessary to supplement the prints submitted under rules 62-555.520(1), 62-555.520(4)(c) and (d), 62-555.530(1)(b), and 62-555.900(1), Florida Administrative Code (FAC.); a waiver from the requirement for the specific disinfection requirements under rules 62-555.320(4) and (5), 62-555.340, and 62-555.630, FAC., because this water will meet the stringent surface water treatment requirements that include microbiological contaminant removal; and a waiver from the capacity development requirements contained in rule 62-555.525, FAC. Petitioner states that a variance and waiver is needed in order to allow S & W Water to proceed with the construction of the seawater desalination treatment plant component of Tampa Bay Water's Master Water Plan so that the accelerated construction schedule can be met. The petition has been assigned OGC File No.: 00-0832.

Copies may be received from, and written comments submitted to, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Cynthia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on 4 March 2000, a petition from Miami-Dade County Aviation Department seeking a waiver of the 15% markup limitation on contractor invoices under rule 62-773.350, Florida Administrative Code,

due to requirements contained in Subsections 287.055(3) & (4), Florida Statutes. The petition has been assigned OGC case number 00-0907.

Copies may be received from, and written comments submitted to, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Rebecca Grace. Comments must be received no later than 14 days from the date of publication of this notice.

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The Department announces receipt of a petition filed pursuant to Section 120.542, Florida Statutes, from Terremark Fortune House #2, Ltd., to obtain a variance or waiver from certain Department rules regarding procedures for coastal construction and excavation. Specifically, the petitioner has requested a variance and/or waiver from Rule 62B-33.007(3)(c), Florida Administrative Code, Structural and Other Requirements Necessary for Permit Approval.

The Petition for Variance or Waiver is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Office of Beaches and Coastal Systems, 3900 Commonwealth Blvd., Mail Station 300, Tallahassee, Florida 32399-3000. Requests for copies or inspection should be made to Tony McNeal, Professional Engineer Administrator, at the above address.

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#### DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on April 11, 2000, by Allen T. Jackson, M.D., seeking a waiver from Rule 64B8-5.001, with regard to the time frames for passage of the examination due to a reading disability. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice. The Board will consider the petition at its next meeting to be held on June 2-4, 2000, at the Marriott Hotel, 6650 North Andrews Avenue, Ft. Lauderdale, Florida 33309.

For a copy of the petition, contact: Tanya Williams, Executive Director, Board of Medicine, at above address or telephone (850)488-3622.

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NOTICE IS HEREBY GIVEN that on April 19, 2000, the Department of Health filed an Order and Notice disposing of a petition for permanent variance from Rules 64E-15.004(5),(6), and (7), Florida Administrative Code, filed by Robert A. DiCicco, Owner of Palm Lake Mobile Home Park. Rule 64E-15.004(5), Florida Administrative Code, requires all recreational vehicle parks to have at least one easily accessible dump station. Rules 64E-15.004(6) and (7), Florida Administrative Code, address the construction standards for

sanitary dump stations. The petition was filed with the Department on February 25, 2000, and noticed in Florida Administrative Weekly on March 24, 2000.

No comments from interested persons were received.

The Order, which is dated April 18, 2000, provides, in summary, that:

The Petitioner has satisfied all the requirements in the Petition. A sanitary dump station is not required, because the Petitioner requires that recreational vehicles within his mobile home park be connected to approved water and sewer connections and does not allow units that are not self-contained. Consequently, there is no need for the provision of a sanitary dump station as required by the rule at issue. Accordingly, the petition for permanent variance from Rule 64E-15.004(5), Florida Administrative Code, has been GRANTED without stipulation as long as the park is not modified or in any other way reconfigured.

A copy of the Order may be obtained from: Angela Hall, Agency Clerk, Department of Health, Office of the General Counsel, BIN #A02, 4052 Bald Cypress Way, Tallahassee, FL 32399-1703, (850)245-4005.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs** announces a meeting of the Florida New Motor Vehicle Arbitration Board to which all persons are invited:

DATES AND TIME: May 18-19, 2000, 9:00 a.m.

PLACE: Department of Education, 325 West Gaines Street, Conference Suite 1721/25, Tallahassee, Florida

PURPOSE: Arbitrator training.

A copy of the agenda may be obtained by writing: Department of Legal Affairs, Lemon Law Arbitration Program, PL-01 The Capitol, Tallahassee, FL 32399-1050, or by telephoning (850)414-3300, Ext. 4494, seven days before the meeting.

Any person requiring a special accommodation to attend this meeting because of a disability or physical impairment should contact Ms. Carol Howell of the Lemon Law Arbitration Program at the number above, or if hearing or speech impaired, via the Florida Dual Relay System at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), seven days before the meeting.

#### DEPARTMENT OF BANKING AND FINANCE

The **Unclaimed Property Advisory Board** announces a public Board Meeting and all persons are invited to attend.

DATE AND TIME: May 16, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: Room 301, The Capital Building, Senate Side, Tallahassee, FL

PURPOSE: Board Business.

A copy of the agenda may be obtained by contacting: Anne Bodiford, Administrative Assistant I, Unclaimed Property Program Office, Fletcher Bldg., 101 E. Gaines St., Room 330-A, Tallahassee, FL 32399-0350, telephone number (850)410-9923, fourteen days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Anne Bodiford, (850)410-9923, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Anne Bodiford via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

#### DEPARTMENT OF INSURANCE

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

DATE AND TIME: May 22, 2000, 10:00 a.m.

PLACE: Johns Building, 725 N. Bronough Street, Tallahassee, FL

PURPOSE: Meeting of the Historic Building Committee.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulations, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399-0750.

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the Seminole State Forest Management Plan Advisory Group announce two public meetings and a public meeting/hearing to which all persons are invited.

Public Meeting – Seminole State Forest Management Plan Advisory Group

DATE AND TIME: Wednesday, May 17, 2000, 5:30 p.m.

PURPOSE: To allow the Seminole State Forest Management Plan Advisory Group to review advisory group procedures and to prepare for a public hearing the evening of May 17, 2000.

Public Meeting/Hearing

DATE AND TIME: Wednesday, May 17, 2000, 7:00 p.m.

PURPOSE: To provide information on state forest activities proposed and to solicit public comment on management of the Seminole State Forest.

Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to: DOF's Seminole State Forest Office, 9610 County Road 44, Leesburg, FL 34788, and should be mailed so as to arrive at the Forestry Station office by the date of the public hearing.



Public Meeting – Seminole State Forest Management Plan Advisory Group

DATE AND TIME: Thursday, May 18, 2000, 1:00 p.m.

PURPOSE: To allow the Seminole State Forest Management Plan Advisory Group to review comments from the public hearing of May 17, 2000, and to provide input to the DOF to help in preparation of a management plan for the Seminole State Forest.

PLACE: East Lake Chamber of Commerce Building, 31336 County Road 437, South, Sorrento, Florida

Copies of a working draft of the plan are available by contacting the Seminole State Forest Office in writing at the above address or by telephone, (352)360-6675.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of these proceedings. Any request for special accommodations can be made by writing the DOF's, Seminole State Forest Office at the above listed address.

You are hereby notified in accordance with Chapter 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meetings referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

**DEPARTMENT OF EDUCATION**

The **Department of Education** and the **Department of Labor and Employment Security** announces that the Occupational Access and Opportunity Commission and its committees/workgroups announce the following meetings:

DATES AND TIME: Every Tuesday, Wednesday and Thursday of the month of May, time TBA

PLACE: TBA

PURPOSE: To redesign the Florida Vocational Rehabilitation system.

For information on meeting places and times, please contact Susan Mason, (850)487-3431, Ext. 121 or 1(800)451-4327.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in these meetings should contact Susan Mason, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696, or (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The meeting agenda will be available in alternative formats upon request.

Should you not be able to attend, but would like a copy of the minutes, please contact Susan Mason, (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The **Department of Education** and the **Department of Labor and Employment Security** announces that the Occupational Access and Opportunity Commission will be meeting on:

DATES AND TIME: May 11-12, 2000, time TBA

PLACE: Sheraton World Resort, 10100 International Drive, Orlando, FL 32821-8095

PURPOSE: To redesign the Florida Vocational Rehabilitation system.

For information on meeting places and times, please contact Susan Mason, (850)487-3431, Ext. 121 or 1(800)451-4327.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in these meetings should contact Susan Mason, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696, or (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The meeting agenda will be available in alternative formats upon request.

Should you not be able to attend, but would like a copy of the minutes, please contact Susan Mason, (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The **Board of Regents**, Selection Committee for the President of the University of Florida and the Board of Regents announce a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2000, 8:30 a.m.

PLACE: Touchdown Terrace, Ben Hill Griffin Stadium, University of Florida, Gainesville, FL

PURPOSE: The Committee will convene to select a candidate for nomination to the Board. The Board will then convene to consider the nomination and appoint a president.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity, (850)201-7160 (Voice), (850)201-7333 (TDD), at least 7 days in advance, so that their needs may be accommodated.

The public is invited to a meeting of the Florida **Board of Regents**.

DATES AND TIME: May 17-18, 2000, 10:00 a.m.

PLACE: Touchdown Terrace, Ben Hill Griffin Stadium, University of Florida, Gainesville, Florida

PURPOSE: Approval of: Tenure Nominations: FAMU, FAU, FGCU, FIU, FSU, UCF, UF, UNF, USF, UWF; Tenure as a Condition of Employment, FAU, FIU, FSU, UCF, UF; Proposed Revised Rules: Rule 6C-7.001, Tuition, Fee Schedule and Percentage of Cost; Rule 6C-7.002, Fee Assessment and Remittance; Proposed New Rule 6C-1.0001, General Description and Address of Agency; Proposed Repeal of Rule Chapter 6C-1, Organization, Powers, Duties and

Functions of Board of Regents; Ratification of Collective Bargaining Agreements: 2000-2001 Supplement to the 1998-2001 Agreement between the Board of Regents and the United Faculty of Florida; 2000-2001 Supplement to the 1999-2002 Agreement between the Board of Regents and the Florida Nurses Association, Inc., FAMU, FAU, FGCU, FIU, FSU, UCF, UF, UNF, USF; Subcontract between the University of Florida and the Florida Fund for Minority Teachers, Inc.; Lease of Large Format Film Equipment, Challenger Learning Center, FAMU/FSU College of Engineering; Consideration of: SUS 2001-2002 Legislative Budget Request Policy Guidelines; 2000-2001 Allocations for the Educational and General and Board of Regents-General Office Budget Entities; Resolution Authorizing the Issuance of Revenue Bonds for Additional Student Housing for Florida Atlantic University, Boca Raton; Resolution Authorizing the Issuance of Revenue Bonds for Phase Two of Student Housing for Florida Atlantic University, MacArthur Campus, Jupiter; Resolution Authorizing the Issuance of Revenue Bonds for Parking Garage Number Four for the University of Central Florida; Relocation and Reorganization of Developmental Research School, FSU; Amendment of SUS 1998-2003 Strategic Plan to Include Additional Baccalaureate Offerings in Information Technology; Legal Education Advisory Council Interim Report; Implementation of Division I-AA Football at FIU; Report on the 2000 Legislative Session; and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity, (850)201-7160 (Voice), (850)201-7333 (TDD), at least 7 days in advance, so that their needs can be accommodated.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Communities Trust** announces a public meeting of the Governing Body to which all persons are invited.

DATE AND TIME: May 15, 2000, 1:00 p.m. – conclusion

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

PURPOSE: Extend grant contracts for certain funded projects; approve project plans for certain funded projects; other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business.

To obtain a copy of the agenda, contact the Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability of physical impairment should contact Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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#### DEPARTMENT OF LAW ENFORCEMENT

The **Department of Law Enforcement, Florida Crime Laboratory Council** announces a Forensic Advisory Committee Meeting.

DATE AND TIME: Monday, June 12, 2000, 1:00 p.m.

PLACE: Indian River Crime Laboratory, Indian River Community College Campus, 3209 Virginia Avenue, Fort Pierce, Florida 34981-5599

PURPOSE: Forensic Advisory Committee Meeting.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Florida Crime Laboratory Council Office, (850)410-8300, at least five (5) working days prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information or a copy of the agenda may be obtained by contacting: Mr. Dale H. Heideman, Forensic Coordinator, Criminal Investigation and Forensic Science Program, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8300.

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#### DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public meeting of the Property Tax Administration Advisory Council to which all interested persons are invited.

DATE AND TIME: Wednesday, May 17, 2000, 10:00 a.m.

PLACE: Tallahassee Regional Airport, Dale Mabry Conference Center, Tallahassee, Florida

PURPOSE: To conduct the first meeting of the Property Tax Administration Advisory Council, to organize, give an overview of Florida Property Tax Administration and highlight some current issues.

A copy of the agenda may be obtained by writing: Director, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000, or by calling Mary Tomlin, (850)488-3338 or Kathy Henley, (850)488-3335.

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 calling (850)488-8026. If you are hearing or speech-impaired, please contact the Department by calling 1(800)367-8331 (TDD).

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#### DEPARTMENT OF TRANSPORTATION

The **Florida Highway Beautification Council** announces a meeting to which all persons are invited.

**DATES AND TIMES:** Monday, June 5, 2000, 1:00 p.m. – 5:00 p.m.; Tuesday, June 6, 2000, 8:00 a.m. – 5:00 p.m.; Wednesday, June 7, 2000, 8:00 a.m. – 12:00 Noon

**PLACE:** The Executive Conference Room, 5th Floor, The Florida Department of Transportation, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0450

**PURPOSE:** The purpose of the meeting is to conduct minor business and rank the 2000/2001 Highway Beautification Council Grant Applications.

For information please contact: Mr. Gary L. Henry, L. A., Florida Department of Transportation, 605 Suwannee Street, MS-37, Tallahassee, Florida 32399-0450 or call, (850)922-7210.

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#### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST

The **Board of Trustees of the Internal Improvement Trust Fund** announces a technical advisory committee meeting to which all person are invited:

**DATE AND TIME:** Thursday, May 25, 2000, 9:30 a.m. – 3:30 p.m.

**PLACE:** Orlando Public Library, 101 East Central Blvd., Orlando, Florida (Directions: from I-4, take Exit 38 onto Anderson Street, which is one-way heading east. Continue on Anderson, turn left onto Rosalind Ave., then turn left onto Central Blvd. The Library is on the right. Parking in metered spaces around the library or in garage across from the library.)

**PURPOSE:** This is the seventh meeting of the Sovereign Submerged Lands Technical Advisory Committee to continue the discussion of issues and prioritize rulemaking regarding sovereign submerged lands, specifically revisions to chapters 18-14, 18-18, 18-20 and 18-21. The agenda will include discussion on criteria associated with docking facilities and other authorizations.

A copy of the agenda may be obtained by contacting: Alice Heathcock, Florida Department of Environmental Protection, Division of Water Resource Management, 2600 Blair Stone Road, MS 2500, Tallahassee, Florida 32399-2400, telephone (850)921-9899, e-mail Alice.Heathcock@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

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#### DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

**DATE AND TIMES:** May 15, 2000, Committee Meetings, 9:00 a.m.; Regular Monthly Meeting, 10:30 a.m.

**PLACE:** Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular monthly meeting.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Executive Office, P. O. Box 148, Lakeland, Florida 33802.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

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#### 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. 991220-TP – Petition by Global NAPS, Inc. for arbitration of interconnection rates, terms and conditions and related relief of proposed agreement with BellSouth Telecommunications, Inc.

**DATE AND TIME:** May 25, 2000, 9:30 a.m.

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

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

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

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### REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a telephone conference meeting of the Nominating Committee to which all persons are invited.

DATE AND TIME: May 15, 2000, 3:30 p.m.

PLACE: North Central Florida Regional Planning Council, 2009 N. W. 67th Place, Gainesville, Florida 32653

PURPOSE: To conduct the regular business of the Nominating Committee.

Any person deciding to appeal any decision of the Committee with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

A copy of the agenda may be obtained by writing: North Central Florida Regional Planning Council, 2009 N. W. 67th Place, Suite A, Gainesville, Florida 32653-1603.

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The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Nominations Subcommittee

DATE AND TIME: Monday, May 15, 2000, 10:15 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Monday, May 15, 2000, 11:00 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates, biennial elections of Chair and Vice-Chair and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee 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 based.

If you have any questions regarding the meeting you may contact Charlotte Neupauer, (352)732-1315.

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The **Withlacoochee Regional Planning Council** announces an Executive Committee meeting to which all persons are invited.

DATE AND TIME: Thursday, May 18, 2000, 6:30 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To handle administrative matters pertaining to the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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The **Withlacoochee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 18, 2000, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

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The **Treasure Coast Regional Planning Council** announces the following public meeting:

MEETING: Overall Economic Development Program

DATE AND TIME: May 11, 2000, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Stuart, FL 34996

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

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The **Treasure Coast Regional Planning Council** announces the following public meeting:

MEETING: Local Emergency Planning Committee

DATE AND TIME: May 18, 2000, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Stuart, Florida 34996

**GENERAL SUBJECT MATTER:** To conduct a meeting of the Treasure Coast Regional Planning Council Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he 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 indicates the testimony and evidence upon which the appeal is to be based.

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The **Treasure Coast Regional Planning Council** announces the following public meeting:

**MEETING:** Treasure Coast Regional Planning Council

**DATE AND TIME:** May 19, 2000, 9:30 a.m.

**PLACE:** Howard Johnson Motor Lodge, 950 South Federal Highway, Stuart, Florida

**GENERAL SUBJECT MATTER:** To conduct a meeting of the Treasure Coast Regional Planning Council.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

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#### **DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation** announces a meeting to which the public is invited. In order to create a more positive image of the workers' compensation system, the Division will facilitate discussions on how parties within the system can work in partnerships to provide Florida's employees and employers with better information in order to fulfill the legislative self-executing intent of the law.

**DATE AND TIME:** Thursday, May 25, 2000, 1:00 p.m. – 5:00 p.m.

**PLACE:** Hotel Royal Plaza, Castle Harbour Ballroom, 1905 Hotel Plaza Boulevard, Lake Buena Vista, FL 32830, Telephone number is (407)828-2828 or 1(800)248-7890

**PURPOSE:** For the Division Director to review any changes in workers' compensation as a result of the 2000 Legislative Session and for Division administrators to meet with

employers, industry leaders and other interested parties to exchange ideas on how partnerships can be established to more effectively promote the self-executing intent of the law.

For attendees' convenience, a block of rooms has been reserved at the Hotel Royal Plaza for the night of May 25, 2000, at a special rate of \$99; reservations need to be made by May 12, 2000, to ensure this special rate.

Persons with a disability or handicap requiring reasonable accommodations should contact Sissy Nogar in writing no later than May 22, 2000, at the Division of Workers' Compensation, Bureau of Research and Education, 2728 Centerview Drive, Suite 303, Forrest Building, Tallahassee, Florida 32399-0682 or by Fax (850)922-5167. If you are hearing or speech impaired, please contact Sissy Nogar using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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#### **WATER MANAGEMENT DISTRICTS**

The **Southwest Florida Water Management District** announces the following public meeting to which all interested persons are invited:

**LAKE PANASOFFKEE RESTORATION COUNCIL MEETING**

**DATE AND TIME:** Monday, May 8, 2000, 5:00 p.m.

**PLACE:** Sumter County Court House, 209 North Florida Street, Bushnell, FL

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** Consideration of Council business.

**BASIN BOARD EDUCATION COMMITTEE MEETING**

**DATE AND TIME:** Tuesday, May 16, 2000, 9:30 a.m.

**PLACE:** Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** Consideration of Committee business.

**GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS**

**DATE AND TIME:** Tuesday, May 23, 2000, 9:00 a.m.

**PLACE:** 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, May 24, 2000, 9:00 a.m.

**PLACE:** District Headquarters, 2379 Broad Street, Brooksville, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Conduct of Meeting and Public Hearing.

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, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces public workshops to which all persons are invited.

DATE AND TIME: May 13, 2000, 9:00 a.m.

PLACE: Southwest Florida Water Management District, 170 Century Blvd., Bartow, FL 33830

PURPOSE: Well Construction Workshop and Point Reduction Workshop

DATE AND TIME: May 20, 2000, 9:00 a.m.

PLACE: Lecanto Government Building, 3600 W. Sovereign Path, Lecanto, FL 34461-8070

PURPOSE: Well Construction Workshop and Point Reduction Workshop.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, Brooksville Headquarters, 2379 Broad Street, Brooksville, FL 34609-6899 or by calling Deanna Naugler, (352)796-7211, Extension 4312.

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 48 hours before the workshop by contacting Deanna Naugler, (352)796-7211. If you are hearing or speech impaired, please contact the agency by calling TDD number of 1(800)231-6103.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 7, 2000, 10:00 a.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N. W. 58th Street, Miami, Florida

PURPOSE: A meeting of the Miami-Dade County Lake Belt Plan Implementation Committee to discuss the Lake Belt Phase II Detailed Master Plan, including wellfield protection, non-mining mitigation and other issues.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact the Project Manager, Jim Jackson, (561)682-6334.

The **South Florida Water Management District** announces public meetings to which all interested parties are invited:

DATES AND TIME: May 16, 2000; May 23, 2000; May 30, 2000, 1:00 p.m. – 1:30 p.m.

PLACE: District Headquarters, B-1 Building, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: The Appraisal Review Committee will hold its regular meeting to discuss appraisal issues and, if necessary, select an appraiser from proposals received on upcoming appraisal assignments.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Kenneth Daw, Chief Appraiser, (561)682-6737.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 17, 2000, 9:30 a.m. – 12:00 p.m.

PLACE: South Florida Water Management District Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Budget Review Commission meeting to discuss FY2001 budget development issues.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Patti Nicholas, (561)682-6007.

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The **South Florida Water Management District** announces a public hearing under Section 373.59 and 373.139, Florida Statutes, to which all interested parties are invited:

DATE AND TIME: June 14, 2000, 8:50 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: The acquisition of certain lands contained within the Save Our Rivers Land Acquisition & Management Plan which lands are further described as follows:

Part of the 8.5 Square Mile Area project comprised of one parcel referred to as SFWMD Tract No. GE-318-976 consisting of approximately 1.44 acres and lying in Section 28, Township 55, South, Range 38, East in Miami-Dade County, Florida.

Part of the Lake Okeechobee Water Retention and Phosphorous Removal Critical Restoration project comprised of one parcel referred to as SFWMD Tract No. C1-100-001 consisting of approximately 2,135.80 acres and lying in Section 27, 28, 32, 33 and 34, Township 37, South, Range 36, East in Okeechobee County, Florida.

Part of the East Coast Buffer project comprised of two parcels referred to as SFWMD Tract Nos. W9-308-229 and W9-312-073 consisting of approximately 11.90 acres and lying in Sections 9, 10, & 18, townships 52 & 54, South, Range 39, East in Miami-Dade County, Florida.

Part of the East Coast Buffer project comprised of one parcel referred to as SFWMD Tract No. W9-100-0085 consisting of approximately 626.97 acres and lying in Sections 12 & 13, Township 46, South, Range 39, East in Palm Beach County, Florida.

Part of the East Coast Buffer project comprised of two parcels referred to as SFWMD Tract Nos. W9-100-160 and W9-100-161 consisting of approximately 410.43 acres and lying in Section 13, Township 46, South, Range 41, East in Palm Beach County, Florida.

Part of the Upper Lakes Basin Watershed project comprised of one parcel referred to as SFWMD Tract No. 21-100-358 consisting of approximately 110.0 acres and lying in Section 7, Township 27, South, Range 28, East in Polk County, Florida.

Part of the Pal-Mar project comprised of one parcel referred to as SFWMD Tract No. 23-108-357 consisting of approximately .75 acres and lying in Section 10, Township 40, South, Range 40, East in Martin County, Florida.

Part of the CREW project comprised of six parcels referred to as SFWMD Tract Nos. 09-003-233, 09-003, 364, 09-005-054, 09-005-131, 09-005-182 and 09-005-184 consisting of approximately 30 acres and lying in Sections 27, 28 & 33, Township 47, South, Range 26, East in Lee County, Florida.

Part of the Paradise Run project comprised of 1 parcel referred to as SFWMD Tract No. 39-105-042 consisting of approximately 1,784 acres and lying in Sections 7, 8, 13, 17 and 18, Township 38, South, Range 33, East, in Glades County, Florida.

Part of the STA-1E project comprised of 1 parcel referred to as SFWMD Tract No. 49-102-136 consisting of approximately 801.22 acres and lying in Sections 3 & 34, Townships 43 & 44, South, Range 40, East in Palm Beach and Martin Counties, Florida.

Part of the Caloosahatchee Basin Storage Reservoir project comprised of four parcels referred to as SFWMD Tract Nos. GX-100-001, GX-100-002, GX-100-003, GX100-004 consisting of approximately 9,020.98 acres and lying in Sections, 1, 2, 3, 6, 10, 11, 12, 23 through 36, Townships 43 & 44, South, Range 28, East in Hendry County, Florida.

Part of the L-31N project comprised of two parcels referred to as SFWMD Tract Nos. B7-100-111 & B7-100-209 consisting of approximately 11.66 acres and lying in Sections 4 & 30, Township 56, South, Range 38, East, in Miami-Dade County, Florida.

Authorize a Resolution to the Department of Environmental Protection requesting reimbursement for fees paid by the District to The Nature Conservancy Charitable Trust ("TNC"), under a Cooperative Agreement, as Amended.

Part of the Kissimmee River Restoration project comprised of two parcels referred to as SFWMD Tract Nos. 19-103-436 & 19-103-437 consisting of approximately 321.68 acres and lying in Sections 15, 16, 21 & 22, Township 36, South, Range 33, East, in Okeechobee County, Florida.

Part of the Model Lands project comprised of three parcels referred to as SFWMD Tract Nos. 45-703-037, 45-703-039 and 45-703-043 consisting of approximately 10.0 acres and lying in Section 16, Township 58, South, Range 38, East, in Miami-Dade County, Florida.

A copy of the agenda or additional information concerning specific parcels or interests can be obtained from: Blair R. LittleJohn, III, South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For additional information, please contact Blair R. LittleJohn, III, Director, Real Estate Division, (561)682-6842.

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The **South Florida Water Management District** announces a public hearing required under Sections 373.59 and 373.139, Florida Statutes, to which all interested parties are invited:

DATE AND TIME: June 14, 2000, 8:50 a.m.

PLACE: South Florida Water Management District, B-1 Building Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: The disposal of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

Part of the Loxahatchee Slough project comprised of two parcels referred to as SFWMD Tract Nos. DA-100-013 and DA-100-014 consisting of approximately 3.02 acres in fee and 1.20 acres in access easement and lying in Section 35, Township 41, South, Range 41, East in Palm Beach County, Florida.

A copy of the agenda or additional information concerning specific parcels or interests can be obtained from: Blair R. LittleJohn, III, South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Blair R. LittleJohn, III, Director, Real Estate Division, (561)682-6842.

The **South Florida Water Management District** announces a public hearing under Sections 373.59 and 373.139, Florida Statutes, to which all interested parties are invited:

DATE AND TIME: June 14, 2000, 8:50 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To consider the settlement of pending litigation in the matter of Smith v. SFWMD, et al., Case No. GC00-42, Highlands County Circuit Court. The settlement includes a three-way land exchange which involves the acquisition of lands within the boundaries of the East Coast Buffer Project (Broward County – Parcel No. 201-018).

A copy of the agenda or additional information concerning specific parcels or interests can be obtained from: Blair R. LittleJohn, III, South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally

recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Blair R. LittleJohn, III, Director, Real Estate Division, (561)682-6842.

The **Big Cypress Basin, South Florida Water Management District** announces a public meeting to which all interested persons are invited.

DATE AND TIME: May 19, 2000, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, Naples, Florida (The above address shall be the designated access point for public attendance of the meeting.)

PURPOSE: Conduct Basin Business and FY 2001 Budget Workshop.

A copy of the agenda may be obtained by writing: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109 or by calling Ann Christian, (941)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Ann Christian, (941)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact the Big Cypress Basin by calling (561)697-2574.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (941)597-1505.

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The Florida **Commission for the Transportation Disadvantaged** announces a meeting of the Finance, Auditing and Program Performance (FAPP) Committee to which all persons are invited.

DATE AND TIME: Monday, May 15, 2000, 10:00 a.m. – completion

PLACE: 2740 Centerview Drive, Rhyne Building, Room 308, Tallahassee, Florida, (850)488-6036



**PURPOSE:** To approve minutes from the last meeting, follow-up on background screening, follow-up on bonding issue, review AOR Demonstration Project report and follow-up on legal contract issues.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Erin Schepers at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

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The Florida **Commission for the Transportation Disadvantaged** announces a Full Commission Meeting to which all persons are invited.

**DATE AND TIME:** Thursday, May 18, 2000, 9:00 a.m. – completion

**PLACE:** Teleconference meeting (850)921-5230 or Suncom 291-5230

**PURPOSE:** To discuss the regular business of the Commission for the Transportation Disadvantaged.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Erin Schepers at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

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The Florida **Commission for the Transportation Disadvantaged** announces a quarterly regional meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, May 31, 2000, 1:00 p.m. – 3:00 p.m.

**PLACE:** Teleconference meeting (850)487-8587 or Suncom 277-8587

**PURPOSE:** To report on statewide activities, legislative updates, Commission meeting actions, technical assistance updates, quality assurance updates, financial areas, regional reports and a question and answer session.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Erin Schepers at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon Executive Director's request.

## REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular May meeting as scheduled. This is a public meeting to which all persons are invited:

**DATE AND TIME:** Wednesday, May 17, 2000, 4:30 p.m.

**PLACE:** Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, FL 33513

**GENERAL MATTER TO BE CONSIDERED:** To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

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## INTERLOCAL AGENCIES

The **New River Solid Waste Association** announces a meeting to which all persons are invited.

**DATE AND TIME:** May 11, 2000, 6:00 p.m.

**PLACE:** New River Regional Landfill Office, Raiford, Florida

**PURPOSE:** To conduct the regular business of the New River Solid Waste Association.

All persons deciding to appeal any decision of the New River Solid Waste Association with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

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## SPACEPORT FLORIDA AUTHORITY

**NOTICE OF CHANGE –** The **Florida Space Research Institute** (FSRI) has rescheduled its May 1 public meeting for its Board of Directors.

**DATE AND TIME:** Monday, May 15, 2000, 1:00 p.m. – 5:00 p.m.

**PLACE:** Offices of the Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, Florida

**PURPOSE:** Will include discussions on the selection of an executive director for FSRI, relationship with the Florida Space Grant Consortium; and other issues related to the FSRI's start-up development.

A map to the Spaceport Authority's offices can be found at [www.spaceportflorida.com](http://www.spaceportflorida.com).

Contact Edward Ellegood, (321)730-5301, Extension 1105, for information and an agenda.

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a meeting of the Florida Statewide Organ and Tissue Procurement and Transplantation Advisory Board meeting in Orlando, Florida. The meeting is open to the public.

DATE AND TIME: May 19, 2000, 10:00 a.m. – 12:00 Noon

PLACE: Hurston Building, South Tower, 400 West Robinson Street, Meeting Room A, Orlando, Florida 32801

PURPOSE: The purpose of the meeting is to review revisions to Ch. 59A-1, Florida Administrative Code; reactivation of sub-committees; revision of by-laws; 2000 legislation update; funding donor education programs, nominations for Board members; and to conduct the normal business of the Advisory Board.

Note: If you need a special accommodation in order to attend this meeting because of a disability, please notify the Agency for Health Care Administration in writing at 2727 Mahan Drive, Tallahassee, FL 32308, or by phone call to Jo Ann Linch, (850)487-2717.

**DEPARTMENT OF MANAGEMENT SERVICES**

The **State of Florida Retirement Commission** announces a public hearing to which all persons are invited.

DATES AND TIME: May 15-16, 2000, 8:30 a.m.

PLACE: DoubleTree Guest Suites, Orlando Airport, 7550 Augusta National Drive, Orlando, Florida

PURPOSE: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312, or by telephoning (850)487-2410.

A party who decided to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Florida **Board of Funeral Directors and Embalmers** announces the following meetings to which all parties are invited to attend.

DATE AND TIME: May 17, 2000, 2:00 p.m.

PURPOSE: Finance Committee meeting, Rules Committee meeting, immediately followed by Probable Cause Panel meeting, agenda available on request.

DATE AND TIME: May 18, 2000, 9:00 a.m.

PURPOSE: General Board and Business Meeting.

PLACE: Four Points Sheraton, 3835 McCoy Road, Orlando, FL 32812, (407)859-2711

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Funeral Directors and Embalmers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)488-8690, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation** announces the following public meeting of the **Division of Hotels and Restaurants**, Advisory Council which the public is invited to attend.

The meeting will be conducted at the date, time and place listed below:

DATE AND TIME: Tuesday, May 23, 2000, 10:00 a.m. – 1:00 p.m.

PLACE: The Florida Hotel Motel Association, Hospitality Square, Boardroom, 200 West College Avenue, Tallahassee, Florida 32301

PURPOSE: To conduct general Advisory Council business.

If you need additional information, please contact: Ms. Delores Koonce, Administrative Assistant, Office of the Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1011, or call 1(800)749-6368 or (850)488-1133.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Delores Koonce, 1(800)749-6368 or (850)488-1133, at least five calendar days prior to the meeting.

The **Department of Business and Professional Regulation** announces the following meetings to be conducted by the Florida **Board of Architecture and Interior Design** (Board):  
MEETING: Architecture Committee/CE Task Force

DATE AND TIME: June 8, 2000, 9:00 a.m.

PURPOSE: To review issues associated with regulation of the architecture and profession.

MEETING: Interior Design Committee

DATE AND TIME: June 8, 2000, 1:00 p.m.

PURPOSE: To review issues relative to the interior design profession.

MEETING: Rules Development Workshop

DATE AND TIME: June 8, 2000, 3:00 p.m.

PURPOSE: To conduct an official meeting of the Board in order to review issues associated with regulation of both architecture and interior design professions.

MEETING: Board of Architecture and Interior Design

DATE AND TIME: June 9, 2000, 9:00 a.m.

PURPOSE: To conduct an official meeting of the Board in order to review issues associated with regulation of both architecture and interior design professions.

PLACE: Wyndham Casa Marina, 1500 Reynolds Street, Key West, FL 33040, (305)296-3535

Agenda copies may be obtained by writing: Board, 1940 North Monroe Street, Tallahassee, FL 32399-0751.

Any person deciding to appeal a decision made with respect to any matter considered at the meeting must ensure a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which an appeal is to be based.

Any person requiring special accommodations because of a disability or physical impairment should contact Kari McIlvaine, Board Program Administrator, 1940 North Monroe Street, Tallahassee, Florida 32399-0751 or call (850)488-6685, Extension 3, at least forty-eight (48) hours prior to the meeting. Hearing or speech impaired respondents may contact Ms. McIlvaine using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: May 24, 2000, 9:00 a.m. and 11:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, FL 32301, (850)413-0623

PURPOSE: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Cathleen O'Dowd, Lead Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe St., Ste. 60, Tallahassee, FL 32399-2202, (850)413-0623.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or

meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Electrical Contractors' Licensing Board** announces an Official Board Meeting via Telephone Conference Call to which all interested persons are invited.

DATE AND TIME: May 12, 2000, 3:00 p.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, Electrical Contractor's Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771, Phone (850)922-8044, Fax (850)922-2918

PURPOSE: Official Board Meeting.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Susan McAleer, Electrical Contractors' Licensing Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Susan McAleer 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 Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited:

DATE AND TIME: Monday, May 15, 2000, 9:00 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32301

PURPOSE: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Tuesday, May 16, 2000, 10:00 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32301

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call which all persons are invited:

DATE AND TIME: Monday, May 22, 2000, 2:00 p.m.

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32301, Conference Call Number 1(800)659-1025

PURPOSE: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces the first in a series of Everglades Technical Workshops to which all persons are invited to attend.

DATES AND TIMES: Wednesday, May 17, 2000, 9:00 a.m.; Thursday, May 18, 2000, 8:00 a.m.

PLACE: Florida Department of Environmental Protection, Southeast District Office, 400 N. Congress Avenue, West Palm Beach, Florida.

PURPOSE: In order to expedite the timely completion of Everglades restoration activities required under the Everglades Forever Act (“EFA” Section 373.4592, F.S.), the Department of Environmental Protection will be convening a series of Everglades Technical Workshops. The purpose of the workshops will be to present technical information on issues related to implementation of the EFA and provide opportunity for interested parties to provide feedback to the Department and the South Florida Water Management District on those issues. The Everglades Technical Workshops will discuss issues related to: (1) advanced technology research, design and implementation; (2) development of the numeric phosphorus criterion for the Everglades; (3) evaluation of other water quality standards under the EFA; and (4) other technical issues as necessary (Restudy).

On Wednesday, May 17, 2000, the focus of the initial meeting will be on advanced technology research results. On Thursday, May 18, 2000, there will be a field trip for workshop participants to the research sites. This field trip will be limited to 20-25 participants and will be on a first come, first served basis. Please call Kristi Mader, (850)921-5313, to make your reservations.

An agenda will be available one week prior to the workshop. Please call Kristi Mader, (850)921-5313, if you would like to receive an agenda or if you have any questions regarding this workshop.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Services Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Department of Environmental Protection** announces a one-day public meeting for continuing discussions of the Contaminated Soils Forum to which all persons are invited.

DATE AND TIME: May 17, 2000, 10:00 a.m. – not later than 5:30 p.m.

PLACE: Department of Environmental Protection, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)488-0190

GENERAL SUBJECT MATTER TO BE CONSIDERED: A one-day meeting of the DEP Contaminated Soils Forum will provide opportunities for interested parties to discuss evolving policy, scientific and application issues associated with contaminated site cleanup and the re-use of a variety of media, including soils, sludges, ash and recovered screen material, using risk-based management principles. The forum will include discussions of various focus group topics with emphasis on emerging science and methodology. The topics include but are not limited to cleanup issues, environmental equity and justice, communications, methodology, ecological risk, peer review and engineering and institutional controls.

A copy of the agenda for the one-day meeting may be obtained by calling or writing: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, MS #4505, Room 309A, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)413-0062 or an electronic copy may be obtained at the Internet address: <http://www.dep.state.fl.us/dwm/programs/csf/default.htm>

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

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**NOTICE OF CHANGE – The Department of Environmental Protection** announces that the next meeting of the 303(d) List Methodology Technical Advisory Committee, previously scheduled for May 19, 2000, has been rescheduled to May 18, 2000 and will be held in a different location.

DATE AND TIME: Thursday, May 18, 2000, 9:30 a.m.

PLACE: Orlando Utilities Commission, 3800 Gardenia Avenue, First Floor, Safety Meeting Room, Orlando, Florida

PURPOSE: To discuss development of a methodology and rule to identify impaired waters for inclusion on the state's 303(d) list pursuant to section 403.067, Florida Statutes, and section 303(d) of the federal Clean Water Act.

A copy of the agenda for the meeting may be obtained by writing: Mr. Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, Water Quality Assessment Section, MS #3555, Tallahassee, Florida 32399-2400 or by calling him at (850)921-9488.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel

Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

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The **Department of Environmental Protection**, Division of Air Resource Management announces a public workshop to which all persons are invited.

DATE AND TIME: May 18, 2000, 1:30 p.m.

PLACE: Hillsborough County EPC, 2nd Floor, Conference Room, 1410 North 21st Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: In amendments that became effective on March 13, 1996, certain existing provisions of Rule 62-210.400, FAC., were moved into Rule 62-212.600, FAC. An unintended consequence of that rulemaking was to change the intended meaning of some of those existing provisions. The Department is proposing amendments to Rule 62-212.600, FAC., that would have the effect of restoring the original intent of the aforementioned existing provisions, as they were adopted by Florida's Environmental Regulation Commission on February 27, 1985. These proposed amendments were discussed at a workshop held on April 26, 2000, and will be further discussed at this workshop.

A copy of the workshop agenda may be obtained by writing: Ms. Sandy Ladner, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400 or by calling (850)921-9590.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Services Specialist, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

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The Florida **Department of Environmental Protection** announces a rule development workshop to which all persons are invited.

DATES AND TIMES: Tuesday, May 23, 2000, 1:00 p.m.; Wednesday, May 24, 2000, 8:30 a.m.

PLACE: Broward County Main Library, 100 South Adams Avenue, Ft. Lauderdale, Florida

PURPOSE: This is a public workshop to discuss proposed changes to Rule Chapter 62-701, Florida Administrative Code, which sets forth requirements for solid waste management facilities.

If accommodation for a disability is needed to participate in this activity, please notify Mary Jean Yon, (850)488-0300, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Department by using the Florida Relay service at 1(800)955-8771 (TDD).

A copy of the agenda and of the proposed rule may be obtained by writing or calling: Mary Jean Yon, 2600 Blair Stone Road, MS #4565, Tallahassee, Florida 32399-2400, (850)488-0300.

The **Department of Environmental Protection**, Division of Water Resource Management announces a public workshop to which all person are invited:

DATE AND TIME: Wednesday, May 24, 2000, 9:30 a.m.

PLACE: Orlando Public Library, 101 East Central Blvd., Orlando, Florida (Directions: from I-4, take Exit 38 onto Anderson Street, which is one-way heading east. Continue on Anderson, turn left onto Rosalind Ave., then turn left onto Central Blvd. The Library is on the right. Parking in metered spaces around the library or in garage across from the library.)

PURPOSE: To discuss and receive public comment on proposed preliminary draft rule amendments regarding "Sufficient Title Interest" and "Forms of Authorization." The purpose of the "Sufficient Title Interest" rulemaking (Docket No. 98-08R) is to clarify the interest in uplands needed to make application for a Board of Trustees' authorization to conduct activities on sovereign submerged lands. The purpose of the "Forms of Authorization" rulemaking (Docket No. 00-10R) is to provide more clarity to the public so that the appropriate form of authorization for persons to conduct activities on sovereign submerged lands can be more easily determined. This will include clarifying and amending the existing provisions and thresholds used in determining the appropriate form of authorization; definitions; management policies, standards and criteria, including general consent conditions that would apply to all forms of authorization; and provisions related to riparian rights. During the rule development process, the Department may decide to amend any or all of the rule sections contained in Chapter 18-21, Sovereignty Submerged Lands Management, of the Florida Administrative Code.

Rulemaking on these topics follows deliberations of a Technical Advisory Committee formed by the Department of Environmental Protection in July 1999. In addition, the "Forms of Authorization" rulemaking is required by the Board of Trustees of the Internal Improvement Trust Fund action on March 14, 2000, to settle a rule challenge filed against the Board of Trustees by Catalpa Cove Property Owners' Association.

A copy of the agenda may be obtained from: Alice Heathcock, Department of Environmental Protection, 2600 Blair Stone Road, MS 2500, Tallahassee, Florida 32399-2400, (850)921-9899, or e-mail Alice.Heathcock@dep.state.fl.us. A draft of the proposed rule amendments to be discussed in the rule development workshop is not yet available.

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 48 hours before the meeting by contacting the Personnel

Service Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 16, 2000, 7:00 p.m. (EDT)

PLACE: Highlands Hammock State Park, Museum, 5931 Hammock Road, Sebring, Florida 33872

PURPOSE: To receive comments regarding management and land uses for Highlands Hammock State Park before the development of a management plan for the park.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of this meeting. Any request for special accommodations can be made by writing to the Department of Environmental Protection, Division of Recreation and Parks, District 4 Administration, 1843 South Tamiami Trail, Osprey, Florida 34229.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 16, 2000, 7:00 p.m. (EDT)

PLACE: Heckscher Drive Community Center, 9364 Heckcher Drive, Jacksonville, FL 32226

PURPOSE: To receive comments regarding management and land uses for Fort George Island State Cultural Site before the development of a management plan for the park.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of this meeting. Any request for special accommodations can be made by writing to the Department of Environmental Protection, Division of Recreation and Parks, District 2 Administration, 4801 Southeast 17th Street, Gainesville, Florida 32641-9299.

## DEPARTMENT OF HEALTH

The **Miami-Dade County Health Department** announces a meeting of the Tobacco-Free Miami-Dade Community Partnership.

DATE AND TIME: Wednesday, May 10, 2000, 12:00 p.m. – 2:00 p.m.

PLACE: Women's Resource Center, Baptist Medical Arts Bldg., 8950 N. Kendall Dr., Miami, FL

PURPOSE: Monthly meeting.

A copy of the agenda can be obtained by contacting: Christine Kelly, (305)377-5010, ext. 118.

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

The **Department of Health**, Division of Emergency Medical Services and Community Health Resources, Office of Rural Health, State Certified Rural Health Network meeting will be held:

DATE AND TIME: May 11, 2000, 10:00 a.m.

PLACE: Eatz Cafeteria Conference Room, Capital Circle Office Complex, Tallahassee, Florida

PURPOSE: State of Florida Rural Health Networks Meeting: To provide technical assistance and information to State Certified Rural Health Network executive directors.

SUBJECT AREA TO BE ADDRESSED: State Certified Rural Health Networks.

THE PERSON TO BE CONTACTED REGARDING THE MEETING IS: Mike Walsh, Office of Rural Health, Department of Health, 4052 Bald Cypress Way, Bin #C15, Tallahassee, Florida 32399-1735, (850)245-4340.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Office of Rural Health, (850)245-4340, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Office of Rural Health using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 11, 2000, 10:00 a.m.

PLACE: Department of Health, 4025 Esplanade Way, 3rd Floor, Room 103, Tallahassee, Florida

PURPOSE: To provide recommendations to the Children's Medical Services Program office on the implementation of the Children's Medical Services Network.

A copy of the agenda may be obtained by writing; Florida Department of Health, Children's Medical Services, 2020 Capital Circle, S. E., Bin #A06, Tallahassee, Florida 32399-1707.

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)245-4200.

The **Board of Hearing Aid Specialists** announces a telephone conference call. All interested parties are invited to participate which is open to the public.

DATE AND TIME: May 12, 2000, 10:00 a.m.

PLACE: Call (850)487-1129 for the meet me number

PURPOSE: Consideration of Motion for Board's Final Action to Adopt Settlement Agreement.

Any person requiring special accommodations for this conference call due to disability or physical impairment should contact (850)488-0595, at least five (5) calendar days prior to the conference call. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay system at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Medical Fraud Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, May 19, 2000, 6:00 p.m. or soon thereafter

PLACE: The Hilton, Miami Airport, 5101 Blue Lagoon Drive, Miami, Florida 33126, (305)262-1000

PURPOSE: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, 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).

The **Department of Health, Board of Nursing** announces a public meeting to which all interested persons are invited.

Competency Outcomes Sub Committee of the Continued Competency Task Force Meeting

DATE AND TIME: Tuesday, May 16, 2000, 9:00 a.m.

PLACE: Board of Nursing, 4080 Woodcock Drive, Jacksonville, FL 32207, Telephone Conference Call

PURPOSE: To discuss matters pertaining to continued competency.

An agenda for the meeting may be obtained through written request: Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207, Attn.: Linda Schwartz.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the

meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces a public meeting to which all interested persons are invited.

Tools Sub Committee of the Continued Competency Task Force Meeting

DATE AND TIME: Wednesday, May 17, 2000, 3:30 p.m.

PLACE: Board of Nursing, 4080 Woodcock Drive, Jacksonville, FL 32207, Telephone Conference Call

PURPOSE: To discuss matters pertaining to continued competency.

An agenda for the meeting may be obtained through written request: Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207, Attn.: Linda Schwartz.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces a public meeting to which all interested persons are invited.

Evaluation Sub Committee of the Continued Competency Task Force Meeting

DATE AND TIME: Tuesday, May 23, 2000, 9:00 a.m.

PLACE: Board of Nursing, 4080 Woodcock Drive, Jacksonville, FL 32207, Telephone Conference Call

PURPOSE: To discuss matters pertaining to continued competency.

An agenda for the meeting may be obtained through written request: Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207, Attn.: Linda Schwartz.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces a public meeting to which all interested persons are invited.

Education Sub Committee of the Continued Competency Task Force Meeting

DATE AND TIME: Tuesday, May 30, 2000, 2:00 p.m.

PLACE: Board of Nursing, 4080 Woodcock Drive, Jacksonville, FL 32207, Telephone Conference Call

PURPOSE: To discuss matters pertaining to continued competency.

An agenda for the meeting may be obtained through written request: Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207, Attn.: Linda Schwartz.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces a public meeting to which all persons are invited.

Central Probable Cause Panel

DATE AND TIME: May 31, 2000, 6:30 p.m.

PLACE: 2727 Mahan Drive, Building #3, Tallahassee, FL 32308, Telephone Conference Call

PURPOSE: To reconsider cases which are a matter of public record.

A list of cases to be reconsidered may be obtained through written request: Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox, Building #3, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Senior Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Optometry** will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Monday, May 15, 2000, 11:45 a.m.

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, Florida, at Meet Me Number (850)488-5776

PURPOSE: To review cases previously reviewed by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)487-3052, at least 48 hour prior to the meeting. If you are hearing or speech impaired, please call the



Board using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The **Department of Health** announces a public meeting to which all persons are invited. The meeting will be held by telephone conference call at the following locations.

Marina Garcia Wood, Ft. Lauderdale, FL, (954)983-9666

Lucius Noyes, Palatka, FL, (904)325-7576

Arnold Barad, Boynton Beach, FL, (561)735-3300

Gene Motley, St. Augustine, FL, (904)829-5693

Leonard Inge, Tallahassee, FL, (850)599-3474

Juan Mora, Miami, FL, (954)924-2032

Helen Fong, Orlando, FL, (407)248-1826

Gail Smith, Apopka, FL, (407)886-8911

Michael Stamitoles, Pensacola, FL, (904)434-4990

Edwin Bayo, Att. Gen. Office, Tallahassee, FL, (850)414-3300

John Taylor, Dept. of Health, Tallahassee, FL, (850)488-6526

DATE AND TIME: May 15, 2000, 10:00 a.m. (EDT)

PURPOSE: To approve candidates for licensure and examination. Review any applicants with disciplinary action.

A copy of the agenda may be obtained by writing: Board of Pharmacy, 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 the Board of Pharmacy, Garnet Keller, (850)487-9833, at least five calendar prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting, he will need to ensure a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology** announces a conference call of the board to which all persons are invited:

DATE AND TIME: May 15, 2000, 8:00 a.m. or soon thereafter

PLACE: Nonsuncom (850)921-2591, Suncom 291-2591

PURPOSE: General business meeting and rules review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 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)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Correctional Medical Authority** announces a meeting to be held at Tallahassee, Florida to which all persons are invited: DATE AND TIME: May 19, 2000, 8:30 a.m. – 12:30 p.m.

PLACE: Department of Health, Conference Room 310A, E. Charlton Prather, MD Building, 2585 Merchant's Row Boulevard, Tallahassee, Florida 32399, (850)245-4044

PURPOSE: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Linda A. Keen, Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B-04, Tallahassee, FL 32399-1732, (850)245-4044.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Alcohol, Drug Abuse and Mental Health Program Office announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 11, 2000, 11:00 a.m. (Following HHSB meeting)

PLACE: Manatee County Library, Meeting Room, 1301 Barcarotta Blvd., Bradenton, FL 34205

PURPOSE: The department is seeking public input and information regarding the re-designation of the Baker Act receiving facilities in Hillsborough and Manatee Counties.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Department of Children and

Family Services, not later than five working days prior to the proceeding, at Alcohol, Drug Abuse and Mental Health, 4000 W. Dr. Martin Luther King Jr. Blvd., Tampa, Florida 33614. For further information contact: Millie Melendez, SC 512-6124.

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The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited. DATE AND TIME: May 16, 2000, 9:30 a.m. (EDT) PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida 34950 A copy of the agenda may be obtained by contacting: Pearlle Clark, HRAC Liaison, (561)467-4176.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a workshop and a meeting of the Manatee Technical Advisory Council and invites the public to attend. Workshop on Manatees and Underwater Acoustics DATE AND TIME: Monday, May 15, 2000, 1:00 p.m. – 5:00 p.m. Manatee Technical Advisory Council Meeting DATE AND TIME: Tuesday, May 16, 2000, 8:30 a.m. – 3:30 p.m. PLACE: Florida Marine Research Institute, Auditorium, 100 8th Avenue, S. E., St. Petersburg, Florida 32399-1600 A copy of the agenda may be obtained by writing: Paula Silas, 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 Paula Silas, (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.

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You are hereby notified that the **Advisory Council on Environmental Education** will meet on: DATE AND TIME: Thursday, May 18, 2000, 10:00 a.m. – completion of business PLACE: Sea World, 6295 Sea Harbor Drive, Orlando, Florida, Please call (850)487-0123, for specific room number PURPOSE: Selection of Grant Pre-proposals.

SPECIAL NOTE: If an accommodation is needed for a disability in order to participate in this activity, please notify staff, (850)487-0123, at least seven (7) days prior to the activity. If you are hearing or speech impaired, please contact staff by calling (850)488-9542 (TDD).

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The Florida **Fish and Wildlife Conservation Commission** announces the scheduling of a public hearing to which all interested parties are invited. The hearing will be held during the next regular meeting of the Commission, which is scheduled for the date and location given below: DATES AND TIME: Wednesday, May 24, 2000 through Friday, May 26, 2000, 8:30 a.m. – 5:30 p.m. PLACE: Holiday Inn, 7200 Plantation Road, Pensacola, Florida PURPOSE: To provide interested parties with an additional opportunity to comment on the proposed amendments to the Lee County manatee protection Rule 68C-22.005, FAC. for the Mullock Creek area that were published in the Florida Administrative Weekly on February 18, 2000. Please refer to the Commission's agenda for the specific day and time when this item will be addressed. Questions or comments about the hearing should be directed to: Mr. Scott Calleson, Environmental Specialist III, Florida Fish and Wildlife Conservation Commission, Bureau of Protected Species Management (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399, telephone (850)922-4330. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least seven days before the hearing by contacting Mr. Scott Calleson, (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.

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**FLORIDA TELECOMMUNICATIONS RELAY**

The **Florida Telecommunications Relay**, Inc. announces a regular meeting of the Board of Directors. DATE AND TIME: Monday, May 8, 2000, 10:00 a.m. PLACE: 1311A Paul Russell Road, Tallahassee, Florida PURPOSE: Regular meeting of the Board of Directors. A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1311B Paul Russell Road, Suite 101B, Tallahassee, FL 32301-4860. The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

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**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: May 10, 2000, 8:00 a.m.  
PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida  
PURPOSE: General Business Meeting.

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**FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION**

The **Florida Automobile Joint Underwriting Association** announces the following meetings to which all persons are invited:

Servicing Carrier Bid Conference  
DATE AND TIME: May 12, 2000, 1:00 p.m.  
PLACE: Orlando Airport Marriott Hotel, Orlando International Airport, Orlando, FL  
PURPOSE: Discussion between bidders, staff and counsel.

Investment Committee Meeting  
DATE AND TIME: May 31, 2000, 3:30 p.m.  
PLACE: Tampa Airport Marriott Hotel, Tampa International Airport, Tampa, FL  
PURPOSE: To receive the report of the Financial Advisor.

Board of Governors Meeting  
DATE AND TIME: June 1, 2000, 8:00 a.m.  
PLACE: Tampa Airport Marriott Hotel, Tampa International Airport, Tampa, FL  
PURPOSE: To award Servicing Carrier Contract; to receive reports of the Financial Advisor, Budget and Personnel Committee; and to consider other matters that may come before the Board.

Additional information may be obtained from: Lisa Blackwell Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308.

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The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Investment Committee to be held on:

DATE AND TIME: Monday, May 15, 2000, 6:00 p.m. (EDT)  
PLACE: The Hyatt Regency, Orlando International Airport, 9300 Airport Blvd., Orlando, FL, (407)825-1234  
PURPOSE: Items of discussion include, but are not limited to, year end investment results.  
For additional information, please call 1(800)807-7647, Extension 3761.

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The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Board of Governors to be held on:

DATE AND TIME: Tuesday, May 16, 2000, 8:00 a.m., EDT  
PLACE: The Hyatt Regency, Orlando International Airport, 9300 Airport Blvd., Orlando, FL, (407)825-1234

PURPOSE: Items of discussion include, but are not limited to, financial statements, systems administrator services and reinsurance.  
For additional information, please call 1(800)807-7647, Extension 3761.

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The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Service Company Committee to be held on:

DATE AND TIME: Thursday, June 8, 2000, 9:00 a.m. – 5:00 p.m.  
PLACE: Office of Jardine-MacNeill, Inc., 1300 Sawgrass Corporate Parkway, Sunrise, FL, Telephone 1(888)591-1288  
PURPOSE: Items of discussion will include, but are not limited to, Underwriting Manual Rule changes of 5/1/00, review of the agency Corrective Action Program, PMSC issues and keepout procedures.  
For additional information, please call 1(800)807-7647, Extension 3798.

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**PINELLAS WAGES COALITION**

The **Pinellas WAGES Coalition** announces the following meeting of the Bylaws Committee:

DATE AND TIME: Tuesday, May 16, 2000, 11:00 a.m.  
PLACE: Pinellas WAGES Coalition, 13770 58th Street, North, Suite 304, Clearwater, FL 33760  
PURPOSE: Regular meeting of the Bylaws Committee.  
ISSUES TO BE DISCUSSED: Review of Coalition Bylaws.  
Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Bylaws Committee with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision made at this meeting if the right to an appeal does not exist as a matter of law or policy.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (727)507-6197.

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NOTICE OF CHANGE – The **Pinellas WAGES Coalition** announces the following change in the following Services Committee meetings:

DATE AND TIME: Thursday, May 18, 2000, 8:30 a.m.

PLACE: Family Service Center, Board Room, 2960 Roosevelt Boulevard, Clearwater, FL

PURPOSE: Regular meeting of the Services Committee.

ISSUES TO BE DISCUSSED: Current and potential new programs/services to WAGES participants.

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Services Committee with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision made at this meeting if the right to an appeal does not exist as a matter of law or policy.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (727)507-6197.

**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 16, 2000, 1:30 p.m.

PLACE: Moffitt Research Center Auditorium, 13131 Magnolia Drive, Tampa, FL

PURPOSE: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Lori Payne by Friday, May 12, 2000.

**CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION**

The Region XV, Training Advisory Council of the Florida **Criminal Justice Standards and Training Commission** announces a public meeting to which all interested persons are invited:

DATE AND TIME: May 17, 2000, 8:30 a.m.

PLACE: Pat Thomas Law Enforcement Training Academy, U.S. Highway 90, 14 miles west, Tallahassee, Florida

PURPOSE: This is a regularly scheduled meeting of the Region XV, Training Advisory Council of the Florida Criminal Justice Standards and Training Commission. The primary business of the meeting will be to discuss training issues for fiscal year 2000/2001.

A copy of the agenda for the above meeting may be obtained by writing: Chief Jim Howell, Florida Highway Patrol Training Academy, 2908 Ridgeway Street, Tallahassee, Florida 32308.

The **Criminal Justice Training Standards and Training Commission**, Region VIII, Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 23, 2000, 2:00 p.m.

PLACE: Polk Community College, Winter Haven, FL

PRINCIPAL AGENDA ITEMS TO BE CONSIDERED:

1. Old Business.
- A. Review of Region VIII By-Laws.
2. Other Items from Members.

A copy of the agenda may be obtained by writing: Jeff Tebo, Chairman, Polk Co. Sheriff's Office, 455 N. Broadway Ave., Bartow, FL 33830.

**FLORIDA COMPREHENSIVE HEALTH ASSOCIATION**

NOTICE OF CHANGE – The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting change from May 18, 2000 to the following.

DATE AND TIME: Wednesday, May 17, 2000, 10:00 a.m.

PLACE: Pennington Law Firm, 215 S. Monroe Street, 2nd Floor, Tallahassee, FL 32301

PURPOSE: Board of Directors' Meeting.

A copy of the proposed agenda may be obtained by writing: Mr. Ryland B. Musick, Executive Director, Florida Comprehensive Health Association, 1210 E. Park Avenue, Tallahassee, Florida 32301, (850)309-1200 or by facsimile (850)309-1222.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**HEARTLAND WORKFORCE INVESTMENT BOARD**

The **Heartland Workforce Investment Board**, Inc. and **WAGES Coalition** (DeSoto, Hardee and Highlands Counties) announces a public meeting to which all persons are invited:

DATE AND TIME: May 17, 2000, 1:30 p.m.

PLACE: Hardee County Health Department, 115 K. D. Revell Road, Wauchula, Florida 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workforce Development issues including the Enterprise Florida/State Workforce Board Monitoring Report Summary with guest speaker Curtis Austin (President of the Jobs and Enterprise Partnership of Enterprise Florida), Committee Reports, Director's Report, Administrative Entity Update, WIA/WAGES Update, Pregnancy Prevention/Teen Parent Update, School-To-Work Update, WAGES Employment Creation Projects Update, One-Stop Update and Workforce & Employment Opportunities Update.

A copy of the agenda may be obtained by contacting: James Gose, HWIB/WAGES Director, 600 West College Drive, Building L, Room 241, Avon Park, Florida 33825, (863)453-6661, extension 7267.

**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority** (TRDA) announces a meeting of its Board of Directors to which all persons are invited to participate.

DATE AND TIME: May 17, 2000, 2:00 p.m.

PLACE: Technological Research and Development Authority, 5195 South Washington Avenue, Titusville, Florida 32780

PURPOSE: General Bimonthly Board Meeting.

A copy of the agenda may be obtained by contacting: Linda D. Lundy, TRDA Office Manager, (407)269-6330 or llundy@trda.org.

**FLORIDA CORRECTIONS COMMISSION**

The **Florida Corrections Commission** announces the following public meeting to which all interested persons are invited:

DATE AND TIME: Friday, May 19, 2000, 9:00 a.m. – 3:00 p.m.

PLACE: Department of Corrections, Room B-501, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

PURPOSE: The Commission will hold a meeting for the purposes of discussing issues to be included in the 2000 Annual Report.

A copy of the agenda may be obtained by writing: Mr. John Fuller, Executive Director, Florida Corrections Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 or call (850)413-9330.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Douglas Jackson. The Petitioner requested that the Department of Corrections amend Florida Administrative Code, Chapter 33 contending that rules relating to close management and discipline were impermissibly duplicitous and redundant. He further asserted that the rules should be amended to provide for full disciplinary hearings for close confinement in accordance with due process requirements as set forth in Wolff v. McDonnell, 418 U.S. 539 (1974).

The Department denied Inmate Jackson's Petition to Initiate Rulemaking finding that close management and discipline are not the same and are not redundant; rather, they are separate concepts, serving separate goals. They are also authorized by separate legislative provision and are codified in distinct administrative rules.

The Department also denied the request to amend the rules pertaining to close management to provide for the full panoply of due process rights at issue in Wolff. The holding in that case dealt with forfeiture of gain time as a result of disciplinary hearings. As previously found, close management and discipline are not the same thing. Furthermore, the Wolff Court recognized that the consideration of what procedures due process may require under any given set of facts turns on a determination of the precise nature of the government function involved, as well as, the private interest effected by the government action. The governmental interest in this case, the safe and orderly function of the corrections system, clearly outweighs the interests of inmates in close management, particularly where, as here, the Petitioner does not assert he is subject to close management or disciplinary proceedings in close management and thus has standing to complain. In any event, the rules pertaining to close management do satisfy minimum due process requirements for offenders. Amendment of the rules is unnecessary.

A copy of the Order may be obtained from: Giselle Lysten Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Douglas Jackson. The Petitioner requested that the Department of Corrections amend Florida Administrative Code, Chapter 33, contending that rules relating to close management and discipline were impermissibly duplicitous and redundant.

The Department denied Inmate Jackson's Petition to Initiate Rulemaking, noting that it presented the same issue raised in a second Petition. With regard to the merits, the Department found that close management and discipline are not the same thing and are not redundant; rather, they are separate concepts, serving separate goals. They are also authorized by separate legislative provision and are codified in distinct administrative rules.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Richard Adamson. The Petitioner requested that the Department of Corrections amend Rule 33-501.301(1)(i),(2) and (3) to permit inmate law clerks to sign legal pleadings prepared by them on behalf of pro se inmates. The Petitioner also requested that the Department petition the Florida Bar Association to permit this practice.

The Department denied Inmate Adamson's Petition to Initiate Rulemaking finding that his request to permit inmate law clerks to sign pleadings on behalf of pro se inmates would violate rules of the Florida Bar prohibiting unauthorized practice of law. The Department further found that it was not the function of the Department to lobby the Florida Bar Association for the purpose of obtaining rule changes on behalf of inmates.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on April 17, 2000 from Tracie Lynn Soberon. Petitioner is a prisoner seeking amendment of Rule 33-601.310.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Mark Osterback. The Petitioner requested that the Department of Corrections amend Rule 33-601.706(1), Florida Administrative Code, asserting that amendment of the rule was necessary to clarify intent with regard to the addition of visitors to the approved visitor list.

The Department denied Inmate Osterback's Petition to Initiate Rulemaking, noting that the complaint presented is moot, in that both the Rule and Department procedure are undergoing revisions which will address the number of permitted visitors, as well as, additions and deletion to the approved visitor list.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement in In Re: Petition for Declaratory Statement, David H. Greef, Hideaway Country Club Property Owners' Association, Inc., Petitioner; Docket Number CD2000-005.

The petition was denied on the basis that the Division has no authority to interpret ambiguous provisions of a condominium declaration and then enforce its interpretation.

A copy of the final order may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement in In Re: Petition for Declaratory Statement, Robert Nied, Unit Owner and Board Member, Seaplace at Atlantic Beach Condominium Association, Inc., Petitioner; Docket Number 2000-006.

The declaratory statement provided, in summary, that Section 718.112(2)(f)2. and Rule 61B-22.003(1)(f), would allow an association to include in the budget reserve schedule a separate line item for general deferred maintenance and capital expenditures so long as the use for which the funds are intended is restricted and the restrictions as to use is disclosed as well as the balance in the fund at the beginning of the budget period. For non-designated, general or contingent items for which the use of the funds is not restricted, Rule 61B-22.003(2), Florida Administrative Code, requires that they be placed in the operating budget, as opposed to the reserve schedule.

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

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:

Blue Cross and Blue Shield of Florida, Inc. vs. Department of Insurance; Rule No.: 4-149.101; Case No.: 00-1599RP

Friends of Lake Jesup vs. St. Johns River Water Management District; Rule No.: 40C-4; Case No.: 00-1230 RP

Ronald A. Grimaldi vs. Florida State Boxing Commission; Rule No.: 61K1-1.0011(3)(c) and (g); Case No.: 00-1600RX

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Bink F. Williams vs. Department of Health; Rule No.: 64E-19; Case No.: 00-0364RP; Denied

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Request for Applications for Available Funding
The Florida Department of Education, Division of Workforce Development announces the availability of instructions and forms for preparing applications for funding for fiscal year 2001, effective dates July 1, 2000 to June 30, 2001, under the Adult Education and Family Literacy Act of 1998 (Public Law 105-220).

- Book I – Continuation Projects, May 31, 2000, 5:00 p.m., EST
Book II – New Projects, June 30, 2000, 5:00 p.m., EST

The Quick Response Family Literacy Projects are due May 1, 2000. The effective dates are May 1, 2000 to September 30, 2000.

Eligible recipients will be provided direct and equitable access to these funds based on competitive applications. All federally funded projects must comply with the Steven’s Amendment of the Department of Defense Appropriation Act (Section 8136).

Mail applications to:

Jerry Barnett, Director
Division of Financial Services
Grants Management and Development Section
325 West Gaines Street, Room 730
Tallahassee, FL 32399-0400

For application instructions and forms:

- Internet – http://www.firn.edu/doe/bin00051
Hardcopy or formats for the disabled, telephone 1(800)342-9271

NOTICE TO CONSTRUCTION MANAGERS

Florida Gulf Coast University, on behalf of the State of Florida, Board of Regents announces that Construction Management Services will be required for the project listed below:

Project No. BR-1021, Project and Location: Teaching Gym, Florida Gulf Coast University, Ft. Myers, Florida.

The proposed Teaching Gym will be the first building for physical education, recreation, intramural and inter-collegiate use. The building will include classrooms, offices, gym, physical activity space and multiple locker/shower type of space required to accommodate the growth of Florida Gulf Coast University. The project will utilize the Construction Management Delivery method. The selected firm will provide design, construction documents and administration for the referenced project. The selected firm will be required to prepare all construction documents in AutoCAD Format. The estimated construction cost is approximately \$9,606,000.

The contract for construction management services shall consist of two phases. Phase one of the contract is for pre-construction services for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analysis, development of a cost model, estimating and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, may be implemented. In phase two of the contract, the construction

manager shall become the single point of responsibility for performance of the construction contract for the project and shall publicly bid trade contracts, ensuring the inclusion of 30% Minority Business Enterprises (MBEs). 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 interview will be made on the basis of construction manager's 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; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements.

Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's 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 Board of Regents "Construction Manager Qualifications Supplement". Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages should be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal information 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, F.S., 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 Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Mr. Jack Fenwick, Director of Facilities

Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565, Phone (941)590-1500 Fax (941)590-1505

Five (5) bound copies of the required proposal data shall be submitted to: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565.

Submittals must be received in the Facilities Planning Office by 2:00 p.m. local time on June 5, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University, on behalf of the State of Florida, Board of Regents announces that professional services for minor projects are required in the following disciplines(s):

Architecture and Engineering

Project and Location: Florida Gulf Coast University, Fort Myers, Florida

Minor projects are specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service Contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1 – June 30.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attached to each letter of application:

1. A completed Board of Regents "Professional Qualification Supplement", February 1999. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit Five copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, will not be considered. Application information will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.017, Florida Statutes, a consultant may not submit a proposal for this project, if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant



in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information and selection criteria may be obtained by contacting: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565, Phone (941)590-1500, Fax (941)590-1505

Submittals must be received in the Facilities Planning Office by 3:00 p.m. local time on June 5, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

Notice of Cancellation

The Duval County School Board announces that the advertisement for Bid Project Title: Repipe Domestic and Sanitary Waterline and Upgrade Restrooms and Classroom Sink at Southside Estates Elementary School No. 76, DCSB Project No. M-86630 published in the April 28, 2000 issue has been cancelled.

ADVERTISEMENT FOR BIDS

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

PROJECT TITLE: Power System Upgrades at Various Schools

BID NUMBER: Project No. M-86860

SCOPE OF WORK: Power System Upgrades at Five Schools

BIDS: Bids will be received until 2:00 p.m., Tuesday, June 6, 2000, and immediately thereafter publicly opened, read aloud and recorded in the 1st Floor, Conference Room, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207.

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 23, 2000, 1:30 p.m. local time at Spring Park Elementary School No. 72, 2250 Spring Park Rd., Jacksonville, Florida 32207-3638.

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 contractors and registered corporations, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of Haddad Engineering, Inc., 2955 Hartley Road, Suite 205, Jacksonville, Florida 32257 Attention: Namir Haddad, (904)262-5066 DCSB Point of Contact: John McKean, (904)381-3884

Contract documents for bidding may be examined at Division of Purchasing Services, Duval County Public Schools; F. W. Dodge McGraw Hill Plan Room Construction Bulletin

Construction Market Data, Inc. Business Service Center

MBE

PARTICIPATION: A MINIMUM OF 15% PERCENT OVERALL MINORITY BUSINESS ENTERPRISE PARTICIPATION REQUIRED.

ADVERTISEMENT FOR BIDS

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

PROJECT TITLE: Renovation of all Restrooms at Dinsmore Elementary School No. 45

BID NUMBER: Project No. M-86330

SCOPE OF WORK: Replace all Domestic Water Piping from Meter into Buildings. Replace Plumbing Fixtures and Toilet Partitions.

BIDS: Bids will be received until 2:00 p.m., Tuesday, June 6, 2000, and immediately thereafter publicly opened, read aloud and recorded in the 1st Floor, Conference Room, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207.

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 24, 2000, 10:00 a.m. local time at Dinsmore Elementary School No. 45, 7126 Civic Club Road, Jacksonville, Florida 32219-2004

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 contractors and registered corporations, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of M. V. Cummings Engineering, 6501 Arlington Expressway, Jacksonville, Florida 32211

Attention: Sully Fontaine, (904)724-0660  
DCSB Point of Contact: John McKean, (904)381-3884

Contract documents for bidding may be examined at Division of Purchasing Services, Duval County Public Schools;

F. W. Dodge McGraw Hill Plan Room  
Construction Bulletin

Construction Market Data, Inc.

Business Service Center

**MBE**

**PARTICIPATION: A MINIMUM OF 10% PERCENT OVERALL MINORITY BUSINESS ENTERPRISE PARTICIPATION REQUIRED.**

**INVITATION TO BID**

Sealed bids will be received by the Columbia County Schools, Purchasing Department, 528 W. Duval Street, Lake City, Florida 32055 until 2:00 p.m. on May 23, 2000, for the following:

Bid Number: 2918

Title: Bid for Pizza, SFS

Detailed specifications may be obtained from the Purchasing Department at the above address or by calling (904)755-8030 or Fax (904)755-8077. The School Board reserves the right to reject any and all bids. This bid shall be for pizza delivered to three (3) schools on a daily basis throughout the 2000-01 school year. Estimated annual purchases are \$65,000-\$70,000.

**INVITATION TO BID**

**SCHOOL DISTRICT OF DESOTO COUNTY**

The Purchasing Office will receive Competitive sealed bids until the time and date show for the following:

Proposal Due Date and Time: May 29, 2000, 2:00 p.m.

Proposal Opening Date and Time: May 30, 2000, 11:00 a.m.

Bid Number: Heartland Purchasing Consortium SBDC 9900-4

Bid Title: "Milk Products"

Bid blanks, conditions and specifications may be obtained from: School District of DeSoto County, Purchasing Office, 530 LaSolona Ave., Arcadia, Florida 34266, Telephone (863)494-4222, Ext. 122.

We reserve the right to reject any or all bids. No facsimile or telegraphic submissions will be accepted.

**INVITATION TO BID**

**SCHOOL DISTRICT OF DESOTO COUNTY**

The Purchasing Office will receive Competitive sealed bids until the time and date show for the following:

Proposal Opening Date and Time: May 30, 2000, 2:00 p.m.

Bid Number: Heartland Purchasing Consortium SBDC 9900-5

Bid Title: "Bakery Products"

Bid blanks, conditions and specifications may be obtained from: School District of DeSoto County, Purchasing Office, 530 LaSolona Ave., Arcadia, Florida 34266, Telephone (863)494-4222, Ext. 122.

We reserve the right to reject any or all bids. No facsimile or telegraphic submissions will be accepted.

**REGIONAL TRANSPORTATION AUTHORITIES**

**TRI-COUNTY COMMUTER RAIL AUTHORITY**

**REQUEST FOR PROPOSAL NO. 99-174**

**STATION AND FACILITY MAINTENANCE**

Tri-County Commuter Rail Authority (Tri-Rail), an agency of the State of Florida, operates a 71 mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward and Palm Beach Counties.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a qualified Contractor to provide janitorial and maintenance services at commuter rail stations, facilities and parking areas operated by Tri-Rail. The services required will include daily janitorial services, trash removal and disposal, landscaping, pest control and other duties as assigned. The contract term shall be for three years with Tri-Rail's sole option to renew for up to two additional one year periods.

A REQUEST FOR DOCUMENTS should be directed to Mr. Robert Becker, Tri-Rail, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is Twenty-five Dollars (\$25.00) non-refundable. Checks or money orders made payable to Tri-Rail should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about May 8, 2000.

A PRE-PROPOSAL CONFERENCE will be held in the Tri-Rail Board Room at the address above on May 16, 2000 at 2:00 p.m. The purpose of the meeting will be for Tri-Rail to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received in a sealed envelope no later than 5:00 p.m. on June 9, 2000 at the Tri-Rail office in Pompano Beach.

Tri-Rail reserves the right to postpone, to accept or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals must remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

**DBE PARTICIPATION:** Tri-Rail solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination. Tri-Rail's DBE program goal is 12% of total contract expenditures.

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## DEPARTMENT OF MANAGEMENT SERVICES

### ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR BUILDING CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: AG 99003000

SAMAS CODE: 42 30 1 000712 42110000 00 083679 99

PROJECT NAME & LOCATION: JACKSONVILLE DISTRICT HEADQUARTERS FACILITY, PHASE II, NASSAU COUNTY, FL

FOR: STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES, DIVISION OF FORESTRY

**MINORITY PROGRAM:** An MBE participation goal has been established for this project. The Bidder is required to meet or exceed MBE participation goals or make a good faith effort to contract with certified Minority Business Enterprises. The Bidder is advised to review the contract documents immediately in order to schedule the necessary tasks to accomplish good faith efforts. A pre-bid meeting will be held for all interested MBE's certified by the Minority Business Advocacy and Assistance Office on:

**DATE AND TIME:** Thursday, May 11, 2000, 10:00 a.m., local time

**PLACE:** Conference Room, Jacksonville District Headquarters Facility, U.S. Highway 301, North, and Big Oak Road, Nassau County, FL. All Prime Bidders interested in bidding on this project are encouraged to attend and address subcontracting opportunities for MBE's.

**PREQUALIFICATION:** Each bidder whose field is governed by Chapter 399, 455, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Owner for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233, for information on prequalification with the Department of Management Services. After the bid opening, the low bidder must qualify in

accordance with Chapter 60D-5.004. A copy of the requirements is included in the Instruction To Bidders under Article B-2 "Bidder Qualification Requirements and Procedures."

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**PERFORMANCE BOND AND LABOR & MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor & Material Payment Bond are not required.

Sealed bids will be received, publicly opened and read aloud on:

**DATE AND TIME:** Tuesday, June 6, 2000, until 10:00 a.m. local time

**PLACE:** Conference Room, Jacksonville District Headquarters Facility, U.S. Highway 301, North, and Big Oak Road, Nassau County, FL

**PROPOSAL:** Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

**ARCHITECT-ENGINEER:** T. C. Skinner & Associates, Inc., 211 S. W. 4th Avenue, Suite 3, Gainesville, FL 32601-6520

**TELEPHONE:** (352)378-4400

**CONTRACT AWARD:** The Bid Tabulation and Notice of Award Recommendation will be posted at 4:00 p.m. local time on Tuesday, June 6, 2000 at the location where the bids were opened. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States Mail, Return Receipt Requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures," the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**INVITATION TO BID**

Competitive sealed invitation to bid will be received by the Purchasing Office until the time and date shown for the following:

DATE: May 22, 2000, 2:00 p.m.

BID NO.: FWC 99/00-78

BID TITLE: PROFESSIONAL SERVICES FOR ENGINEERING

The FL Fish and Wildlife Conservation Commission announces that professional services are required for the evaluation of water and waste treatment system, structures and electrical system at the Fisheating Creek Campgrounds. Applications are to be sent to: Barbie Levins, Rm. 364, 620 S. Meridian Street, Tallahassee, FL 32399-1600.

Project Number: FWC 99/00-78

Project Name: Evaluation of Infrastructure at Fisheating Creek Wildlife Management Area Campgrounds.

Project Location: Glades County, near the town of Palmdale.

Project Coordinator for the Commission: Jimmy Conner

Project Coordinator Phone: (941)648-3205

Response Due Date: May 22, 2000, 2:00 p.m., local time

The Shortlist Selection is currently scheduled for May 29, 2000

The results of this selection will be posted at: Purchasing, Rm. 364, 620 S. Meridian Street, Tallahassee, FL 32399-1600 during regular working hours.

**INSTRUCTIONS**

Submit three copies of the following:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's ability to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form
3. A copy of the firm's current Florida Professional Registration License Renewal.
4. For Corporations only: if the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF 255.

Please provide one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work and references with phone numbers are requested to be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be

considered. All information received will be maintained with the project file and will not be returned. Selections shall be made in accordance with Chapter 287.055, Florida Statutes.

Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm.

**Evaluation Project**

There are approximately 40 campsites with water and electric on each site in the first campground. An office-store, recreation hall, bathroom-shower, water treatment system, a waste treatment system.

A second campground has approximately 45 campsites with water, electric and sewer hookups. There is an office and a bath-shower building. These facilities were supported by the original water and waste treatment facilities.

1. Water System Evaluation = Well, Pump and Water Treatment Equipment, Water Distribution System
2. Waste Treatment System Evaluation = Collection System
3. Lift Pumps Evaluation
4. Waste Treatment Plant Pumps, Pond and Related Equipment Evaluation
5. Buildings Evaluation
6. Electrical System
7. Permits

**PROPOSAL:** Proposals must be submitted in full accordance with requirements of the Bidding and Contractual Conditions. Bid specifications may be obtained from the Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Purchasing Room 364, Bryant Building, Tallahassee, Florida 32399-1600.

A copy of the ITB may be obtained from the above address or by calling (850)488-3427. The Commission reserves the right to reject any and all bid/proposals.

PRO 2-1

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Engineering firms or individuals desiring to render Professional Services for the following project at Tampa International Airport, Tampa, Florida:

**SECURITY ACCESS CONTROL SYSTEM**

**REPLACEMENT STUDY AND RELATED WORK**

Services to be furnished shall include, but not be limited to, a study and survey of the existing security access control system (ACS) and closed circuit television (CCTV) system. The study shall be performed on the existing condition of each system and recommendations made regarding options for the replacement and/or upgrade of all related hardware and

software. The selected consultant shall also furnish all necessary design services related to fiber optic, electronic and electrical systems required for a new or upgraded ACS and CCTV system. Assistance will be required during the advertising, bid and award phase with basic construction services required during construction. A more detailed scope of services will be included in the formal request for proposals. Qualified Consultants desiring consideration for this Project must give written notification in the form of a Letter of Interest to:

William J. Connors, Jr.  
Senior Director of Planning and Design  
Hillsborough County Aviation Authority  
Post Office Box 22287  
Tampa, Florida 33622

Interested parties may inquire as to project description, details, and required data submissions, to William J. Connors Jr., Senior Director of Planning and Design, telephone number (813)870-8704. ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR PROPOSALS IS REQUIRED AT THIS TIME. Subsequent to receiving Letters of Interest, a Request for Proposals will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Proposal Conference will be held on Thursday, June 1, 2000, 2:00 p.m., Local Time, at the offices of Hillsborough County Aviation Authority located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport. Details of this conference will be included in the Request for Proposals.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Wednesday, May 17, 2000.

HILLSBOROUGH COUNTY AVATION AUTHORITY  
By: /s/ Louis E. Miller  
Louis E. Miller, Executive Director

**NOTICE TO AUTOMATED GUIDEWAY TRANSIT  
(AGT) SYSTEM MANUFACTURERS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from AGT manufacturers desiring to render Design / Build Services for the following project at Tampa International Airport, Tampa, Florida:

**REPLACEMENT OF THE AIRSIDE "E"  
SHUTTLE (AGT) SYSTEM**

Services to be furnished shall include, but not be limited to, design and construction of an Automated Guideway Transit System including vehicles, station equipment, power distribution equipment, automatic train control equipment and on board public address system. Services shall also include demolition and reconstruction of guideway and emergency

walkway, structural modifications, running surface modifications, guideway equipment and end of track buffers. Services also include design and installation of station doors and modification of existing landside station to accommodate the shuttle system. A more detailed scope of services will be included in the formal request for proposals.

Manufacturers desiring consideration for this project must meet certain criteria, which includes but is not limited to the following:

1. Have designed and built a similar system that has been in continuous revenue service for the past five years.
2. System must be capable of transporting a minimum of 7,000 to 8,000 passengers per hour per direction.
3. System must be completely automated and allow for stationary platform to stationary platform boarding.
4. System shall be approximately 800 feet of dual lane shuttle system.
5. Manufacturer shall enter into a five-year maintenance contract.

Anticipate November 2000 contract and November 2002 for complete system in revenue service.

Qualified manufacturers desiring consideration for this Project must give written notification in the form of a Letter of Interest to:

William J. Connors, Jr.  
Senior Director of Planning and Design  
Hillsborough County Aviation Authority  
Post Office Box 22287  
Tampa, Florida 33622

Interested parties may inquire as to project description, details and required data submissions to William J. Connors, Jr., Senior Director of Planning and Design, telephone number (813)870-8704. ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR PROPOSALS IS REQUIRED AT THIS TIME. Subsequent to receiving Letters of Interest, a Request for Proposals will be sent to all respondents and adequate response time set forth in that package.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Friday, May 26, 2000.

HILLSBOROUGH COUNTY AVIATION AUTHORITY  
By: /s/ Louis E. Miller  
Louis E. Miller, Executive Director

**Section XII  
Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notices. Comments may be submitted

to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., May 26, 2000):

**EXPANDED FIELD OF MEMBERSHIP**

Name and Address of Applicant: Knight/Ridder Miami Herald Credit Union, One Herald Plaza, Miami, Florida 33132

Expansion Includes: Employer and employees of the following companies: Club Med who work in or are paid from Coral Gables, Florida; MBA Business Corporation who work in or are paid from Ft. Lauderdale, Florida; ER Business Corporation DBA HR Network who work in or are paid from Ft. Lauderdale, Florida; Holiday Inn who work in or are paid from Plantation, Florida; Contemporary Services Company who work in or are paid from Pembroke Pines, Florida.

Received: April 20, 2000

Name and Address of Applicant: Coast to Coast Credit Union, 8916 Sabal Industrial Blvd., Tampa, Florida 33619-1326

Expansion Includes: Employees, agents or members of their immediate family and organizations or associations of Partners for Children and Family Services.

Received: April 24, 2000

**DEPARTMENT OF INSURANCE**

**NOTICE OF EMERGENCY ORDER**

The Treasurer and Insurance Commissioner on April 6, 2000, ordered the restriction on David Howard Smith's participation in the affairs of Allied Specialty Insurance and licensees of the Department.

A copy of the Emergency Order may be obtained by contacting: John L. Brennan, Esquire, Department of Insurance, Division of Legal Services, 612 Larson Building, Tallahassee, Florida 32399-0333, (850)922-3110, Extension 4142.

**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, Freightliner Truck Company, intends to allow the establishment of Freightliner Trucks of South Florida, Inc., as a dealership for

the sale of class 6, 7 and 8 Freightliner trucks, at 2840 Center Port Circle (Broward County), Florida 33064, on or after June 15, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Freightliner Trucks of South Florida, Inc. are: dealer operator: Mark Peretti and Kenneth Soltesz, 17151 N. W. 7th Ave. Ext., Miami, Florida 33269-4220; principal investor(s): Mark Peretti and Kenneth Soltesz, 17151 N. W. 7th Ave. Ext., Miami, Florida 33269-4220.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Chuck Thomas, Dealer Operations Manager, Southeast Region, 3025 Evergreen Drive, #150, Duluth, GA 30096-2317.

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, Saab Cars USA, Inc. (SAAB) intends to allow the establishment of The Irving Corporation d/b/a/ City Saab of Jacksonville as a dealership for the sale of Saab cars at 10585 Atlantic Blvd., Jacksonville (Duval County), Florida 32225 on or after May 11, 2000.

The name and address of the dealer operator(s) and principal investor(s) of The Irving Corporation d/b/a City Saab of Jacksonville are: dealer operator: John J. Galeani, 108 Sea Island Lk. Ct., Ponte Verda Beach, Florida 32082; principal investor(s): William Bresnan, 215 Byram Shore Road, Greenwich, CT 06830

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Brenda Martin, Market Representation Coordinator, Saab Cars USA, Inc., 4405-A International Blvd., Norcross, GA 30093.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**Notice of Publication for a New Point**

**Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation (ASMC), intends to allow the establishment of Sappenfield Motors, Inc. d/b/a Moore's University Suzuki as a dealership for the sale of Suzuki Motor Vehicle Products, at 4025 North Main Street, Gainesville (Alachua County), Florida 32609, on or after April 30, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Sappenfield Motors, Inc. d/b/a Moore's University Suzuki are: dealer operator: Thomas D. Sappenfield, 10608 Misty Hill Road, Orlando Park, IL 60462; principal investor(s): Thomas D. Sappenfield, 10608 Misty Hill Road, Orlando Park, IL 60462.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Alexander J. Larkin, National Dealer Development Manager, American Suzuki Motor Corporation, 3251 E. Imperial Highway, P. O. Box 1100, Brea, CA 92822-1100.

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: Pasco  | District: 5           |
| ID #: 0000143  | Issue Date: 4/13/2000 |
| Facility/Project: East Pasco Medical Center  |                       |
| Applicant: Adventist Health System/Sunbelt, Inc.                                     |                       |
| Project Description: Renovate existing space into a Histology Lab                    |                       |
| Proposed Project Cost: \$100,000   | Equipment Cost:       |
| County: Collier  | District: 8           |
| ID #: 0000144  | Issue Date: 4/13/2000 |
| Facility/Project: Bentley Care Center  |                       |
| Applicant: CC-Naples, Inc.   |                       |
| Project Description: Renovate six rooms on the third floor                           |                       |
| Proposed Project Cost: \$60,000  | Equipment Cost:       |
| County: Hillsborough   | District: 6           |
| ID #: 0000146  | Issue Date: 4/13/2000 |
| Facility/Project: St. Joseph's Women's Hospital                                      |                       |
| Applicant: St. Joseph's Hospital, Inc.   |                       |
| Project Description: Renovations on the first floor of the hospital                  |                       |
| Proposed Project Cost: \$1,600,000   | Equipment Cost:       |
| County: Osceola  | District: 7           |
| ID #: 0000147  | Issue Date: 4/13/2000 |
| Facility/Project: Ocala Regional Medical Center                                      |                       |
| Applicant: Osceola Regional Hospital, Inc.   |                       |
| Project Description: Upgrade an existing operating suite to accommodate neurosurgery |                       |
| Proposed Project Cost: \$2,210,000   | Equipment Cost:       |
| County: Dade   | District: 11          |
| ID #: 0000149  | Issue Date: 4/13/2000 |
| Facility/Project: Aventura Hospital and Medical Center                               |                       |
| Applicant: Miami Beach Healthcare Group, Ltd.  |                       |
| Project Description: Add a second cardiac catheterization lab                        |                       |

Proposed Project Cost: \$2,500,000      Equipment Cost:  
 County: Palm Beach                      District: 9  
 ID #: 9900483A                              Issue Date: 4/13/2000  
 Facility/Project: Glades General Hospital  
 Applicant: PHC-Belle Glade, Inc.  
 Project Description: Establish an adult outpatient diagnostic  
 cardiac catheterization program  
 Proposed Project Cost: \$500,000      Equipment Cost:  
 AHCA Purchase Order Number S5900H00396.

CERTIFICATE OF NEED  
 NOTICE OF WITHDRAWAL

The Agency For Health Care Administration hereby  
 notices withdrawal from review the following Certificate of  
 Need applications:

County: Okaloosa                              Service District: 1  
 CON #: 9289    Decision Date: 4/17/2000    Decision: W  
 Facility/Project: Fort Walton Beach Medical Center  
 Applicant: Fort Walton Beach Medical Center, Inc.  
 Project Description: Establish an adult open heart surgery  
 program  
 County: Hernando                              Service District: 3  
 CON #: 9294    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: HEALTHSOUTH of Spring Hill  
 Applicant: HEALTHSOUTH of Spring Hill, Inc.  
 Project Description: Construct up to a 60 bed freestanding  
 comprehensive medical rehabilitation hospital  
 County: Duval                                      Service District: 4  
 CON #: 9307    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Shands Jacksonville Medical Center  
 Applicant: Shands Jacksonville Medical Center, Inc.  
 Project Description: Establish up to a 28 bed Level II NICU  
 through the addition of beds, conversion of Level III NICU  
 beds and/or the conversion of medical/surgical beds  
 County: Hillsborough                              Service District: 6  
 CON #: 9312    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Comprehensive Senior Care, LLC

Applicant: Comprehensive Senior Care, LLC  
 Project Description: Establish a Medicare certified home  
 health agency  
 County: Hillsborough                              Service District: 6  
 CON #: 9313    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Oasis Home Care of Florida, Inc.  
 Applicant: Oasis Home Care of Florida, Inc.  
 Project Description: Establish a Medicare certified home  
 health agency  
 County: Orange                                      Service District: 7  
 CON #: 9316    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Oasis Home Care of Florida, Inc.  
 Applicant: Oasis Home Care of Florida, Inc.  
 Project Description: Establish a Medicare certified home  
 health agency  
 County: Orange                                      Service District: 7  
 CON #: 9317    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Comprehensive Senior Care, LLC  
 Applicant: Comprehensive Senior Care, LLC  
 Project Description: Establish a Medicare certified home  
 health agency  
 County: Lee    Service District: 8  
 CON #: 9321    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Oasis Home Care of Florida, Inc.  
 Applicant: Oasis Home Care of Florida, Inc.  
 Project Description: Establish a Medicare certified home  
 health agency  
 County: Lee    Service District: 8  
 CON #: 9322    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Comprehensive Senior Care, LLC  
 Applicant: Comprehensive Senior Care, LLC  
 Project Description: Establish a Medicare certified home  
 health agency  
 County: Palm Beach                                      Service District: 9  
 CON #: 9324    Decision Date: 4/19/2000    Decision: W  
 Facility/Project: Wellington Regional Medical Center  
 Applicant: Wellington Regional Medical Center, Inc.



Project Description: Add up to 16 acute care beds through the conversion of up to 16 substance abuse beds

County: Palm Beach Service District: 9  
CON #: 9325 Decision Date: 4/19/2000 Decision: W  
Facility/Project: Comprehensive Senior Care, LLC  
Applicant: Comprehensive Senior Care, LLC

Project Description: Establish a Medicare certified home health agency

County: Palm Beach Service District: 9  
CON #: 9328 Decision Date: Decision: W  
Facility/Project: Elite Caregivers, Inc.  
Applicant: Elite Caregivers, Inc.

Project Description: Establish a Medicare certified home health agency

County: Broward Service District: 10  
CON #: 9331 Decision Date: 4/19/2000 Decision: W  
Facility/Project: Comprehensive Senior Care, LLC  
Applicant: Comprehensive Senior Care, LLC

Project Description: Establish a Medicare certified home health agency

County: Broward Service District: 10  
CON #: 9332 Decision Date: 4/19/2000 Decision: W  
Facility/Project: Millennium Home Care of Southeast Florida  
Applicant: FirstChoice Health Care Services, Inc.

Project Description: Establish a Medicare certified home health agency

County: Dade Service District: 11  
CON #: 9335 Decision Date: 4/19/2000 Decision: W  
Facility/Project: HealthSouth Rehabilitation Hospital of Miami  
Applicant: HealthSouth Rehabilitation Corporation

Project Description: Add up to 10 comprehensive medical rehabilitation beds

County: Dade Service District: 11  
CON #: 9336 Decision Date: 4/19/2000 Decision: W  
Facility/Project: Oasis Home Care of Florida, Inc.  
Applicant: Oasis Home Care of Florida, Inc.

Project Description: Establish a Medicare certified home health agency

County: Dade Service District: 11  
CON #: 9341 Decision Date: 4/19/2000 Decision: W  
Facility/Project: Aventura Hospital and Medical Center  
Applicant: Miami Beach Healthcare Group, Ltd.

Project Description: Establish an adult open heart surgery program

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900H0396.

CERTIFICATE OF NEED

RECEIPT OF EXPEDITED APPLICATIONS

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:

County: Escambia Service District: 1  
Facility/Project: Fort Walton Beach Medical Center, Inc. and West Florida Regional Medical Center Inc. Shared Adult Open Heart Surgery Program

Applicant: West Florida RMC, Inc. & Ft. Walton Beach MC, Inc.

Project Description: Establish a shared adult open heart surgery program between Fort Walton Beach Medical Center, Inc. and West Florida Regional Medical Center Inc.

AHCA Purchase Order Number S5900H0396.

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**DEPARTMENT OF HEALTH**

On April 10, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jose E. Sanchez-Arguello, M.D., license number ME 0034751. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(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.

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On April 20, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION ORDER with regard to the license of Anthony Laquidara RN, License number 2894402. Anthony Laquidara's last known address is 1215 Wolfe St., Jacksonville, FL 32205. 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 455.621(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.

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN April 17, 2000  
 and April 21, 2000**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Investor Protection**

3E-301.002	4/17/00	5/7/00	26/11	
3E-500.010	4/20/00	5/10/00	26/11	
3E-600.001	4/20/00	5/10/00	26/11	
3E-600.002	4/20/00	5/10/00	26/11	
3E-600.007	4/20/00	5/10/00	26/11	
3E-600.008	4/20/00	5/10/00	26/11	
3E-600.019	4/20/00	5/10/00	26/11	

**DEPARTMENT OF EDUCATION**

**Florida International University**

6C8-1.002	4/20/00	5/10/00	Newspaper	
6C8-1.003	4/20/00	5/10/00	Newspaper	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
6C8-1.004	4/20/00	5/10/00	Newspaper	
6C8-1.006	4/20/00	5/10/00	Newspaper	
6C8-1.007	4/20/00	5/10/00	Newspaper	
6C8-1.008	4/20/00	5/10/00	Newspaper	
6C8-2.001	4/20/00	5/10/00	Newspaper	
6C8-2.002	4/20/00	5/10/00	Newspaper	
6C8-2.003	4/20/00	5/10/00	Newspaper	
6C8-2.004	4/20/00	5/10/00	Newspaper	
6C8-3.019	4/20/00	5/10/00	Newspaper	
6C8-5.004	4/20/00	5/10/00	Newspaper	
6C8-5.005	4/20/00	5/10/00	Newspaper	

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

9B-63.001	4/19/00	5/9/00	26/4	
9B-64.001	4/19/00	5/9/00	26/4	
9B-64.002	4/19/00	5/9/00	26/4	
9B-66.001	4/19/00	5/9/00	26/4	
9B-66.002	4/19/00	5/9/00	26/4	
9B-66.003	4/19/00	5/9/00	26/4	
9B-66.004	4/19/00	5/9/00	26/4	
9B-66.005	4/19/00	5/9/00	26/4	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF CORRECTIONS**

33-203.201	4/17/00	5/7/00	26/1	26/10
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**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid Program Office**

59G-4.110	4/17/00	5/7/00	26/7	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Professional Engineers**

61G15-24.001	4/18/00	5/8/00	26/10	
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**Board of Veterinary Medicine**

61G18-12.006	4/18/00	5/8/00	26/10	
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**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

64B1-2.001	4/18/00	5/8/00	26/9	
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64B1-2.010	4/18/00	5/8/00	26/9	
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64B1-2.014	4/18/00	5/8/00	26/9	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Board of Nursing**

64B9-8.006	4/18/00	5/8/00	26/8	
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**Board of Physical Therapy Practice**

64B17-2.006	4/18/00	5/8/00	26/10	
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**Division of Environmental Health and Statewide Programs**

64E-20.001	4/21/00	5/11/00	26/11	
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(Proposed as 64E-20.003)

64E-20.002	4/21/00	5/11/00	25/49	26/11
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(Proposed as 64E-20.004)

64E-20.003	4/21/00	5/11/00	25/49	26/6
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(Proposed as 64E-20.005)

64E-20.004	4/21/00	5/11/00	25/49	26/6
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64E-20.005	4/21/00	5/11/00	25/49	26/6
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**Section XIV  
List of Rules Affected**

				3D-40.105 Rule No.	22/29c Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.				3D-40.106	22/29c		
w – Signifies Withdrawal of Proposed Rule(s)				3D-40.201	22/29c		
c – Rule Challenge Filed				3D-40.202	22/29c		
v – Rule Declared Valid				3D-40.210	22/29c		
x – Rule Declared Invalid				3D-40.290	22/29c		
d – Rule Challenge Dismissed				3E-200.001(7)(a)(b)	20/8c		
dw – Dismissed Upon Withdrawal				3E-301.002	26/11		26/18
				3E-500.010	26/11		26/18
				3E-600.001	26/11		26/18
				3E-600.002	26/11		26/18
				3E-600.005	26/3	26/7	26/13
				3E-600.007	26/11		26/18
				3E-600.008	26/11		26/18
				3E-600.019	26/11		26/18
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	3F-5.0015	21/2c		
STATE				3F-5.0016	21/2c		
				3F-6.002	25/35	26/13	
1B-2.011	25/48	26/6	26/13	3F-6.005	25/35		26/15
1B-6.001	22/18			3F-6.0053	25/35		26/13w
1S-1.008	26/16			3F-6.0055	25/35		26/13w
1S-2.0081	26/16			3F-8.005		21/41	
1S-2.011	26/16				21/39c		
1S-3.004	26/16				22/51	23/9	
				3F-8.007	25/31		
LEGAL AFFAIRS				3F-13.001	25/32		
				3F-13.002	25/32		
2-11.001	21/30c			3F-13.003	25/32		
2-11.002	21/30c			3F-13.004	25/32		
2-11.003	21/30c			INSURANCE			
2-11.004	21/30c						
2-11.006	21/30c			4-121.035	21/5c		
2-11.007	21/30c			4-123.002	25/33		
2-37.010	26/12			4-127.001	25/42	26/8	26/16
BANKING AND FINANCE				4-127.002	25/42		26/16
				4-127.003	25/42		26/16
3A-68.005	20/40			4-136.001	26/8		
3C-1.022	21/25			4-136.002	26/8		
3C-100.03852	25/47	26/5	26/11	4-136.003	26/8		
3C-100.067	26/17			4-136.004	26/8		
3C-100.948	26/11	26/18		4-136.005	26/8		
3C-560.106		23/30		4-136.006	26/8		
3C-560.607	23/12			4-136.007	26/8		
3D-30.0051	22/43c			4-136.008	26/8		
3D-30.0052	22/43c			4-136.009	26/8		
3D-30.0053	22/43c			4-136.010	26/8		
3D-30.0054	22/43c			4-136.011	26/8		
3D-30.0055	22/48c			4-136.012	26/8		
	23/20c			4-136.015	26/8		
	24/53			4-136.030	26/8		
3D-30.025	25/12		26/10w	4-136.031	26/8		
3D-30.026	25/12		26/10w	4-136.033	26/8		
3D-40.099	22/29c			4-141.020	20/11c		
3D-40.100	22/29c				20/11c		
3D-40.101	22/29c						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-141.021	20/11c			4-149.040	23/45		
	20/11c				24/46		
	20/11c			4-149.041	23/45		
4-149	24/3c				24/46		
	24/3c			4-149.043	23/45		
	24/28c				24/46		
4-149.001	23/45			4-149.051	23/45		
	24/46				24/46		
4-149.002	23/45			4-149.052	23/45		
	24/46				24/46		
4-149.003	23/45			4-149.053	23/45		
	24/46				24/46		
4-149.004	23/45			4-149.101	23/45	24/31	
	24/46					26/12	
4-149.005	23/45				24/3c		
	24/46				24/3c		
4-149.006	23/45				24/46		
	24/46				26/18c		
4-149.007	23/45			4-149.102	23/45	24/31	
	24/46					26/12	
4-149.008	23/45				24/3c		
	24/46				24/3c		
4-149.009	23/45				24/46		
	24/46			4-149.103	23/45	24/31	
4-149.010	23/45					26/12	
	24/46				24/3c		
4-149.020	23/45				24/3c		
	24/46				24/46		
4-149.021	20/49c			4-149.104	23/45	24/31	
	23/45					26/12	
	24/46				24/3c		
4-149.022	23/45				24/3c		
	24/46				24/46		
4-149.023	23/45			4-149.105	23/45	24/31	
	24/46					26/12	
4-149.024	23/45				24/3c		
	24/46				24/3c		
4-149.030	23/45				24/46		
	24/46			4-149.106	23/45	24/31	
4-149.031	23/45					26/12	
	24/46				24/3c		
4-149.032	23/45				24/3c		
	24/46				24/46		
4-149.033	23/45			4-149.107	23/45	24/31	
	24/46					26/12	
4-149.034	23/45				24/3c		
	24/46				24/3c		
4-149.035	23/45				24/46		
	24/46			4-149.108	23/45	24/31	
4-149.037	23/45					26/12	
	24/46				24/3c		
4-149.038	23/45				24/3c		
	24/46				24/46		
4-149.039	23/45						
	24/46						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.109	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.130	23/45 24/3c 24/3c 24/46	24/31	
4-149.110	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.131	23/45 24/3c 24/3c 24/46	24/31	
4-149.1105	23/45 24/3c	24/31		4-149.132	23/45 24/3c 24/46	24/31	
4-149.111	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.1325	24/20	24/20	
4-149.112	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.133	23/45 24/3c 24/3c 24/46	24/31	
4-149.113	24/3c 24/3c			4-149.150	23/45	24/31	
4-149.114	24/3c			4-149.151	23/45 24/46	24/31	
4-149.115	24/3c			4-149.152	23/45	24/20 24/31	
4-149.116	24/3c			4-149.190	24/46 23/45 24/3c 24/46		
4-149.117	24/3c			4-150.107		22/10	
4-149.118	24/3c			4-150.119	20/43	21/38	
4-149.119	24/3c			4-154.101	24/45		
4-149.120	23/45 24/3c 24/3c 24/46	24/31 26/12		4-154.102	24/45		
4-149.121	23/45 24/3c 24/3c 24/46	24/31 26/12		4-154.104	24/45		
4-149.122	23/45 24/3c 24/3c 24/46	24/31 26/12		4-154.108	24/45		
4-149.123	23/45 24/3c 24/3c 24/46	24/31 26/12		4-154.109	24/45		
4-149.124	24/3c			4-154.110	24/45		
4-149.125	24/3c			4-154.111	24/45		
4-149.126	24/3c			4-154.112	24/45		
4-149.127	24/3c			4-154.113	24/45		
4-149.128	24/3c			4-154.114	23/52c		
4-149.129	24/3c			4-154.115	24/45		
				4-154.116	24/45		
				4-154.410	23/52c		
				4-154.512	23/52c		
				4-154.520	24/3c 25/5c 25/5c		
				4-157.001	23/10	23/42	
				4-157.002	23/10	23/42	
				4-157.002(2)	23/19c		
				4-157.004	23/10	23/42	
				4-157.004(2)(b)	23/19c		
				4-157.004(4)	23/19c		
				4-157.017	23/10	23/42	
				4-157.022	23/10	23/42	
				4-157.022(1)(b)	23/19c		
				4-157.022(1),(2)(c),(4)	23/52c		

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4-157.022(2)	23/19c			4-196.003	20/43c		
4-157.022(3)	23/19c				20/43c		
4-157.022(4)	23/19c				20/49c		
4-157.022(5)	23/19c			4-196.004	20/43c		
4-157.023	23/10	23/42		4-196.005	20/43c		
4-157.023(1)(b)	23/52c			4-196.006	20/43c		
4-166.031	25/33	26/5	26/13		20/49c		
4-170.004	26/11			4-196.007	20/43c		
4-170.016	22/36c				20/49c		
4-170.0165	22/36c			4-196.008	20/43c		
4-175.011	20/8c			4-196.009	20/43c		
	20/20c				20/49c		
4-175.013	21/5c			4-196.009(2)	20/43c		
4-176.022	25/33			4-196.010	20/43c		
4-188.003	26/9				20/43c		
4-188.004	26/9				20/49c		
4-189.003	26/13			4-196.011	20/43c		
4-190.030	24/44	24/51	26/10w	4-196.012	20/43c		
4-190.031	24/44		26/10w	4-196.013	20/43c		
4-190.035	24/44		26/10w	4-196.014	20/43c		
4-190.036	24/44		26/10w	4-196.015	20/43c		
4-190.037	24/44		26/10w	4-196.016	20/43c		
4-190.038	24/44		26/10w	4-196.017	20/43c		
4-190.039	24/44		26/10w	4-196.018	20/43c		
4-190.056	24/44		26/10w	4-196.019	20/43c		
4-190.057	24/44		26/10w	4-196.020	20/43c		
4-190.058	24/44		26/10w	4-196.021	20/43c		
4-190.059	24/44		26/10w	4-196.022	20/43c		
4-190.0591	24/44		26/10w	4-196.023	20/43c		
4-190.060	24/44		26/10w	4-196.024	20/43c		
4-190.061	24/44		26/10w		20/43c		
4-190.062	24/44		26/10w		20/43c		
4-190.063	24/44		26/10w		20/43c		
4-190.064	24/44		26/10w	4-196.025	20/43c		
4-190.065	24/44		26/10w	4-196.026	20/43c		
4-190.066	24/44	24/51	26/10w	4-196.027	20/43c		
4-190.067	24/44		26/10w	4-196.028	20/43c		
4-190.068	24/44		26/10w		20/43c		
4-190.069	24/44		26/10w		20/43c		
4-190.071	24/44		26/10w		20/49c		
4-190.072	24/44		26/10w	4-196.029	20/43c		
4-190.073	24/44		26/10w	4-196.030	20/43c		
4-190.074	24/44		26/10w		20/43c		
4-191.300	26/8				20/49c		
4-192.023	18/17c			4-196.030(5),			
4-192.038	18/17c			(8)(b)(d)(e)	20/43c		
4-192.053	18/17c			4-196.031	20/43c		
4-192.058	18/17c			4-196.032	20/43c		
4-196.001	20/43c			4-196.033	20/43c		
	20/43c			4-196.034	20/43c		
	20/49c			4-196.035	20/43c		
4-196.002	20/43c				20/49c		
	20/43c			4-196.036	20/43c		
	20/43c			4-196.037	20/43c		
	20/49c			4-196.038	20/43c		



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4-196.039	20/43c			4-223.006	18/31c		
4-196.040	20/43c				18/31c		
	20/43c				18/31c		
	20/49c				18/31c		
4-211.031(21)(e), (24)-(27)	25/33c				18/31c		
	25/34c				18/31c		
4-211.050	25/33c			4-223.006(2)(d)	18/31c		
4-211.060	25/33c			4-223.007	18/31c		
4-213.050	19/30c				18/31c		
4-213.080	19/30c				18/31c		
4-213.090	19/30c				18/31c		
4-213.100	19/30c				18/31c		
4-213.120	19/30c				18/31c		
4-220.051(4)(h)(6)	25/23c				18/31c		
4-220.201(4)(f)	25/23c			4-223.008	18/31c		
4-220.2021(5)(a)	25/23c				18/31c		
4-223.001	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.009	18/31c		
	18/31c				18/31c		
4-223.002	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.010	18/31c		
	18/31c				18/31c		
4-223.003	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.011	18/31c		
	18/31c				18/31c		
4-223.004	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.011(4)(a)3.	18/31c		
	18/31c			4-223.038	21/35		
	18/31c			4-224.002	23/33c		
4-223.005	18/31c			4-224.004	23/33c		
	18/31c				23/33c		
	18/31c				23/33c		
	18/31c			4-224.012	23/33c		
	18/31c				23/33c		
	18/31c				23/33c		
4-223.005(1)(g)	18/31c			4-224.013	23/33c		
					23/33c		
					23/33c		

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4-224.014	23/33c			5B-44.008	26/13		
	23/33c			5B-52.001	26/13		
	23/33c			5B-52.007	26/13		
4-228.180	19/51	20/13		5B-52.008	26/13		
4-231.150	25/34c			5B-52.009	26/13		
4-231.160	25/34c			5B-52.010	26/13		
4A-37.036	26/12			5B-52.011	26/13		
4A-37.037	26/12			5B-52.012	26/13		
4A-37.0527	26/12	26/17		5B-54.001	26/13		
4A-37.056	26/12			5B-54.006	26/13		
4A-37.084	25/34	26/17		5B-54.010	26/13		
4A-51.005	26/17			5B-54.011	26/13		
4A-51.010	26/17			5B-54.014	26/13		
4A-51.030	26/17			5B-54.015	26/13		
4A-51.035	26/17			5B-54.016	26/13		
4A-51.050	26/17			5B-54.017	26/13		
4A-51.060	26/17			5B-54.018	26/13		
4A-51.070	26/17			5B-54.019	26/13		
4A-53.001	16/25			5B-54.020	26/13		
4A-53.002	16/25			5B-55.006	26/13		
4A-53.003	16/25			5B-57.003	26/13		
4A-53.004	16/25			5B-57.004	26/13		
4C-10.001	26/7			5B-60.004	26/13		
4D-4.051(3)(5)(6)	25/45c			5B-60.006	26/13		
4J-1.021	20/30c			5B-60.007	26/13		
	20/30c			5B-60.009	26/13		
	20/30c			5B-60.011	26/13		
4J-2.002	20/30c			5B-60.015	26/13		
	20/30c			5B-60.016	26/13		
4J-3.001	26/14			5CER00-1			26/10
4J-3.002	26/14			5CER00-2			26/10
4J-3.003	26/14			5C-3.002	21/7		
4J-3.004	26/14			5C-3.003	21/7		
4J-3.005	26/14			5C-3.004	21/7		
4J-3.006	26/14			5C-3.005	21/7		
4J-3.007	26/14			5C-3.008	21/7		
4J-5.006	20/15c			5C-3.013	21/7		
4J-6.001	26/10			5C-3.014	21/7		
				5C-3.015	21/7		
AGRICULTURE AND CONSUMER SERVICES				5C-26.001	26/10	26/15	
				5C-26.002	26/10		
5BER00-3			26/15	5C-26.003	26/10		
5B-2.002	26/13			5C-26.004	26/10		
5B-2.004	26/13			5D-1.003	21/38		
5B-2.010	26/13			5D-1.0061	21/13		
5B-3.003	26/13			5E-1.016	26/2		26/11
5B-3.0038	26/13			5F-3.001	26/18		
5B-26.007	26/13			5F-5.001	26/18		
5B-36.005	26/13			5F-7.005	26/18		
5B-38.006	26/13			5F-8.012	25/51		26/11
5B-43.005	26/2		26/12	5F-10.001	26/15		
5B-43.009	26/2		26/12	5F-11.002	26/10		
5B-43.011	26/2		26/12	5F-11.028	26/10		

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5F-11.047	25/29c			6A-6.05281	26/1	26/9	26/15
5H-1.001	22/11c			6A-6.080	16/30		
	22/11c			6A-7.0321	20/34		
	22/11c			6A-7.042	25/27	25/34	
	22/12c			6A-10.0243	19/36	19/42	
	22/12c			6A-10.0311	26/3		26/12
	22/12c			6A-10.0315	26/3		26/12
5H-12.001	21/10			6A-10.0607	26/12		
5I-3.004	21/11			6A-14.0302	26/14		
5I-4.008	20/47			6A-16.006	19/36	19/42	
5I-4.009	20/47			6A-16.008	19/36	19/42	
5I-4.010	20/47			6A-16.009	19/36	19/42	
5J-3.005	19/48			6A-16.016	19/36	19/42	
5J-3.006	19/48			6A-16.026	26/2		26/12
5J-9.006	19/26			6A-20.05281	26/1		
5L-1.001	26/18			6C-1.0001	26/16		
5L-1.002	26/18			6C-1.0005	26/16		
5L-1.003	26/15			6C-1.001	26/16		
	26/18			6C-1.002	26/16		
5L-1.004	26/18			6C-1.004	26/16		
5L-1.005	26/18			6C-1.005	26/16		
5L-1.006	26/18			6C-1.0055	26/16		
5L-1.007	26/15			6C-1.006	26/16		
	26/18			6C-1.007	26/16		
5L-1.008	26/18			6C-1.008	26/16		
5L-1.009	26/18			6C-1.009	26/16		
5L-1.010	26/18			6C-1.010	26/16		
5L-1.011	26/18			6C-1.011	26/16		
5L-1.012	26/18			6C-1.012	26/16		
5L-1.013	26/18			6C-1.014	26/16		
5L-1.014	26/18			6C-6.001	25/51		
5L-1.015	26/18			6C-6.002	25/51		
5L-1.017	26/18			6C-6.003	25/51		
5L-1.019	26/18			6C-7.001	26/16		
				6C-7.002	26/16		
				6C-8.007	21/33		
				6C-14.005	24/43		
6-3.017	26/13			6C1-3.020	Newspaper		26/17
6-3.029	26/13			6C2-3.004	26/12c		
6A-1.0011	20/34			6C2-4.032	Newspaper		26/14
6A-1.0014	25/32			6C2-5.0021	20/47c		
6A-1.0761	24/17			6C5-4.002	25/50c		
6A-1.0996	25/27	25/34		6C5-4.005	25/50c		
6A-3.075	20/38			6C5-4.008	25/50c		
6A-4.0006(2)(b), (3)(c)	23/4c			6C5-7.007	25/50c		
6A-4.006(2)(b), (3)(c)	24/28c			6C8-1.002	Newspaper		26/18
	25/5c			6C8-1.003	Newspaper		26/18
6A-4.0161	24/17			6C8-1.004	Newspaper		26/18
6A-4.01761	24/28c			6C8-1.006	Newspaper		26/18
	25/5c			6C8-1.007	Newspaper		26/18
6A-5.066	26/16			6C8-1.008	Newspaper		26/18
6A-6.03012(5)(6)	25/5c			6C8-2.001	Newspaper		26/18
6A-6.03030	19/40			6C8-2.002	Newspaper		26/18
6A-6.03031	19/40			6C8-2.003	Newspaper		26/18
				6C8-2.004	Newspaper		26/18
				6C8-3.019	Newspaper		26/18

EDUCATION



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10-5.011(1)(p)	16/4			10D-6.0471(1)(a)	20/11c		
10-5.011(1)(v)	15/46c			10D-6.048(5)	20/11c		
10-23.006	22/2			10D-13.0293	19/4		
10-23.010	22/2			10D-41.072	15/14		
10-23.011	22/2			10D-41.076	15/14		
10-24.001	22/2			10D-42.023	19/19		
10-24.002	22/2			10D-42.024	19/19		
10A-5	21/5c			10D-42.025	19/19		
10CER92-4		19/13		10D-42.026	19/19		
		19/25		10D-42.027	19/19		
		19/38		10D-42.028	19/19		
		19/52		10D-42.029	19/19		
10C-1.113	18/6			10D-42.030	19/19		
10C-1.601	20/26			10D-42.031	19/19		
10C-7.042	18/21	20/2		10D-42.032	19/19		
10C-7.0529	19/18			10D-42.033	19/19		
10C-7.069	19/18			10D-45	22/12c		
10C-8.011-.304	23/7c			10D-45.049	22/6		
10C-8.303	22/35			10D-72.016	15/12	15/12	
10C-25.016	20/20			10D-105.001	16/50	17/7	
10C-32.002	20/48			10D-105.002	17/3c		
10C-32.200	20/48				17/3c		
10D-5.092	19/22			10D-105.003	17/3c		
10D-5.093	19/22				17/3c		
10D-5.094	19/22			10D-105.004	17/3c		
10D-5.095	19/22			10D-105.007	17/3c		
10D-5.096	19/22			10D-111.002	17/18		
10D-5.097	19/22			10D-112.007	20/49		
10D-5.098	19/22			10D-115.001	22/8		
10D-5.099	19/22			10D-125.005	20/13	20/34	
10D-5.100	19/22			10J-8.014	20/26c		
10D-5.101	19/22				20/29c		
10D-5.102	19/22			10L-12.002	23/7		
10D-5.103	19/22			10M-1.003	18/12		
10D-5.104	19/22			10M-9.001	22/1		
10D-5.105	19/22			10M-9.026	22/1		
10D-5.106	19/22			10M-9.045	22/1		
10D-5.107	19/22			10M-29.001	19/27		
10D-5.108	19/22			10P-4.250	19/31c		
10D-5.109	19/22			10P-4.250(10)	19/28c		
10D-5.110	19/22			10P-4.250(11)	19/28c		
10D-5.111	19/22			10P-4.250(4)	19/28c		
10D-5.112	19/22			10Q-5.022	19/41		
10D-5.113	19/22						
10D-5.114	19/22						
10D-5.115	19/22						
10D-5.116	19/22			11B-18.004	18/40		
10D-5.117	19/22			11B-18.0051	18/40		
10D-5.118	19/22			11B-27.004	19/22		
10D-5.119	19/22			11B-30.014	19/40		
10D-5.120	19/22			11B-34.007	25/14		
10D-6	20/39c			11D-6.001	25/14		
	22/12c			11D-8.005	22/40		
10D-6.041(11)	20/11c						
10D-6.046(7)(a)(b)(e)	20/11c						
10D-6.046(7)(f)2.	20/11c						
				12-3.0012	25/51		26/13

LAW ENFORCEMENT

REVENUE

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12-3.0015	25/51		26/13	12A-14.002	25/51		26/13
12-11.002	26/7			12A-14.003	25/51		26/13
12-11.003	26/7	26/18		12A-14.004	25/51		26/13
12-11.004	26/7			12A-14.005	25/51		26/13
12-11.005	26/7			12A-16.006	25/51		26/13
12-11.006	26/7			12B-4.005	25/51		26/13
12-11.007	26/7	26/18		12B-4.053(33)(e)-(f)	26/17c		
12-11.008	26/7			12B-4.053(34)	26/17c		
12-11.013	26/7	26/18		12B-5.013	22/36		
12-21.203	26/7	26/18		12B-5.014	22/36		
12-22.007	25/51	26/6	26/13	12B-6.008	25/51		26/13
12-25.004	26/7			12B-7.009	25/52		26/13w
12-25.005	26/7			12B-7.0225	26/14		
12-25.0054	26/7			12B-7.023	25/52		26/13w
12-25.0056	26/7			12B-8	23/8c		
12-25.0058	26/7			12B-8.001	19/39c		
12-26.001	25/51		26/13		19/39c		
12-26.002	25/51		26/13		19/39c		
12-26.003	25/51		26/13		19/39c		
12-26.004	25/51		26/13		21/41		
12-26.009	21/6c				25/51		26/13
12A-1.001	20/43c			12B-8.003	23/7c		
	25/51		26/13	12B-8.016	23/7c		
	26/7	26/18		12B-8.016(3)(a)6.f.	23/8c		
12A-1.001(3)	20/43c			12B-12.006	25/51		26/13
12A-1.001(3)(b),(q)	25/45c			12C-1.001	25/38		26/10
12A-1.001(3)(g)	20/43c			12C-1.011		20/9	26/10
12A-1.007	25/51		26/13		25/38		26/10
12A-1.009	25/51		26/13	12C-1.011(1)(v)	19/50c		
12A-1.0091	25/51		26/13		19/50c		
12A-1.0161	25/51		26/13	12C-1.0152	25/38	25/51	26/10
12A-1.019	25/51		26/13	12C-1.0154	25/38		26/10
12A-1.029	25/51		26/13	12C-1.0222	25/38		26/10
12A-1.0371	26/10			12C-1.034	25/38	25/51	26/10
12A-1.046	25/51		26/13	12C-1.042	25/38		26/10
12A-1.051	25/43	25/51	26/12	12C-1.051	25/38	25/51	26/10
		26/3	26/12	12C-2.007	25/51		26/13
		26/6	26/12	12C-3.009	25/51		26/13
12A-1.051(11)(g)	25/50c			12D-8.0062	21/14c		
12A-1.055	19/43			12D-13.006	22/36	22/43	
12A-1.056	25/51		26/13	12D-51.003	25/45c		
12A-1.060	25/51		26/13	12E-1.005	26/6		
12A-1.070	20/17c			12E-1.012	26/6		
12A-1.088	25/51		26/13	12E-1.022	26/6		
12A-1.093	25/51		26/13	12E-1.023	26/6		
12A-1.096	26/7	26/18					
12A-1.097	25/51		26/13	TRANSPORTATION			
	26/7			14-14.004	19/40		
12A-1.105	25/51		26/13	14-15.0081	21/43		
12A-12.0011	25/51		26/13	14-15.010	26/10		26/15
12A-12.003	25/51		26/13	14-17.011	17/49	17/50	
12A-12.004	25/51		26/13		26/14		
12A-12.005	25/51		26/13	14-24.001	26/1		26/12
12A-12.006	25/51		26/13	14-26.009	24/29	24/32	
12A-12.007	25/51		26/13	14-40	24/19c		

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14-66.001	25/29		26/12w	17-213.420	19/33	19/41	
14-66.002	25/29		26/12w	17-257	19/50c		
14-66.003	25/29		26/12w	17-296.200(97)	20/24c		
14-66.004	25/29		26/12w	17-296.600	20/24c		
14-66.005	25/29		26/12w	17-296.601	20/24c		
14-66.006	25/29		26/12w	17-296.604	20/16	20/23	
14-66.007	25/29	25/40	26/12w	17-312	20/24c		
		26/5	26/12w		20/26c		
14-66.008	25/29		26/12w	17-330	20/26c		
14-66.009	25/29		26/12w		20/26c		
14-66.010	25/29		26/12w	17-330.100(1),(2),(3)	20/24c		
14-66.011	25/29		26/12w	17-330.200(3)(a)			
14-66.012	25/29		26/12w	(b)(c)(e)	20/24c		
14-78	25/21c			17-331	20/26c		
14-79.006	26/1		26/12	17-341	20/26c		
14-96	21/2c				20/26c		
14-100.001	26/4			17-343.050	20/29c		
14-100.002	26/4			17-503.420	16/15		
14B-1.001	26/3			17-503.430	16/15		
14B-1.002	26/3			17-503.500	16/15		
14B-1.003	26/3			17-503.850	17/33		
14B-1.004	26/3			17-525.900	18/35		
14B-1.005	26/3			17-604.550	18/8		
14B-1.006	26/3			17-620.810	20/28	20/38	
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15A-8.0081	21/43	22/7 22/11		17-671.310	15/32		
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15A-10.027(8)	22/2c			17-701.220	19/33	19/37	
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15C-7.005	20/40c 20/40c			17-701.320	19/33	19/37	
15C-15.001	22/52	23/11		17-701.330	19/33	19/37	
				17-701.340	19/33	19/37	
				17-701.400	19/33	19/37	
				17-701.420	19/33	19/37	
				17-701.500	19/33	19/37	
				17-701.510	19/33	19/37	
				17-701.520	19/33	19/37	
				17-701.600	19/33	19/37	
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				17-701.630	19/33	19/37	
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				17-703.300	20/17		
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17-3	15/14c						
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17-710.300	15/42			21M-50.002	19/6c		
17-710.420	15/42			21M-50.003	19/6c		
17-710.440	15/42			21M-50.007	18/53	20/24	
17-773.200	17/39	17/46			19/6c		
17-773.900	17/39	17/46		21M-50.009	19/6c		
				21P-16.003	18/14		
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18-23.005	20/14	20/27		25-4.113	26/11		
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20-35.005	21/24			25-14.003	15/52		
20-39.014	22/20			25-21.022	18/24		
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20-104.002	21/32			EXECUTIVE OFFICE OF THE GOVERNOR			
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20-111.003	25/49		26/10	27D-1.002	26/16		
20-111.007	25/49		26/10	27D-1.003	26/16		
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21-17.001	15/47			27E-4.002	20/11		
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27E-4.006	20/11			30C-2.003	26/4		
27E-4.007	20/11			30C-2.004	26/4		
27E-4.008	20/11			30C-2.005	26/4		
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28-22.102	26/6		26/15	30C-2.009	26/4		
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28-22.104	26/6		26/15	30C-2.011	26/4		
28-22.105	26/6		26/15	30C-2.012	26/4		
28-22.106	26/6		26/15	30C-2.013	26/4		
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28-22.108	26/6		26/15	LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT			
28-22.109	26/6		26/15				
28-22.110	26/6		26/15	31-16	20/8c		
28-22.111	26/6		26/15		20/8c		
28-22.112	26/6		26/15		20/8c		
28-22.113	26/6		26/15	CORRECTIONS			
28-22.114	26/6		26/15				
28-22.115	26/6		26/15	33-2.001	23/25		
28-22.116	26/6		26/15	33-3.004(3)(d)	24/8c		
28-22.117	26/6		26/15		24/8c		
28-22.121	26/6		26/15		24/8c		
28-22.122	26/6		26/15		24/8c		
28-22.123	26/6		26/15	33-3.004(3)(d),(15)	24/7c		
28-22.124	26/6		26/15	33-3.005(8)(b)	24/7c		
28-22.125	26/6		26/15	33-3.0051	24/18		
28-22.126	26/6		26/15	33-3.0081	25/35	25/43	
28-22.127	26/6		26/15	33-3.0082	25/35	25/43	
28-22.128	26/6		26/15	33-3.0084	25/35	25/43	
28-22.129	26/6		26/15	33-3.0085	25/35	25/43	
28-22.130	26/6		26/15	33-3.015	21/43		
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28-22.132	26/6		26/15	33-5.001	22/23c		
28-22.301	26/6		26/15		22/23c		
28-22.302	26/6		26/15	33-5.002	22/23c		
28-22.303	26/6		26/15	33-5.003	22/23c		
28-22.304	26/6		26/15	33-5.004	22/23c		
28-22.305	26/6		26/15	33-5.005	22/23c		
28-22.307	26/6		26/15	33-5.006	22/23c		
28-22.308	26/6		26/15	33-5.007	22/23c		
28-22.309	26/6		26/15	33-5.008	22/23c		
28-22.310	26/6		26/15		24/18		
28-24.029	19/40	19/43		33-5.009	22/23c		
28-24.030	19/40	19/43		33-5.010	22/23c		
28-24.031	19/40	19/43		33-5.011	22/23c		
28-24.032	19/40	19/43			22/23c		
28-24.036	19/40	19/43		33-5.012	22/23c		
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38D-24.012	26/7		26/14		20/26c		
38E-106.401	24/1			40C-41.011	23/12c		
38F-8.055	22/4				23/12c		
38I-60.200	20/7			40C-41.023	23/12c		
38J-1.002	23/46c				23/12c		
38J-1.002(7),(8),(9)	24/10c			40C-41.033	23/12c		
38J-1.003	23/46c				23/12c		
38J-1.003(2)	24/10c			40C-41.043	23/12c		
38J-1.004	23/46c				23/12c		
38J-1.004(1)	24/10c			40C-41.051	23/12c		
38J-1.005	23/46c				23/12c		
38J-1.005(1)(b),				40C-41.063	23/12c		
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38J-1.006	23/46c				20/26c		
38J-1.006(2)	24/10c			40C-43	20/26c		
38J-1.007	23/46c				20/26c		
38J-1.007(1)	24/10c			40C-44	20/26c		
38K-1.0045	23/27				20/26c		
				40C-400	20/26c		
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39-25.004	19/48c			40D-0.201	20/3		
39-25.031	20/11c			40D-1.202	19/36	19/42	
39-27.005	19/33c			40D-1.602	20/29c		
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					20/44c		
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	20/26c				20/44c		
40B-4	20/26c				20/44c		
	20/26c				20/44c		
40B-400	20/26c				20/44c		
	20/26c				20/47c		
40C-1	20/26c				20/47c		
	20/26c				20/47c		
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40C-1.181	20/18				20/47c		
40C-2	21/47c				20/47c		
40C-2.101	25/5c				20/47c		
40C-4	20/26c				20/47c		
	20/26c				20/47c		
	26/18c				20/47c		
40C-4.051	24/52				20/47c		
40C-4.051(12)(b)	25/12c				20/47c		
40C-4.091	24/52	25/8			20/47c		
	25/12c				21/5c		
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40C-6	20/26c				21/5c		
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	21/5c			40D-8.041	21/5c		
	21/5c				25/10		
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	25/45c			40D-8.603	24/48		
	26/9c			40D-8.605	24/48		
40D-2.031	20/48			40D-8.611	24/48		
40D-2.041	20/48			40D-8.613	24/48		
40D-2.091	20/44c			40D-8.616	24/48		
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40D-2.101	20/48			40D-8.6240	23/38	24/48	
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40D-2.321	20/48				20/47c		
40D-2.331	20/48				20/47c		
40D-2.381	20/48				20/47c		
40D-2.501	20/48				20/47c		
40D-2.601	20/44c				20/47c		
	20/48				20/47c		
40D-2.621	20/44c				20/47c		
	20/48				20/47c		
40D-2.628	20/44c				20/47c		
40D-2.801	20/44c				20/47c		
	20/48	21/44			20/47c		
		24/7			20/47c		
40D-4	25/45c				21/5c		
	26/9c				21/5c		
40D-4.041	20/24c				21/21c		
40D-4.042	20/24c				21/21c		
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40D-4.051	20/24c				21/21c		
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40D-4.381	20/24c			40E-0.105	26/10		
40D-6.521	24/50			40E-0.108	26/10		
40D-8	20/44c			40E-0.109	26/10		
	20/44c			40E-0.111	26/10		
	20/44c			40E-0.113	26/10		
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	21/5c			40E-1	20/24c		
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	21/5c				20/26c		
	25/45c				20/26c		
	26/9c				20/26c		

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40E-1.511	26/10				20/26c		
40E-1.521	26/10				20/26c		
40E-1.564	26/10				20/26c		
40E-1.565	26/10			40E-601.314	26/9		
40E-1.603	19/4c				26/9		
	26/10	26/17			26/9		
40E-1.6058	26/10				FLORIDA LAND AND WATER ADJUDICATORY COMMISSION		
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40E-1.6065	26/10				EXPRESSWAY AUTHORITIES		
40E-1.607	19/43			45A-2.001	21/49		
	26/9				MARINE FISHERIES COMMISSION		
40E-1.608	26/10			46ER96-3		22/39	22/28
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40E-1.610	26/10			46-3.008	21/6c		
40E-1.6105	19/4c			46-3.025	21/6c		
40E-1.6115	26/10			46-3.027	21/6c		
40E-1.612	20/18	21/36		46-3.028	21/6c		
40E-1.614	20/18	21/36		46-3.029	21/6c		
40E-1.659	19/4c			46-3.031	21/6c		
	25/18			46-3.032	21/6c		
40E-1.705	26/10			46-3.034	21/6c		
40E-3.0511	26/10			46-3.035	21/6c		
40E-4	20/24c			46-3.037	21/6c		
	20/26c			46-3.038	21/6c		
	20/26c			46-4.001	21/6c		
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40E-4.054	26/8			46-4.004	21/6c		
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40E-40	20/26c			46-4.017	21/6c		
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46-17.007	20/8c			53ER99-58			25/52
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46-23.003	21/6c			53ER99-65			26/1
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46-29.0036	19/8c						
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46-39.007	21/6c			58-14.007	20/1c		
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46-39.009	21/6c			58A-1	20/43c		
46-39.010	21/6c			58E-1.001	26/6		
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59A-5.015	21/26c				22/48c		
59A-5.016	21/26c				22/48c		
59A-5.017	21/26c				22/48c		
59A-5.018	21/26c				22/48c		
59A-5.019	21/26c				22/48c		
59A-7.020	20/25				23/12c		
59A-7.034	21/45c				23/12c		
59A-7.035	21/45c				23/12c		
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62-212.410	22/12c			62-524.430	26/17		
62-212.500	22/12c			62-528	21/6c		
62-212.510	22/12c				21/6c		
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62-620.325	22/11c				22/42c		
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62-620.330	22/11c				22/12c		
62-620.335	22/11c				22/42c		
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62-620.412	22/11c			62-711.400	25/51		26/11
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62-620.425	22/11c			62-711.520	25/51		26/11
62-620.435	22/11c			62-711.530	25/51		26/11
62-620.440	22/11c			62-711.540	25/51		26/11
62-620.445	22/11c			62-711.550	25/51		26/11
62-620.450	22/11c			62-711.700	25/51		26/11
62-620.455	22/11c			62-711.801	25/51		26/11
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62-620.510	22/11c			62-712.200	21/34		
62-620.511	22/11c			62-712.300	21/34		
62-620.512	22/11c			62-712.400	21/34		
62-620.515	22/11c			62-712.410	21/34		
62-620.550	22/11c			62-712.420	21/34		
62-620.610	22/11c			62-712.430	21/34		
62-620.620	22/11c			62-712.440	21/34		
62-620.800	22/11c			62-712.450	21/34		
62-620.810	22/11c			62-712.460	21/34		
62-620.820	22/11c			62-712.500	21/34		
62-621	22/12c			62-712.800	21/34		
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62-650.120	22/11c			62-723	22/12c		
62-660	22/12c				22/42c		
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62-671	22/12c			62-761	22/12c		
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62-701.720	22/11c				22/42c		
62-702	22/12c			62-770	22/12c		
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62-703	22/12c			62-771	22/12c		
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62-775.400	22/23c			64B-8.005	26/5		
62-775.410	22/23c			64B-8.009	26/5		
62-775.500	21/52	22/15		64B-8.013	26/5		
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62B-33.002	22/25c			64B-8.015	26/5		
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62R-7.028	21/17			64B3-3.004	23/51		
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62S-1.300	25/36	26/15		64B3-9.011	26/17		
62S-1.350	25/36	26/15		64B3-9.012	26/17		
62S-1.400	25/36	26/15		64B3-9.013	25/36	26/7	26/14
62S-1.450	25/36	26/15		64B3-11.003	26/15		
62S-1.600	25/36		26/15w	64B3-11.004	25/36	26/7	26/14
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64B32-1.004	26/7		26/16	64E-6.008	25/48		26/11
64B32-2.003	26/6		26/16	64E-6.009	25/48		26/11
64B32-3.004	26/9		26/16	64E-6.010	25/48		26/11
64B32-3.005	26/6	26/15		64E-6.013	25/48		26/11
		26/16		64E-6.014	25/48		26/11
64B32-4.001	26/6		26/16	64E-6.015	25/48		26/11
64B32-6.004	26/6	26/16		64E-6.0151	25/48		26/11
64B32-6.006	26/6		26/16	64E-6.017	25/48		26/11
64B32-7.001	26/6		26/16	64E-6.018	25/48		26/11
64C-13.018	24/22			64E-6.0181	25/48		26/11
64D-3.001	26/6	26/16		64E-6.0182	25/48		26/11
64D-3.002	26/6	26/16		64E-6.021	25/48		26/11
64D-3.003	26/6	26/16		64E-6.025	25/48		26/11
		26/17		64E-6.028	25/48		26/11
64D-3.004	26/6			64E-6.029	25/48		26/11
64D-3.006	26/6			64E-6.030	25/48		26/11
64D-3.007	26/6	26/16		64E-9.003	25/47		26/12
64D-3.013	26/6	26/16		64E-19	26/9c		26/18d
		26/17			26/9c		
64D-3.014	26/6			64E-20.001	26/11		26/18
64D-3.015	26/6			64E-20.002	25/49	26/6	26/11w
64D-3.016	26/6	26/16				26/11	26/18
64D-3.017	26/6			64E-20.003	25/49	26/6	26/18
64D-3.018	26/6	26/16	26/17w			26/11	26/18
64D-3.019	26/6			64E-20.004	25/49	26/6	26/18
64D-3.020	26/6					26/11	26/18
64D-3.025	26/5		26/13	64E-20.005	25/49	26/6	26/18
64D-3.027	26/6					26/11	26/18
64E-1	25/5c			64V-1.001	26/13		
64E-1.001	25/51		26/15	64V-1.002	26/13		
64E-1.0015	25/51	26/9	26/15	64V-1.0031	26/13		
64E-1.002	25/51		26/15	64V-1.0032	26/13		
64E-1.003	25/51		26/15	64V-1.004	26/13		
64E-1.004	25/51		26/15	64V-1.006	26/13		
64E-1.005	25/51	26/9	26/15	64V-1.007	26/13		
64E-1.006	25/51		26/15	64V-1.015	26/13		
64E-1.007	25/51		26/15				
64E-1.100	25/51		26/15				
64E-1.101	25/51		26/15				
64E-1.102	25/51	26/9	26/15	65A-1.400	25/21c		
64E-1.103	25/51		26/15	65A-1.725	25/38		
64E-1.104	25/51	26/9	26/15	65A-1.900	25/19	25/44	26/13
64E-1.105	25/51	26/9	26/15			26/4	26/13
64E-1.106	25/51	26/9	26/15	65A-2.022	25/41		
64E-1.107	25/51	26/9	26/15	65A-2.024	25/41		
64E-1.108	25/51		26/15	65A-2.031	25/41		
				65A-2.032	25/41		

CHILDREN AND FAMILY SERVICES



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65A-2.033	25/41			65D-30.007	26/6	26/14	
65A-2.034	25/41			65D-30.008	26/6	26/14	
65A-2.035	25/41			65D-30.009	26/6	26/14	
65A-2.036	25/41			65D-30.010	26/6	26/14	
65A-4.100	26/4		26/17w	65D-30.011	26/6	26/14	
65A-4.101	26/7	26/17		65D-30.012	26/6	26/14	
65A-4.201(3)	24/19c			65D-30.013	26/6	26/14	
65A-4.206	25/46	26/6	26/15	65D-30.014	26/6	26/14	
65A-4.213	25/32			NAVIGATION DISTRICTS			
65A-4.216	25/32						
65A-15.0095	26/4			66B-2.004	25/47		26/11w
65A-33.001	26/13				26/11		
65C-1.001	26/17			66B-2.006	25/47		26/11w
65C-1.002	26/17				26/11		
65C-1.003	26/17			66B-2.008	25/47	26/1	26/11w
65C-1.004	26/17				26/11		
65C-1.005	26/17			FLORIDA HOUSING FINANCE CORPORATION			
65C-1.006	26/17						
65C-1.007	26/17			67-21.019	24/46	24/46	
65C-1.014	26/17			67-32.009	24/28		
65C-20.009	25/41	26/11		67-37.011	25/37		
65C-20.011	25/41	26/11		67-38.002	26/5	26/17	
65C-20.013	25/41	26/11		67-38.0025	26/5	26/17	
65C-21.001	23/20			67-38.003	26/5	26/17	
65C-22.001	25/41	26/6	26/15w	67-38.004	26/5	26/17	
	26/15			67-38.005	26/5	26/17	
65C-22.003	25/41	26/6	26/15w	67-38.006	26/5		
	26/15			67-38.007	26/5	26/17	
65C-22.004	26/15			67-38.008	26/5	26/17	
65C-22.005	25/41		26/15w	67-38.010	26/5	26/17	
	26/15			67-38.011	26/5	26/17	
65C-22.006	25/41	26/6	26/15w	67-38.012	26/5	26/17	
	26/15			67-38.013	26/5		
65C-25.001	25/41	26/11		67-38.014	26/5	26/17	
65C-25.002	25/41	26/11		67-38.0145	26/5	26/17	
65C-25.003	25/41	26/11		67-38.015	26/5	26/17	
65C-25.004	25/41	26/11		67-38.016	26/5		
65C-25.005	25/41	26/11		67-38.017	26/17	26/17	
65C-25.006	25/41	26/11		67-43.005	25/33c		
65C-25.007	25/41	26/11		67-44.001	26/9		
65C-25.008	25/41	26/11		67-44.002	26/9		
65D-16.003	26/6			67-44.003	26/9		
65D-16.004	26/6			67-44.004	26/9		
65D-16.007	26/6			67-44.005	26/9		
65D-16.008	26/6			67-44.006	26/9		
65D-16.009	26/6			67-44.007	26/9		
65D-16.010	26/6			67-44.008	26/9		
65D-16.011	26/6			67-44.009	26/9		
65D-16.012	26/6			67-44.010	26/9		
65D-16.014	26/6			67-44.011	26/9	26/16	
65D-30.001	26/6			67-48.005	25/33c		
65D-30.002	26/6	25/14		FISH AND WILDLIFE CONSERVATION COMMISSION			
65D-30.003	26/6	26/14					
65D-30.004	26/6	25/14					
65D-30.005	26/6	26/14					
65D-30.006	26/6	26/14		68AER99-1			25/52

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68A-4.004	26/8		26/17	68B-13.006	25/48	26/8	
68A-6.0022	26/8		26/17	68B-13.007	25/48	26/8	
68A-9.004	26/8		26/17	68B-13.008	25/48	26/8	
68A-9.007	26/8		26/17			26/13	
68A-13.007	26/8		26/17	68B-13.009	25/48	26/8	
68A-14.001	26/16			68B-13.010	25/48	26/8	
68A-15.004	26/8		26/17	68B-13.011	25/48	26/8	
68A-15.005	26/8		26/17	68B-14.006	26/16		
68A-15.061	25/52	26/7	26/12	68B-21.005	26/16		
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68A-15.062	26/8	26/15		68B-22.006	26/16		
68A-15.063	26/8		26/17	68B-23.0035	26/16		
68A-15.064	26/8		26/17	68B-23.005	26/16		
68A-15.065	26/8	26/15		68B-24.009	26/16		
68A-16.004	26/8		26/17	68B-26.003	26/16		
68A-16.005	26/8		26/17	68B-30.0025	26/16		
68A-17.004	26/8		26/17	68B-35.003	26/16		
68A-17.005	26/8		26/17	68B-36.005	26/16		
68A-20.005	26/8		26/17	68B-37.002	26/8	26/16	
68A-23.002	26/8		26/17	68B-37.003	26/8	26/16	
68A-23.005	26/8		26/17				
68A-23.007	26/8		26/17	68B-37.004	26/8	26/16	
68A-25.002	25/52	26/7	26/12	68B-39.004	25/52		26/12
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68A-25.003	26/8		26/17	68B-43.003	26/16		
68A-25.004	26/8		26/17	68B-46.001	25/52		26/12
68A-25.021	26/8		26/17	68B-46.002	25/52	26/7	26/12
68A-25.031	26/8		26/17	68B-47.002	26/16		
68A-25.032	26/8	26/15		68B-48.003	26/16		
68A-25.042	26/8		26/17	68B-49.002	26/16		
68A-25.047	26/8		26/17	68C-22.005	26/7		
68A-25.052	26/8		26/17	68C-22.005(2)(d)8.	26/13c		
68A-27.0021	26/8		26/17	68C-22.005(2)(i)	26/13c		
68A-28.002	26/16		26/17w	68C-22.027	26/16		
68B-5.005	26/16			68D-24.003	26/8	26/15	
68B-12.0035	26/16						
68B-13.0015	25/48	26/8					
68B-13.002	25/48	26/8					