

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Instruction and Awards in Community Colleges      RULE NO.: 6A-14.030

PURPOSE AND EFFECT: During the process of creating Occupational Completion Points (OCPs) for the Associate in Science degrees, changes were made to degree titles. Some degrees were merged or deleted and, in a few cases, standard program lengths changed slightly. The Articulation Coordinating Committee approved these changes in January 1999. In addition, some new degree programs were added during the 1999/2000 academic year.

SUBJECT AREA TO BE ADDRESSED: The instruction and awards community colleges are authorized to provide.

SPECIFIC AUTHORITY: 240.325 FS.

LAW IMPLEMENTED: 228.041(1),(21), 229.551(1), 239.105, 239.117(5), 239.205, 239.213, 239.301, 240.117(2), 240.301, 240.325 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AS NOTICED IN A FUTURE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sydney H. McKenzie III, General Counsel, State Board of Community Colleges, Division of Community Colleges, 325 West Gaines St., Tallahassee, FL 32399-0400

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

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE TITLES:	RULE NOS.:
Specific Exemptions	12A-1.001
Sales and Use Tax on Services; Sale for Resale	12A-1.0161
Consumer's Certificate of Exemption;	
Exemption Certificates	12A-1.038
Sales for Resale	12A-1.039
Public Use Forms	12A-1.097

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.001, F.A.C. (Specific Exemptions); Rule 12A-1.0161, F.A.C. (Sales and Use Tax on Services; Sale for Resale); and Rule 12A-1.097, F.A.C. (Public Use Forms); and the proposed substantial rewording of Rule 12A-1.038, F.A.C. (Consumer's Certificate of Exemption); and Rule 12A-1.039, F.A.C. (Sales for Resale), is necessary to implement ss. 18, 19, 20, 21, 22, 23, and 24, Chapter 99-208,

L.O.F. This law substantially amended provisions regarding the exemption provided for sales made for the purpose of resale. The proposed amendments will remove obsolete guidelines for sales to exempt organizations, sales for the purposes of resale, and suggested formats of resale/exemption certificates and provide current guidelines.

The purpose of the proposed amendments to Rule 12A-1.001, F.A.C. (Specific Exemptions), is to implement the provisions of s. 1, Chapter 2000-228, L.O.F. This law substantially revised s. 212.08(7), F.S., which provides sales tax exemptions for certain qualifying organizations. With the exception of the provisions of s. 212.08(7)(cc), F.S., regarding the exemption provided for certain works of art, the new law is clear; and an administrative rule to implement these statutory provided exemptions is unnecessary. For purposes of the exemption provided for certain works of art, the law eliminates the definition provided in s. 212.08(7)(o)2.d., F.S., and creates a definition for the term "educational institution" in s. 212.08(7)(cc)8., F.S.

The purpose of the proposed amendments to Rule 12A-1.001, F.A.C., is also to remove provisions regarding sales made directly to the United States Government, a state, county, municipality, or political subdivision and the suggested formats for exemption certificates to be issued by employees of these governmental entities. These suggested formats for exemption certificates will be provided in Rule 12A-1.038, F.A.C., as proposed for amendment.

The purpose of the proposed amendments to Rule 12A-1.0161, F.A.C. (Sales and Use Tax on Services; Sale for Resale), is to provide current guidelines regarding the sale of taxable services for resale and to remove obsolete guidelines regarding sales to exempt organizations. Guidelines regarding sales to exempt organizations and the suggested formats for exemption certificates will be provided in Rule 12A-1.038, F.A.C., as proposed for amendment. Guidelines regarding sales for the purpose of resale will be provided in Rule 12A-1.039, F.A.C., as proposed for amendment.

The purpose of the proposed amendments to Rule 12A-1.038, F.A.C. (Consumer's Certificate of Exemption), is to: (1) remove obsolete guidelines regarding sales made to tax exempt entities; (2) provide guidelines for organizations and governmental entities on how to obtain a Florida Consumer's Certificate of Exemption; (3) provide guidelines for the effective dates of Florida Consumer's Certificates of Exemption issued by the Department; (4) provide guidelines on how to challenge the denial of an application for a Florida Consumer's Certificate of Exemption; (5) provide guidelines for dealers making tax exempt sales made to organizations holding a Consumer's Certificate of Exemption, to governmental entities, and to persons who purchase items tax exempt based on the use of the property or service; (6) provide guidelines on how to obtain a transaction authorization number or a vendor authorization number from the Department to

properly document tax exempt sales; and (7) provide guidelines to dealers regarding records that are required to be maintained to document tax exempt sales.

The purpose of the proposed substantial rewording of Rule 12A-1.039, F.A.C. (Sales for Resale), is to: (1) implement the provisions of Chapter 99-208, L.O.F., regarding the exemption provided for sales for the purpose of resale and the Department's requirement to issue an Annual Resale Certificate to dealers actively registered with the Department; (2) remove obsolete provisions regarding the use of resale and exemption certificates; (3) provide guidelines regarding the methods that a selling dealer may use to properly document an exempt sale for the purpose of resale; (4) provide guidelines on how a selling dealer may obtain a transaction authorization number or a vendor authorization number from the Department to properly document tax exempt sales; (5) provide guidelines to selling dealers on the requirements for documenting sales of alcoholic beverages, sales of certain motor vehicles, and sales of motor vehicles to dealers who are not required to be registered in this state; (6) provide guidelines for when a selling dealer will be held harmless for establishing the exempt nature of a tax exempt sale for the purpose of resale; (7) provide guidelines to dealers regarding records that are required to be maintained to document tax exempt sales for the purpose of resale; (8) provide the requirements on how a taxpayer may purchase items or services for the purpose of resale tax exempt and the documentation requirements of such purchases; and (9) provide how taxpayers may use the Multistate Tax Commission's Uniform Sales and Use Tax Certificate-Multijurisdiction to make tax exempt purchases for the purposes of resale.

The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to incorporate by reference, as required by s. 120.54, F.S., the amendments to forms DR-5, Application for Consumer's Certificate of Exemption, and DR-5N, Information and Instructions for Completing Application for Consumer's Certificate of Exemption.

**SUBJECT AREA TO BE ADDRESSED:** This workshop will provide an opportunity for the Department to receive public comments regarding the proposed amendments to Rules 12A-1.001, 12A-1.0161, and 12A-1.097, F.A.C., and the proposed substantial rewording of Rules 12A-1.038 and 12A-1.039, F.A.C. The subject of these rule amendments is the Department's proposed implementation of ss. 18, 19, 20, 21, 22, 23, and 24, Chapter 99-208, L.O.F., and the implementation of Chapter 2000-388, L.O.F.

**SPECIFIC AUTHORITY:** 212.07(1)(b), 212.17(6), 212.18(2), 213.06(1) FS.

**LAW IMPLEMENTED:** 95.091(3), 120.57(1), (2), 120.60(3), 120.80(14), 212.02(10),(12),(14),(16),(20),(21), 212.05, 212.0515, 212.054, 212.055, 212.0596(7), 212.06(1)(a),(e), (2),(9), 212.07(1),(8), 212.08(4),(5)(a),(e),(6),(7)(a),(b),(c),(d), (f),(h),(i),(k),(q),(v),(x),(cc),(nn),(8), 212.085, 212.13(4),

(5)(c),(d), 212.17(6), 212.18(2),(3), 212.21(2), 213.053(10), 213.12(2), 213.37, 403.715 FS., ss. 21, 22, 23, 24, Ch. 99-208, L.O.F.

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

**TIME AND DATE:** 10:00 a.m., February 14, 2001

**PLACE:** Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule development workshop may be obtained from Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407.

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Vicki Allen, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4846

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

12A-1.001 Specific Exemptions.

(1) through (2) No change.

~~(3) RELIGIOUS, EDUCATIONAL, CHARITABLE, VETERANS' AND SCIENTIFIC ORGANIZATIONS, HOMES FOR THE AGED, NURSING HOMES OR HOSPICES, FEDERAL AND STATE CHARTERED CREDIT UNIONS, FLORIDA RETIRED EDUCATORS ASSOCIATION AND LOCAL CHAPTERS, ORGANIZATIONS PROVIDING SPECIAL EDUCATIONAL AND SOCIAL BENEFITS TO MINORS, STATE THEATER CONTRACT ORGANIZATIONS, MILITARY MUSEUM FUNDRAISERS, COAST GUARD AUXILIARIES, AND CEMETERY ASSOCIATIONS.~~

~~(a) A sale or lease directly to or sales or leases of tangible personal property by churches, or a sale or lease directly to nonprofit religious, nonprofit educational, nonprofit charitable institutions, and veterans' organizations, for use in the course of their customary nonprofit religious, nonprofit educational, nonprofit charitable activities, and for use by veterans' organizations, including church cemeteries, are exempt from the tax imposed by Chapter 212, F.S. Also exempt are scientific organizations and organizations providing special educational and social benefits to minors; State Theater Contract Organizations; Florida Retired Educators~~

Association; and certain nonprofit corporations qualified as homes for the aged or licensed as a nursing home or hospice. However, such institutions or organizations desiring to qualify for the exemption must obtain from the Department of Revenue a consumer's certificate of exemption, and payment must be made directly to the dealer by the exempt entity. See subparagraph (9)(d)2. of this rule for a suggested document to be provided the dealer by an employee who has been authorized to make purchases on behalf of a nonprofit organization when payments are made directly to the dealer by the exempt entity. This exemption shall not inure to any transaction otherwise taxable when payment is made by an exempt entity's employee by any means, including but not limited to, cash, check, or credit card, when that employee is subsequently reimbursed by the exempt entity. See Rules 12A-1.038 and 12A-1.039, F.A.C.

(b) With the exceptions noted below, sales or rentals of tangible personal property, rentals or leases of transient rental accommodations, rentals or leases of real property, rentals or leases of parking, docking, or tie down spaces, admissions, or other transactions subject to the tax imposed by Chapter 212, F.S., made by exempt entities are taxable. Such entities are required to register in the same manner as other dealers and collect and remit tax on transactions which are subject to the tax imposed by Chapter 212, F.S. For admission charges imposed by not for profit sponsoring organizations qualifying under the provisions of s. 501(c)(3) of the U.S. Internal Revenue Code, see Rule 12A-1.005(3)(g), F.A.C. Sales or leases of tangible personal property by churches are exempt. Sales or leases by the following organizations are exempt from the tax imposed pursuant to Chapter 212, F.S.:

1. Homes for the aged, nursing homes, or hospices, pursuant to s. 212.08(7)(m), F.S.;
2. Organizations providing special educational, cultural, recreational, and social benefits to minors, pursuant to s. 212.08(7)(n), F.S.;
3. State theater contract organizations, pursuant to 212.08(7)(r), F.S.;
4. Coast Guard auxiliaries, pursuant to s. 212.08(7)(ee), F.S.;
5. Citizen support organizations, pursuant to s. 212.08(7)(kk), F.S.;
6. Nonprofit cooperative hospital laundries, pursuant to s. 212.08(7)(nn), F.S.

(c) "Church" means a religious institution having an established physical place of worship where persons regularly assemble for worship and instruction for religious purposes. Religious organizations whose functions are radio or television broadcasting or those organizations conducting services for short periods of time at temporary locations, and religious associations that provide administrative functions only, are not considered to be churches.

(d) "Religious institutions" means churches, synagogues, and established physical places for worship at which nonprofit religious services and activities are regularly conducted and carried on. The term "religious institutions" includes:

1. Nonprofit corporations, the sole purpose of which is to provide free transportation services to church members, their families, and other church attendees.

2. State, district, or other governing or administrative offices whose function is to assist or regulate the customary activities of religious organizations or members within the state or district organization.

3. Any corporation qualified as nonprofit pursuant to s. 501(c)(3), United States Internal Revenue Code, 1986, as amended, that owns and operates a Florida television station of which 90 percent of the station's programming consists of programs of a religious nature. In addition, in excess of 50 percent of the financial support for the corporation, exclusive of receipts for broadcasting from other nonprofit organizations, must come from contributions from the general public.

(e) Furniture purchased by a church for the parsonage, rectory, or church home for the pastor with title to such furniture remaining in the name of the church is exempt.

(f)1. Nonprofit educational institutions must hold consumer's certificates of exemption in order to be exempt from payment of tax on materials and supplies which are purchased for use by them in their customary educational activities. See Rules 12A-1.038 and 12A-1.039, F.A.C.

2.a. "Educational institutions" shall mean state tax supported or parochial, church and nonprofit private schools, colleges, or universities conducting regular classes and courses of study required for accreditation by, or membership in, the Southern Association of Colleges and Schools, State Department of Education, Florida Council of Independent Schools, or the Florida Association of Christian Colleges or nonprofit private schools which conduct regular classes and courses of study accepted for continuing education credit by a Board of the Division of Medical Quality Assurance of the Department of Professional Regulation or which conduct regular classes and courses of study accepted for continuing education credit by the American Medical Association.

b. The term "educational institutions" includes any educational television or radio network or system established pursuant to s. 229.805, F.S., or s. 229.8051, F.S., and any nonprofit television or radio station which is a part of such network or system and which holds a current exemption from federal income tax under s. 501(c)(3), United States Internal Revenue Code.

c. The term "educational institutions" shall also include private nonprofit organizations whose primary purpose is to raise funds for schools teaching grades kindergarten through high school, colleges, and universities.

d. The term “educational institutions” also includes state, district, or other governing or administrative offices the function of which is to assist or regulate the customary activities of educational organizations or members.

e. Nonprofit libraries, art galleries, and museums open to the public are defined as educational institutions and are eligible for exemption.

f. The term “educational institutions” includes any nonprofit newspaper of free or paid circulation primarily on university or college campuses which holds a current exemption from federal income tax under s. 501(e)(3) of the Internal Revenue Code. For the taxability of the sale of newspapers by educational institutions see Rule 12A-1.008(10), F.A.C.

g. On or after July 1, 1994, the term “educational institutions” includes a nonprofit educational cable consortium which holds a current exemption from federal income tax under s. 501(e)(3) of the Internal Revenue Code, 1986, as amended, whose primary purpose is the delivery of educational and instructional cable television programming and whose members are composed exclusively of educational organizations which hold a valid consumer’s certificate of exemption and which are either an “educational institution” as defined in this paragraph or qualified as a nonprofit organization pursuant to s. 501(e)(3) of the Internal Revenue Code, 1986, as amended.

**(3) ART SOLD TO OR USED BY AN EDUCATIONAL INSTITUTION.**

~~(a)3-a.~~ A “work of art,” as defined in s. 212.08(7)(cc)(~~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 s. 212.08(7)(cc)8., F.S. ~~subparagraph 2,~~ or if it is 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 so 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 ~~subsection~~ ~~subparagraph~~ if it is displayed at any place other than an educational institution.

~~(b)b.~~ The purchaser or his authorized agent must: (1) complete an affidavit documenting entitlement to the exemption provided in s. 212.08(7)(cc)(~~dd~~), F.S., (2) present the affidavit to the seller of the work of art, and (3) forward a copy of the affidavit to the Department of Revenue when it is presented to the vendor. A purchaser may authorize his or her agent to execute such affidavit by a documented Power of Attorney filed with the Department. The Department

prescribes Form DR-835, Power of Attorney (incorporated by reference in Rule 12C-1.051 ~~12A-1.097~~, F.A.C.), as the form to be used for such purposes.

~~(c)c.~~ The following is a suggested format of the affidavit to be provided by the purchaser or the authorized agent to the vendor of the work of art:

**AFFIDAVIT FOR EXEMPTION OF A WORK OF ART TO BE DONATED 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)(cc)(~~dd~~), F.S., from Florida sales and use tax on the work(s) 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)(cc)8.(~~e~~)2-~~d~~, F.S.

b. \_\_\_\_\_ loaned to \_\_\_\_\_, an educational institution as defined in s. 212.08(7)(cc)8.(~~e~~)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. 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, 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. I understand that the exemption provided in s. 212.08(7)(cc)(~~dd~~), F.S., is allowed during the period of time in which the work(s) of art is in the possession of the educational institution, and

d. I understand that tax based upon the sales price as stated below will become due and payable at the time the provisions of s. 212.08(7)(cc)(~~dd~~), F.S., are no longer met, and the statute of limitations as provided in s. 95.091, F.S., will 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.

4. A signed copy of this affidavit is being forwarded to the Florida Department of Revenue at the time the original is given to the seller of the work(s) of art.

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 \_\_\_\_\_

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), \_\_\_\_\_ (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

~~(d)~~ The following is a suggested format of an affidavit of
transfer of title to be provided by the purchaser or the
authorized agent to the educational institution, as defined in s.
212.08(7)(cc)8,~~(e)2-d~~, F.S., upon donation of a work of art to
that institution:

AFFIDAVIT TRANSFERRING TITLE TO A WORK
OF ART 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)(cc)~~(dd)~~, F.S.,
from Florida sales and use tax on the work(s) of art described
below that was purchased in Florida or imported into Florida
for the exclusive purpose of being donated to

\_\_\_\_\_, an educational institution as defined in
s. 212.08(7)(cc)8,~~(e)2-d~~, F.S. A copy of the affidavit provided
to the vendor of the work(s) of art at the time of purchase is
attached.

2. Title to the work(s) of art has been, or is being,
transferred to the educational institution, effective \_\_\_\_\_
(date; no later than the date of this affidavit). Copies of any
other documents evidencing the transfer of title to the
educational institution are attached to this affidavit and are
being forwarded to the Florida Department of Revenue with
the affidavit.

3. A signed copy of this affidavit is being forwarded to the
Florida Department of Revenue at the time the original is given
to the educational institution.

Name of Transferor \_\_\_\_\_
\_\_\_\_\_ (City) \_\_\_\_\_ (State)
DESCRIPTION OF WORK(S) OF ART \_\_\_\_\_

Date Purchased \_\_\_\_\_
Name and Address of Person from Whom Purchased \_\_\_\_\_

Name of Educational Institution \_\_\_\_\_
Institution's Address \_\_\_\_\_ (Street)
\_\_\_\_\_ (City) \_\_\_\_\_ (State)

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 Transferor)
Sworn to and subscribed before me
this \_\_\_\_\_ day of
\_\_\_\_\_ (Month), \_\_\_\_\_ (Year).

Notary Public, State of Florida
My commission expires: \_\_\_\_\_

NOTARY SEAL
Personally known ( )
Produced identification ( ) Type: \_\_\_\_\_

Original to be retained by the educational institution and made
part of that institution'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: Donor's copy

~~(e)~~ The exemption provided to the purchaser of a work
of art loaned to an educational institution is not terminated if
the educational institution loans the work of art to another
educational institution(s) and the physical custody of such
work of art is returned to the lending educational institution at

the termination of the loan agreement(s). Any educational institution which transfers possession of a work of art that is exempt under this subsection subparagraph to other educational institutions is required to notify the Department within 60 days of such transfers. The notification must include a description of the work of art, the name and address of the purchaser who loaned it, the names and addresses of each of the educational institutions receiving the work of art for display, and the time periods that the work of art will be displayed at each identified educational institution.

~~(f)g.~~ Any educational institution in this state that has received from a purchaser a work of art ~~that which~~ is exempt under this subsection subparagraph is required to notify the Department within 60 days that it has received the work of art. The notification to the Department must include a description of the work of art, the name and address of the purchaser who loaned it, and the date on which the transfer of possession occurred.

~~(g)g.~~ Any educational institution which displays a work of art received on loan that is exempt under s. 212.08(7)(cc)(dd), F.S., is required to maintain any written agreements, notifications, affidavits, and any other documentation which substantiates the educational institution's right to display the work of art until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S., and such documentation shall be made available to the Department upon request.

~~(h)h.~~ Any educational institution that transfers from its possession a work of art received on loan that is exempt under s. 212.08(7)(cc)(dd), F.S., is required to notify the Department within 60 days after the transfer, except for transfers which do not terminate the exemption provided by s. 212.08(7)(cc)(dd), F.S., for purposes such as storage, repairs, conservation and restoration, authentication, insurance examination, valuation, appraisal, research, photography and reproduction, or fumigation during which the work of art is not displayed and the educational institution maintains documentation to substantiate that such transfers do not constitute a transfer of possession for purposes of display of such work of art. The notification to the Department must include a description of the work of art, the name and address of the purchaser who loaned it, the name and address of to whom the work of art is transferred, and the date on which the transfer of possession occurred.

~~(i)j.~~ Documents and notifications required to be provided to the Department should be mailed to the following address:

Florida Department of Revenue  
 Compliance Enforcement  
 Enforcement Operations  
 P. O. Box 6417  
 Tallahassee, Florida 32314-6417

~~(g)1.~~ "Charitable institutions" means only nonprofit corporations qualified as nonprofit pursuant to s. 501(c)(3), United States Internal Revenue Code, 1954, as amended, and other nonprofit entities that meet the following requirements:

~~a.~~ the sole or primary function is providing a "qualified charitable service" as defined in this subsection; and

~~b.~~ a reasonable percentage of such service is provided free of charge, or at a substantially reduced cost, to persons, animals, or organizations that are unable to pay for such service.

~~2.~~ "Qualified charitable service" means:

~~a.~~ Medical aid for the relief of disease, injury, or disability;

~~b.~~ Regular provision of physical necessities such as food, clothing, or shelter;

~~c.~~ Services for the prevention of or rehabilitation of persons from alcoholism or drug abuse; the prevention of suicide; or the alleviation of mental, physical, or sensory health problems; services include public education or awareness programs intended to relieve or prevent any disease, injury, or disability;

~~d.~~ Social welfare services including adoption placement, child care, community care for the elderly, and other social welfare services which clearly and substantially benefit a client population which is disadvantaged or suffers a hardship;

~~e.~~ Medical research for the relief of disease, injury, or disability;

~~f.~~ Legal services;

~~g.~~ Food, shelter, or medical care for animals or adoption services, cruelty investigations, or education programs concerning animals;

~~h.~~ Providing volunteer manpower to charitable institutions as defined in this subsection; or

~~i.~~ Raising funds for "charitable institutions" as defined in this subsection.

~~3.a.~~ For the purpose of this subsection the following terms and phrases shall have the meaning ascribed to them except when the context clearly indicates a different meaning:

~~I.~~ "Persons unable to pay" means persons whose annual income is 150 percent or less of the current Federal Poverty Guidelines or whose uncompensated hospital charges exceed 25 percent of their annual family income for the preceding 12 months. A charity day shall be computed from the amount of uncompensated services to persons unable to pay. However, in no case shall any of the hospital's charges for an individual or family whose income exceeds four (4) times the Federal Poverty Level for a family of four be considered charity days.

~~H.~~ Example: The Smith family (family of four) whose annual family income for 1986 was \$20,000 had a catastrophic illness affect one of their children. The hospital bill which their insurance did not cover amounted to \$7,000, which represented thirty five (35) percent of their current salary.

b. The hospital may include those days stayed at the hospital by the child as a charity day if the outstanding balance is uncollectible. The hospital may include this total even though the family's income exceeds the Federal Poverty Level by over 170 percent because the uncompensated portion of the hospital bill exceeds 25 percent of the family's income.

e. For providers of low income housing, "persons unable to pay" means persons who qualify as "low income persons" pursuant to Florida's "State Housing Strategy Act."

d. "Substantially reduced cost" means the normal charge, market price, or fair market value to a purchaser or recipient, diminished in an amount of considerable quantity.

e. "Sole or primary function" means that a charitable institution, excluding hospitals, must establish and support its function as providing or raising funds for services as outlined in subparagraphs 1. and 2. above, by expending in excess of 50.0 percent of the charitable institution's operational expenditures towards "qualified charitable services", as defined in subparagraph 2.a. g., within the charitable institution's most recent fiscal year.

4.a. For charitable institutions other than hospitals, a "reasonable percentage" of the charitable services provided free or at a substantially reduced cost to those unable to pay will be determined by the particular circumstances of each institution. The following factors shall be considered in determining whether a nonprofit entity is providing a reasonable percentage of its charitable services free of charge or at a substantially reduced cost to persons, animals, or institutions unable to pay for such services:

I. services are provided free of charge;

II. services are provided at a substantially reduced cost to the recipient;

III. available services are provided to anyone who requests the service without regard to ability to pay;

IV. the ratio of services offered without cost or at a substantially reduced cost to the cost of all services provided;

V. the fair market value of the provided services offered free or at a substantially reduced cost compared to the amount of sales tax savings to the institution resulting from exemption;

VI. the likelihood that due to the nature of the services provided and the geographic area in which the services are provided, the services will be delivered to those unable to pay;

VII. medical research services and public education and awareness programs are intended to benefit the public in that they are directed toward or involve diseases, injuries, or disabilities which can affect members of the public.

b. If a charitable institution, other than a hospital, does not screen to determine whether its clientele are unable to pay, the institution may submit to the Department a statement signed by an officer or director of the institution which specifies the institution's best good faith estimate of the percentage of its services provided without charge or at a substantially reduced cost to persons unable to pay and the basis for the estimate.

e. For hospitals, meaning only those institutions as defined in Part I, Chapter 395, F.S., and subject to the licensing requirements of Part I, Chapter 395, F.S., a reasonable percentage of charitable services provided without cost to those unable to pay shall be computed by the hospital, using one of the following methods:

I. The ratio of uncompensated charity days and medicaid days (numerator) compared to total acute care inpatient days (denominator), should be greater than or equal to 2.5 percent.

II. The ratio of uncompensated charity days and medicaid days (numerator) compared to total acute care inpatient days minus medicare days (denominator) shall be greater than or equal to 5 percent. These figures used to compute charity days, medicaid days, total acute care inpatient days, and medicare days shall be those reported to and accepted by the Health Care Cost Containment Board.

(h) Political subdivisions of the state and public libraries which qualify for and maintain a current sales tax exemption certificate under s. 212.08(6) or (7), F.S., shall utilize their certificates to purchase, with funds provided by the following groups, equipment, supplies, and items necessary for the operation of the group or organization:

1. School districts shall purchase necessary goods and services requested by parent teacher organizations.

2. Counties and municipalities shall purchase necessary goods and services requested by REACT groups, neighborhood crime watch groups, and state or locally recognized organizations solely engaged in youth activities identical to those discussed in s. 212.08(7)(n), F.S.

3. Public libraries shall purchase necessary goods and services requested by groups solely engaged in fund-raising activities for such libraries.

(i) A sale or lease directly to or by a nonprofit corporation which holds a current exemption from federal corporate income tax pursuant to s. 501(c)(3), United States Internal Revenue Code, 1954, as amended, and which either qualifies as a home for the aged pursuant to s. 196.1975(2), F.S., or is licensed as a nursing home or hospice under the provisions of Chapter 400, F.S., is exempt from the tax imposed by Chapter 212, F.S., providing such entity holds a consumer's certificate of exemption. See Rules 12A-1.038 and 12A-1.039, F.A.C.

(j) Sales or leases to the state headquarters of veterans' organizations and the state headquarters of their auxiliaries, when used in carrying out their customary veterans organization activities, are exempt from payment of the tax imposed by Chapter 212, F.S., providing such organizations hold a consumer's certificate of exemption. If the organization or its auxiliary does not maintain a permanent state headquarters, the transactions involving sales or leases used to maintain the office of the highest ranking state official are exempt. See Rules 12A-1.038 and 12A-1.039 F.A.C. "Veterans' organizations" means nationally chartered or recognized veterans' organizations, including, but not limited

to, Florida chapters of the Paralyzed Veterans of America, Catholic War Veterans of the U.S.A., Jewish War Veterans of the U.S.A., and the Disabled American Veterans, Department of Florida, Inc., which hold current exemptions from federal income tax under s. 501(e)(4) or s. 501(e)(19) of the Internal Revenue Code.

(k)1. The term "scientific organizations" means scientific organizations in Florida holding a current exemption from federal income tax under s. 501(e)(3) of the Internal Revenue Code. This term also means organizations whose purpose is to protect air and water quality or protect wildlife in Florida and which hold current exemptions from the federal income tax under s. 501(e)(3) of the Internal Revenue Code.

2. Sales or leases directly to nonprofit scientific organizations are exempt from the tax imposed by Chapter 212, F.S., providing such organizations hold a consumer's certificate of exemption. See Rules 12A-1.038 and 12A-1.039, F.A.C.

(l) A chamber of commerce is not entitled to exemption on its purchases as it is not a religious, educational, or charitable institution. The funds derived from the cities and counties by taxation paid to the chamber of commerce do not exempt it on the expenditure of those funds unless the purchases involved are made directly by the city or county.

(m) Unless qualified as hereinbefore provided, civic, commercial, cooperative, fraternal, social, labor, and veterans' organizations are not exempt organizations under Chapter 212, F.S. Sales and rentals made to or by them are taxable in the same manner as those made to or by other "dealers".

(n) Sales to or purchases by federally chartered and state chartered credit unions are exempt from the tax imposed by Chapter 212, F.S. Each credit union claiming the exemption should apply to the Department for a consumer's certificate of exemption.

(o) Nonprofit organizations incorporated in accordance with Chapter 617, F.S., which have qualified under s. 501(e)(3) of the Internal Revenue Code of 1954, as amended, and which have been designated as State Theater Contract Organizations as provided in s. 265.289, F.S., shall be exempt from any tax imposed by Chapter 212, F.S.

(p) Sales to or purchases by the Florida Retired Educators Association and Local Chapters of office supplies, equipment, and publications only are exempt from tax imposed by Chapter 212, F.S. See Rules 12A-1.038 and 12A-1.039, F.A.C.

(q) Nonprofit organizations providing special educational, cultural, recreational, and social benefits to minors which are incorporated pursuant to Chapter 617, F.S., or which hold a current exemption from federal corporate income tax pursuant to s. 501(e)(3) of the United States Internal Revenue Code whose primary purpose is providing activities which contribute to the development of good character, good sportsmanship, or to the educational or cultural development of minors are exempt from the tax imposed by Chapter 212, F.S. "Primary

purpose" means that the applicant for this exemption must establish and support its function by expending in excess of 50% of the organization's total expenditures towards the referenced activities within the organization's most recent fiscal year. For purposes of making exempt purchases, such organizations must hold a consumer's certificate of exemption. (See Rules 12A-1.038 and 12A-1.039, F.A.C.) This exemption is extended only to that level of the organization that has a salaried executive officer or an elected non-salaried executive officer.

(r) Sales to nonprofit corporations which hold a current exemption from federal corporate income tax pursuant to s. 501(e)(3), United States Internal Revenue Code, 1954, as amended, whose primary purpose is to raise money for military museums are exempt from the payment of the tax imposed by Chapter 212, F.S., providing such nonprofit corporations hold a consumer's certificate of exemption. See Rules 12A-1.038 and 12A-1.039 F.A.C.

(s) On or after July 1, 1992, sales or leases directly to or purchases or use by Coast Guard auxiliaries are exempt from the tax imposed by Chapter 212, F.S., if the Coast Guard auxiliary holds a consumer's certificate of exemption and presents it to the dealer at the time of sale. For purposes of this paragraph, "Coast Guard auxiliaries" are defined as nonprofit organizations affiliated with the United States Coast Guard which are exempt from federal income tax under ss. 501(a) and 501(e)(3) of the U.S. Internal Revenue Code of 1986, as amended, and the primary purpose of which is to promote safe boating and to conduct free classes in basic seamanship. (See Rules 12A-1.038 and 12A-1.039, F.A.C.)

(t) On or after July 1, 1992, sales or leases directly to or purchases or use by a nonprofit corporation, operated for the purpose of maintaining a cemetery that was donated to the community by deed, that has qualified under s. 501(e)(13) of the U.S. Internal Revenue Code of 1986, as amended, are exempt from the tax imposed by Chapter 212, F.S., if the nonprofit corporation holds a consumer's certificate of exemption and presents it to the dealer at the time of sale. (See Rules 12A-1.038 and 12A-1.039, F.A.C.)

(4) through (8) No change.

(9) GOVERNMENTAL UNITS.

(a) All sales made directly to the United States Government, a state, or any county, municipality, or political subdivision of a state are exempt, except machines, equipment, parts, and accessories therefor used in the generation, transmission, or distribution of electricity. Except for purchases by employees of the United States Government, this exemption is not available for any taxable transaction when payment is made by a governmental employee by use of personal funds, including cash, checks, or credit cards, when the employee is subsequently reimbursed by the governmental entity. Payment must be made directly to the dealer by the governmental entity of a state, or any county, municipality, or



political subdivision of a state. Purchases made by Federal employees on behalf of their agency are exempt even though the employee is subsequently reimbursed by the agency. Such governmental entities desiring to qualify for the exemption must obtain from the Department of Revenue a consumer's certificate of exemption (see Rule 12A-1.038 and 12A-1.039, F.A.C.). The exemption provided in this subsection shall be strictly defined, limited, and applied to each entity as provided herein.

(b) through (c) renumbered (a) through (b) No change.

(d) Vendors are required to document exempt sales. Federal employees, other government employees, and employees of nonprofit organizations described in subsection (3) of this rule shall provide the vendor with proper documentation of the exempt nature of the sale.

1. A suggested format of the document to be provided by Federal employees to their vendors is the following:

FEDERAL EMPLOYEE'S CERTIFICATE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SELLING DEALER'S NAME

\_\_\_\_\_  
SELLING DEALER'S ADDRESS

I, the undersigned, am an employee of the Federal agency identified below. The purchase or lease of tangible personal property or services or the rental of living accommodations on \_\_\_\_\_ (DATE[S]) from the business identified above is in pursuit of my employer's affairs. The Government of the United States either will pay the seller directly, or will provide reimbursement to the employee for the actual cost of the purchase or lease of tangible personal property, services, or sleeping accommodations made on this date(s). Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true.

\_\_\_\_\_  
SIGNATURE OF EMPLOYEE

\_\_\_\_\_  
NAME OF FEDERAL AGENCY

\_\_\_\_\_  
ADDRESS OF FEDERAL AGENCY

~~THIS CERTIFICATE MAY NOT BE USED TO MAKE EXEMPT PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL EMPLOYED BY A UNITED STATES GOVERNMENT AGENCY. PROPER IDENTIFICATION IS REQUIRED BEFORE THIS CERTIFICATE MAY BE ACCEPTED BY THE SELLER.~~

2. A suggested format of the document to be provided by other government employees or employees of nonprofit organizations to their vendors is the following:

~~EMPLOYER'S AUTHORIZATION TO MAKE PURCHASES ON BEHALF OF AN EXEMPT GOVERNMENTAL OR NONPROFIT ORGANIZATION~~

\_\_\_\_\_  
DATE

TO: \_\_\_\_\_

\_\_\_\_\_  
SELLING DEALER'S NAME

\_\_\_\_\_  
SELLING DEALER'S ADDRESS

~~I, the undersigned, am a representative of the exempt governmental or nonprofit organization identified below. The purchase or lease of tangible personal property or services or the rental of living accommodations made on \_\_\_\_\_ (DATE[S]) from the business identified above is for use by the exempt governmental or nonprofit organization identified below.~~

~~The charges for the purchase or lease of tangible personal property or services or the rental of living accommodations from the dealer identified above will be billed to and paid directly by the exempt governmental or nonprofit organization.~~

~~Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true.~~

\_\_\_\_\_  
~~AUTHORIZED SIGNATURE ON BEHALF OF EXEMPT ENTITY~~

\_\_\_\_\_  
~~NAME OF EXEMPT ENTITY~~

\_\_\_\_\_  
~~ADDRESS OF EXEMPT ENTITY~~

~~CONSUMER'S CERTIFICATE OF EXEMPTION NUMBER THIS CERTIFICATE MAY NOT BE USED TO MAKE PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL REPRESENTING THE EXEMPT ENTITY IDENTIFIED ABOVE.~~

(10) through (21) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 92.525, 212.02(10), (12), (16), (20), (21), 212.03, 212.031, 212.04, 212.05, 212.0515, 212.06(2), (9), 212.08(4), (5)(a), (e), (6), (7)(a), (b), (c), (d), (f), (g), (h), (i), (k), (l), (m), (n), (o), (p), (q), (r), (s), (u), (v), (x), (bb), (cc), (dd), (8), 212.085, 212.17, 212.18, 213.12(2), 213.37, 403.715 FS. History- Revised 1-7-68, 1-7-70, Amended 1-17-71, Revised 6-16-72, Amended 7-19-72, 12-11-74, 5-27-75, 10-21-75, 9-7-78, 9-28-78, 10-18-78, 9-16-79, 2-3-80, 6-3-80, 7-7-80, 10-29-81, 12-3-81, 12-31-81, 7-20-82, 11-15-82, 10-13-83, 4-12-84, Formerly 12A-1.01, Amended 7-9-86, 1-2-89, 12-1-89, 7-7-92, 9-14-93, 5-18-94, 12-13-94, 3-20-96, 4-2-00, 6-28-00, \_\_\_\_\_.

12A-1.0161 Sales and Use Tax on Services; Sale for Resale.

(1) through (3) No change.

(4)(a) Sales of services made directly to the United States Government, a state, any county, municipality, or political subdivision of a state, or any qualifying nonprofit religious,

~~nonprofit charitable, nonprofit educational, nonprofit veterans', or nonprofit scientific organization or institution, are exempt from tax.~~

~~(b) Also exempt are sales made to nonprofit corporations who hold a current federal exemption under section 501(c)(3) of the Internal Revenue Code, if the corporation's primary purpose is:~~

- ~~1. to raise funds for military museums;~~
- ~~2. to operate homes for the aged pursuant to s. 196.1975(2), Florida Statutes;~~
- ~~3. to operate nursing homes licensed under Chapter 400, Florida Statutes;~~
- ~~4. to provide special educational, cultural, recreational, and social benefits to minors; or~~
- ~~5. to operate a facility which has been designated as a State Theater Program facility by s. 265.287, Florida Statutes.~~

~~(c) Sales made to these governmental entities, nonprofit organizations, institutions, or corporations will be considered exempt only if the governmental entity, nonprofit organization, institution, or corporation holds a consumer's certificate of exemption and presents it to the service provider at the time of sale, except that such sales made to the United State Government are exempt with or without a consumer's certificate of exemption.~~

~~(d) The following is a suggested format for an exemption certificate to be used when making sales of services to governmental units or other exempt entities.~~

~~This is to certify that the service(s) purchased on or after \_\_\_\_\_ (date) from \_\_\_\_\_ (name) pursuant to \_\_\_\_\_ (contract number or other form of agreement) is purchased by a governmental entity, nonprofit organization, institution, or corporation which holds a consumer's certificate of exemption.~~

~~Purchaser \_\_\_\_\_~~  
~~Address \_\_\_\_\_~~  
~~By \_\_\_\_\_~~  
~~\_\_\_\_\_ (Signature)~~  
~~Date \_\_\_\_\_~~  
~~Consumer's Certificate of Exemption No. \_\_\_\_\_~~  
~~Effective Date of Certificate \_\_\_\_\_~~  
~~Expiration Date of Certificate \_\_\_\_\_~~

~~(4)(5)(a) A sale of a service is a sale for resale and is exempt from sales tax when the service is later sold under the following conditions:~~

~~(a)1- The service provides a direct and identifiable benefit to a single client or customer of the purchaser; and~~

~~(b)2- The purchaser of the service buys the service pursuant to a written contract (or other evidence sufficient for audit purposes) with the seller which specifically designates the client or customer on whose behalf the purchaser is buying the service; and~~

~~(c)3- The purchaser of the service separately states the value of the service in the charge for the service when it is subsequently sold to the purchaser's client or customer; and~~

~~4. The selling dealer obtains a resale certificate from a purchasing dealer who is primarily engaged in the business of selling taxable services. In order to purchase a service tax exempt as a sale for resale, the purchaser's sales tax number must end in digits 92 or 93.~~

~~(d)5- The selling dealer complies with the provisions of Rule 12A-1.039, F.A.C., with regard to documenting sales for resale. When a sale of a service is made to a person who claims to be entitled to purchase services for resale, the seller of the service being a duly registered dealer pursuant to Chapter 212, F.S., shall obtain from the purchaser of the service a resale certificate. The resale certificate, executed by the purchaser of the service, shall contain a statement to the effect that the service is being purchased exclusively for resale and the statement shall include the following information:~~

- ~~a. The name of the person selling the service;~~
- ~~b. The purchaser's Certificate of Registration Number;~~
- ~~c. The effective date of the purchaser's Certificate of Registration;~~
- ~~d. The purchaser's name and address;~~
- ~~e. The signature of the person executing the statement; and~~
- ~~f. The date of execution of the statement.~~

~~(b) The following is a suggested service resale certificate to be completed by the purchaser and presented to the seller on each purchase of a service for resale:~~

~~This is to certify that the service(s) purchased on \_\_\_\_\_ (date) from \_\_\_\_\_ (name) pursuant to \_\_\_\_\_ (contract number or other form of agreement) is purchased for resale.~~

~~Purchaser \_\_\_\_\_~~  
~~Address \_\_\_\_\_~~  
~~By \_\_\_\_\_~~  
~~\_\_\_\_\_ (Signature)~~  
~~Date \_\_\_\_\_~~  
~~Certificate of Registration No. \_\_\_\_\_~~  
~~Effective Date of Certificate \_\_\_\_\_~~

~~(e) Any dealer who makes a sale for resale of a service which is not in compliance with the provisions of this subsection shall himself be liable for and pay the tax.~~

(6) through (13) renumbered (5) through (12) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.05(1)(b),(j), 212.054, 212.055, 212.0596(7), 212.06(1)(a),(2)(k), 212.07(1)(b),(8), 212.08(7)(v) FS. History—New 5-13-93, Amended 1-4-94, 10-17-94, 3-20-96, 4-2-00, \_\_\_\_\_.

(Substantial rewording of Rule 12A-1.038 follows. See Florida Administrative Code for present text.)

12A-1.038 Consumer's Certificate of Resale—and Exemption; Exemption Certificates.

(1) It is the specific legislative intent that each and every sale, admission, use, storage, consumption, or rental is taxable, unless such sale, admission, use, storage, consumption, or rental is specifically exempt. The exempt nature of the transaction must be established by the selling dealer. Unless the selling dealer shall have taken from the purchaser the required documentation as provided in subsections (3), (4), or (5) of this rule, the sale shall be deemed to be taxable. Subsection (3) of this rule governs sales made to exempt entities (other than governmental units) that hold a Consumer's Certificate of Exemption. Subsection (4) of this rule governs sales made directly to governmental units. Subsection (5) of this rule governs sales exempt based on the use of the property or services.

(2) HOW TO OBTAIN A CONSUMER'S CERTIFICATE OF EXEMPTION.

(a) Any organization determined by the Internal Revenue Service to be currently exempt from federal income tax pursuant to s. 501(c)(3) of the Internal Revenue Code of 1986, as amended, any state, county, municipality, or other political subdivision of a state, qualifying for the exemption provided in s. 212.08(6), F.S., any state chartered credit union qualifying for exemption under s. 213.12(2), F.S., and any other organization qualifying for exemption under s. 212.08(7), F.S., desiring to qualify for these exemptions must obtain a Consumer's Certificate of Exemption. To obtain a Consumer's Certificate of Exemption, the organization must file an Application for a Consumer's Certificate of Exemption (Form DR-5, incorporated by reference in Rule 12A-1.097, F.A.C.) and documentation sufficient to substantiate the applicant's claim for exemption with the Department. The United States Government or any of its federal agencies is not required to obtain a Consumer's Certificate of Exemption. The Department will issue a Consumer's Certificate of Exemption (form DR-14) to each applicant qualifying for exemption under ss. 212.08(6) or (7), F.S., or s. 213.12(2), F.S.

(b) A Consumer's Certificate of Exemption will be valid from its "Issue Date" through its "Expiration Date," as indicated on the certificate (form DR-14). Any dealer selling taxable property, services, or admissions to an exempt entity prior to the date of issue, or after the date of expiration, indicated on the exempt entity's Consumer's Certificate of Exemption, is required to collect tax. An entity whose Consumer's Certificate of Exemption has been revoked by the

Department is prohibited from extending a copy of its certificate to purchase taxable property, services, or admissions exempt from tax. However, a selling dealer who accepts in good faith a copy of a Consumer's Certificate of Exempt that appears valid and current on its face will not be liable for any applicable tax due on sales to the entity or subject to other punitive actions.

(c) Pursuant to the requirements of s. 120.60(3), F.S., the Department will notify an applicant when it intends to deny the applicant a Consumer's Certificate of Exemption by issuing the applicant a Notice of Intent to Deny. The Notice of Intent to Deny notifies the applicant of the Department's intended action and the facts and legal authority which support that intended action.

(d) In order to challenge the denial of an application for a Consumer's Certificate of Exemption, the applicant receiving a Notice of Intent to Deny must request an administrative hearing under the provisions of s. 120.57, F.S. The Request for Hearing must be delivered to the Department by hand delivery or mail within 21 days from the date of issuance of the Notice of Intent to Deny. If the Request for Hearing is filed with the Department by mail, the date of the postmark will be the date the Request for Hearing is deemed filed for purposes of the 21-day time computation. The Request for Hearing must be delivered to:

Office of the General Counsel  
Department of Revenue  
501 South Calhoun Street  
Carlton Building  
Post Office Box 6668  
Tallahassee, Florida 32314-6668.

(e) The Request for Hearing must contain the following:

1. The name and address of the entity opposing the denial of a Consumer's Certificate of Exemption;
2. The case number of the application for a Consumer's Certificate of Exemption;
3. A statement requesting an administrative hearing;
4. A statement specifying the factual allegations in the Notice of Intent to Deny that the entity disputes;
5. A statement setting forth any other factual or legal issues that the entity intends to raise in protest of the Department's intended action;
6. A statement that the entity will be substantially affected by the denial of the application for a Consumer's Certificate of Exemption and why the entity will be so affected;
7. A request for relief;
8. The name and title of the person submitting the Request for Hearing;
9. The signature of the person submitting the Request for Hearing; and
10. The date of the Request for Hearing.

(3) SALES MADE TO EXEMPT ENTITIES OTHER THAN GOVERNMENTAL UNITS.

(a) An entity that holds a valid Consumer's Certificate of Exemption (form DR-14) issued by the Florida Department of Revenue may extend a copy of its certificate to the selling dealer to purchase or rent taxable property or services used for its authorized tax exempt purpose in lieu of paying sales tax. Purchases of property or services used for the entity's authorized tax exempt purposes must be made with the purchasing entity's funds and may not be made with personal funds of the purchasing entity's authorized representative. When the payment for taxable property or services is made with an authorized representative's personal funds, the purchase is subject to tax, even if the representative is subsequently reimbursed with the entity's funds.

(b) To make purchases or rentals for the purposes of resale, the entity must be registered as a sales tax dealer and issue the selling dealer an Annual Resale Certificate (form DR-13), as provided in Rule 12A-1.039, F.A.C.

(c) It is the exempt entity's responsibility to determine whether the purchase or rental will be used for its authorized tax exempt purpose or for the purposes of resale and to provide the proper documentation to the selling dealer. In lieu of obtaining a copy of the entity's valid Consumer's Certificate of Exemption, the selling dealer may obtain a Transaction Authorization Number or a Vendor Authorization Number from the Department prior to making a tax exempt sale to the entity. A selling dealer who accepts in good faith a copy of an entity's valid Consumer's Certificate of Exemption or Annual Resale Certificate, or a Transaction Authorization Number or Vendor Authorization Number issued by the Department will not be held liable for any tax due on sales made to the entity during the effective dates indicated on the certificate or the effective dates of the authorization number. The selling dealer must maintain the required authorization numbers and certificates in its books and records for the time period provided in subsection (6) of this rule.

(d) An exemption certificate granted by any other state, District of Columbia, or territory of the United States to the selling dealer is not sufficient to make tax-exempt purchases or rentals in Florida. The fact that an entity holds an exemption from federal income tax pursuant to s. 501(c)(3) of the Internal Revenue Code of 1986, as amended, is not sufficient to make tax exempt purchases or rentals in Florida.

(e) An entity holding a valid Consumer's Certificate of Exemption may not extend a copy of its certificate to a contractor to be applied to contracts for the construction or improvement of real property. See Rule 12A-1.094, F.A.C., for guidance on direct purchases by governmental entities of construction materials in real property projects.

(f) The validity of a Consumer's Certificate of Exemption may be verified by calling the Department of Revenue's touch tone telephone authorization system at 1-877-357-3725. Persons with hearing or speech impairments may call the Department's TDD, at 1-800-367-8331.

(g)1. TRANSACTION AUTHORIZATION NUMBER ISSUED AT POINT-OF-SALE – VALID FOR A SINGLE TRANSACTION ONLY. In lieu of obtaining a copy of the exempt entity's valid Consumer's Certificate of Exemption, the selling dealer may obtain a Transaction Authorization Number or a Vendor Authorization Number from the Department prior to making a tax exempt sale to the exempt entity or its authorized representative.

2. The selling dealer may obtain a transaction authorization number at the point-of-sale by calling the Department's automated nationwide toll-free verification system at 1-877-357-3725. Using a touch-tone telephone, the selling dealer is prompted to key in the purchaser's Consumer's Certificate of Exemption Number. The system will either issue a 13-digit transaction authorization number or alert the selling dealer that the purchaser does not have a valid Consumer's Certificate of Exemption. Selling dealers who do not have a touch-tone telephone will be connected to a live operator during the hours of 8:00 a.m. to 7:00 p.m. (Eastern Time), Monday through Friday. Persons with hearing or speech impairments may call the Department's TDD at 1-800-367-8331.

3. The selling dealer must document the transaction authorization number on the sales invoice, purchase order, or other document that is prepared by the purchaser or the selling dealer to document the tax exempt purchase by the exempt entity.

4. A transaction authorization number is valid for a single sales transaction and is not valid to properly document subsequent sales made to the same entity. The selling dealer must obtain a new vendor authorization number for subsequent tax exempt transactions.

(h)1. VENDOR AUTHORIZATION NUMBER FOR REGULAR CUSTOMERS – VALID FOR CALENDAR YEAR ISSUE. In lieu of obtaining a copy of the exempt entity's valid Consumer's Certificate of Exemption or a Transaction Authorization Number from the Department for each sale to the entity, the selling dealer may obtain a Vendor Authorization Number for that entity. This option is available to selling dealers throughout the calendar year without limitation.

2. The "vendor authorization number" is a customer-specific authorization number that will be valid for all sales made to an exempt entity during the calendar year.

3. To obtain vendor authorization numbers, the selling dealer must forward to the Department, using an electronic medium, a list of the dealer's regular customers for which the dealer has a Consumer's Certificate of Exemption number. The

electronic format for sending the customer data may be obtained from the Department's web site at <http://sun6.dms.state.fl.us/dor/> or by calling the Department at (850)488-3516. In response to the request, the Department will issue to the selling dealer, using the same electronic medium, a list containing a unique vendor authorization number for each exempt entity who is a holder of a valid Consumer's Certificate of Exemption.

4. The selling dealer may make tax exempt sales to the exempt entity during the period in which the vendor authorization number for that entity is valid. Vendor authorization numbers are valid for the remainder of the calendar year during which they are issued. However, vendor authorization numbers issued by the Department in November or December are valid for the remainder of that calendar year and the next calendar year.

(4) SALES MADE DIRECTLY TO GOVERNMENTAL UNITS.

(a) Any state, or any county, municipality, or political subdivision of a state that holds a valid Consumer's Certificate of Exemption (form DR-14) issued by the Florida Department of Revenue may issue a copy of its certificate to the selling dealer to purchase or rent taxable items or services tax exempt in lieu of paying sales tax. The United States Government is not required to hold a Consumer's Certificate of Exemption to make tax exempt purchases and rentals.

(b) Payment for tax exempt purchases or rentals of property or services must be made directly to the selling dealer by the governmental unit of a state, or any county, municipality, or political subdivision of a state. Payments made with an authorized P-Card are considered to be made directly by the governmental unit. When the payment for taxable property or services is made with the personal funds of an authorized representative of the governmental unit, the purchase is subject to tax, even if the representative is subsequently reimbursed with the governmental unit's funds. The authorized representative of any state, county, municipality, or political subdivision of a state, must CHOOSE ONE of the following methods to make tax exempt purchases or rentals:

1. Use an authorized Purchasing or Procurement Card ("P-Card") which indicates on its face that it is a Florida government purchasing card for official business only. Information printed on the front of the card will include the agency's name, the agency's Consumer's Certificate of Exemption number, the account number, the name of the cardholder (employee), and the expiration date. The selling dealer who accepts the "P-Card" should retain a copy of the face of the "P-Card" to note the Consumer's Certificate of Exemption number, account number, and cardholder name for its books and records to properly document the exempt sale. When the selling dealer cannot copy the "P-Card," the dealer

must retain the Consumer's Certificate of Exemption number, the account number, cardholder's name, and the expiration date of the "P-Card."

2. Issue a certificate containing the governmental unit's name, address, the Consumer's Certificate of Exemption Number, the effective date and expiration date of the Consumer's Certificate of Exemption, and the signature of an authorized representative of the governmental unit. The following is a suggested format of the certificate:

EMPLOYER'S AUTHORIZATION TO MAKE PURCHASES ON BEHALF OF AN EXEMPT GOVERNMENTAL UNIT

\_\_\_\_\_  
DATE

TO: \_\_\_\_\_  
SELLING DEALER'S NAME

\_\_\_\_\_  
SELLING DEALER'S ADDRESS

I, the undersigned, am a representative of the exempt governmental unit identified below. The purchase or lease of tangible personal property or services or the rental of living quarters or sleeping accommodations made on or after \_\_\_\_\_ (DATE[S]) from the business identified above is for use by the exempt governmental unit identified below.

The charges for the purchase or lease of tangible personal property or services or the rental of living quarters or sleeping accommodations from the dealer identified above will be billed to and paid directly by the exempt governmental unit.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true.

\_\_\_\_\_  
AUTHORIZED SIGNATURE ON BEHALF OF EXEMPT GOVERNMENTAL UNIT

\_\_\_\_\_  
NAME OF EXEMPT GOVERNMENTAL UNIT

\_\_\_\_\_  
ADDRESS OF EXEMPT GOVERNMENTAL UNIT

\_\_\_\_\_  
CONSUMER'S CERTIFICATE OF EXEMPTION NUMBER

THIS CERTIFICATE MAY NOT BE USED TO MAKE PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL REPRESENTING THE EXEMPT ENTITY IDENTIFIED ABOVE.

(c) The purchase or rental of property or services by employees authorized on behalf of a federal agency is exempt, even though the employee is subsequently reimbursed by the

federal agency. The following is a suggested certificate format to be issued by federal employees to the selling dealer to make tax exempt purchases or rentals:

EXEMPTION CERTIFICATE  
TO BE USED BY FEDERAL EMPLOYEES

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SELLING DEALER'S NAME

\_\_\_\_\_  
SELLING DEALER'S ADDRESS

I, the undersigned am an employee of the federal agency identified below. The purchase or lease of tangible personal property or services or the rental of living quarters or sleeping accommodations on or after \_\_\_\_\_ (DATE[S]) from the business identified above is in pursuit of my employer's affairs. The Government of the United States either will pay the seller directly or will provide reimbursement to the employee for the actual cost of the purchase or lease of tangible personal property, services, or living quarters or sleeping accommodations made on this date(s).

Under penalties of perjury, I declare that I have read the foregoing and the facts stated in it are true.

\_\_\_\_\_  
SIGNATURE OF EMPLOYEE

\_\_\_\_\_  
NAME OF FEDERAL AGENCY

\_\_\_\_\_  
ADDRESS OF FEDERAL AGENCY

THIS CERTIFICATE MAY NOT BE USED TO MAKE EXEMPT PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL EMPLOYED BY A UNITED STATES GOVERNMENTAL AGENCY. PROPER IDENTIFICATION IS REQUIRED BEFORE THIS CERTIFICATE MAY BE ACCEPTED BY THE SELLER.

(d) To make purchases or rentals for the purpose of resale, the state, county, municipality, or political subdivision of a state must be registered as a sales tax dealer and extend to the selling dealer a copy of its Annual Resale Certificate (form DR-13), as provided in Rule 12A-1.039, F.A.C.

(e) It is the responsibility of the authorized representative of any state, county, municipality, or political subdivision of the state to determine whether the purchase is for use by the governmental unit or for the purpose of resale and to provide the documentation required in this subsection to the selling dealer. A selling dealer who accepts in good faith the required documentation or an Annual Resale Certificate will not be held liable for any tax due on sales made to the governmental unit during the effective time period indicated on the certificate

obtained from the purchaser. The selling dealer must maintain the required documentation in its books and records for the time period provided in subsection (6) of this rule.

(5) SALES EXEMPT BASED ON THE USE OF THE PROPERTY OR SERVICES.

(a)1. The provisions of this subsection apply only to persons (other than the United States Government or any federal agency) who do not hold a Consumer's Certificate of Exemption (form DR-14) that purchase, lease, license, or rent tangible personal property or purchase services exempt from tax imposed under Chapter 212, F.S., based on the use of the property or service.

2. The provisions of this subsection do not apply to exemption affidavits required under the provisions of Chapter 212, F.S., and Rule Chapter 12A-1, F.A.C.; suggested certificates provided in other rule sections in Rule Chapter 12A-1, F.A.C.; or suggested certificates provided in Taxpayer Information Publications issued by the Department. The provisions of Chapter 212, F.S., Rule Chapter 12A-1, F.A.C., and Taxpayer Information Publications are available on the Department's Tax Law Library provided to the public on its Internet site at <http://sun6.dms.state.fl.us/dor>. Dealers are required to maintain the exemption affidavits and exemption certificates, as well as the certificates and documentation required in this rule section, in their books and records for the time periods provided in subsection (6) of this rule.

3. The provisions of this subsection do not apply to the tax exempt sale of utilities that are used by the purchaser exclusively for residential household purposes. Guidelines regarding the sale of utilities are provided in Rules 12A-1.053 and 12A-1.059, F.A.C.

4. The provisions of this subsection do not apply to purchases or rentals that are for resale. A person who desires to make purchases or rentals for resale must comply with the provisions of Rule 12A-1.039, F.A.C.

(b) Any person who is purchasing, renting, leasing, or licensing tangible personal property or services that qualify for an exemption from tax imposed under Chapter 212, F.S., based on the use of the property or service, must extend an exemption certificate to the selling dealer in lieu of paying tax. The exemption certificate must contain the purchaser's name, address, the reason for which the use of the property or service qualifies for exemption based on its use, and the signature of the purchaser or an authorized representative of the purchaser. The selling dealer is only required to obtain one certificate for sales made for the purposes indicated on the certificate and is not required to obtain an exemption certificate for subsequent sales made for the exempt purpose indicated on the exemption certificate. The selling dealer must maintain the required exemption certificates in its books and records for the time period provided in subsection (6) of this rule.

(c) Selling dealers may contact the Department at 1-800-352-3671 to verify the specific exemption specified by the purchaser. Persons with hearing or speech impairments may call the Department's TDD, at 1-800-367-8331.

(d) The following is a suggested format of an exemption certificate to be issued by a purchaser who does not hold a Consumer's Certificate of Exemption, but who claims that the purchase, rental, lease, or license of the property, or the purchase of the services is for an exempt purpose. Exemption purposes listed on the suggested format that are not relevant to the purchaser may be eliminated from the certificate.

EXEMPTION CERTIFICATE  
FOR EXEMPTIONS BASED ON THE  
PROPERTY'S USE

This is to certify that the tangible personal property purchased, leased, licensed, or rented, or services purchased, on or after \_\_\_\_\_ (date) from \_\_\_\_\_ (Selling Dealer's Business Name) is purchased, leased, licensed, or rented for the following purpose as checked in the space provided. This is not intended to be an exhaustive list:

- Materials, containers, labels, sacks, bags, or similar items intended to accompany a product for sale at other than retail, as provided in s. 212.02(14)(c), F.S., by persons who are not required to be registered under s. 212.18(3), F.S.
- Export of tangible personal property for use outside this state, as provided in Rule 12A-1.064(1), F.A.C.
- Incorporation into items of tangible personal property manufactured, produced, compounded, processed, or fabricated for one's own use, as provided in Rule 12A-1.043, F.A.C.
- Printing of a publication exempt under the provisions of s. 212.08(7)(w), F.S.
- Items, such as paper and ink, that will be incorporated into and become a component part of a publication exempt under the provisions of s. 212.08(7)(w), F.S.
- Educational materials that are used in the classroom and not used for its administration by child care facilities outlined in s. 402.305, F.S., that hold a current license under s. 402.308, F.S., holds a current Gold Seal Qualify Care designation as provided in s. 402.281, F.S., and provide all employees with basic health insurance as defined in s. 627.6699(12), F.S., as provided in s. 212.08(7)(m), F.S.
- Other (include description and statutory citation) \_\_\_\_\_

\_\_\_\_\_ I understand that if I use the property or service for any purpose other than the one I stated, I must pay tax on the purchase or lease price of the taxable property or service directly to the Department of Revenue.

\_\_\_\_\_ I understand that if I fraudulently issue this certificate to evade the payment of sales tax I will be liable for payment of the sales tax plus a penalty of 200% of the tax and may be subject to conviction of a third degree felony.

The exemption specified by the purchaser may be verified by calling 1-800-352-3671.

Purchaser's Name \_\_\_\_\_  
 Purchaser's Address \_\_\_\_\_  
 Name and Title of Purchaser's Authorized Representative \_\_\_\_\_  
 Sales and Use Tax Certificate of Registration No. (if applicable) \_\_\_\_\_  
 By \_\_\_\_\_  
 (Signature of Purchaser or Authorized Representative)  
 Title \_\_\_\_\_  
 (Title – only if purchased by an authorized representative of a business entity)  
 Date \_\_\_\_\_

(6) RECORDS REQUIRED. Selling dealers must maintain blanket resale and exemption certificates based on the Department's suggested format provided in Rule 12A-1.039, F.A.C., effective 12-13-94, as well as exemption affidavits, exemption certificates, copies of Consumer's Certificates of Exemption, Transaction Authorization Numbers, Vendor Authorization Numbers, and other documentation required under the provisions of this rule, other rule sections of Rule Chapter 12A-1, F.A.C., or suggested in Taxpayer Information Publications, until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S. Electronic storage by the selling dealer of the required affidavits, certificates, or other documentation through use of imaging, microfiche, or other electronic storage media will be sufficient compliance with the provisions of this subsection.

Specific Authority 212.07(4)(b), 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 95.091(3), 120.57(1),(2), 120.60(3), 120.80(14), 212.02(14)(c), 212.05(1)(j)(k), 212.06(1)(c), 212.07(1), 212.08(6),(7), 212.084, 212.085, 212.13(5)(e), 212.18(2), (3), 212.21(2), 213.053(7)(b) FS. History—Revised 10-7-68, 6-16-72, Amended 9-28-78, 7-20-82, 4-29-85, Formerly 12A-1.38, Amended 8-10-92, 3-17-93, 9-14-93, 12-13-94, \_\_\_\_\_.

(Substantial rewording of Rule 12A-1.039 follows. See Florida Administrative Code for present text.)

12A-1.039 Sales for Resale ~~Suggested Forms~~.

(1)(a) It is the specific legislative intent that each and every sale, use, storage, consumption, or rental is taxable, unless such sale, use, storage, consumption, or rental is specifically exempt. The exempt nature of the transaction must be established by the selling dealer.

(b) A sale for resale is exempt from the tax imposed by Chapter 212, F.S., only when the sale for resale is in strict compliance with the provisions of this rule. For purposes of this rule, a "sale for resale" includes the following sales, leases, or rentals when made to a person who is an active registered dealer. This is not intended to be an exhaustive list.

1. The sale of tangible personal property to a dealer when such property will be resold to the dealer's customers.

2. The sale, lease, or rental of tangible personal property to a dealer when such property will be held exclusively for leasing or rental purposes, pursuant to Rule 12A-1.071(2)(a), F.A.C.

3. The sale of taxable services identified in Rule 12A-1.0161(1), F.A.C., to a dealer when such services are being resold to the dealer's customers under the conditions stated in Rule 12A-1.0161(4), F.A.C.

4. The lease or rental of real property to a dealer when such property will subsequently be leased, rented, or licensed by the dealer's tenants.

5. The sale of tangible personal property to a dealer when such property will be incorporated as a material, ingredient, or component part of tangible personal property that is being produced for sale by manufacturing, processing, or compounding.

6. The sale of inserts of printed materials that are distributed as a component part of a newspaper or magazine, as provided in s. 212.05(1)(h), F.S.

7. The sale of tangible personal property to a repair dealer, when such property will be incorporated into and sold as part of a repair of tangible personal property by such dealer.

8. The alteration, remodeling, maintenance, adjustment, or repair of tangible personal property (when labor and materials are provided) that is held in inventory for resale or exclusively for leasing purposes by a dealer.

(c) For purposes of this rule, "active registered dealer" means a person who is registered with the Department as a dealer for sales tax purposes and who is required to file a sales and use tax return during each applicable reporting period, as provided in s. 212.11(1), F.S.

#### (2) ANNUAL RESALE CERTIFICATES ISSUED BY THE DEPARTMENT.

(a) For each calendar year, the Department of Revenue will issue to each active registered dealer an Annual Resale Certificate (form DR-13). A newly registered dealer will receive a Sales and Use Tax Certificate of Registration (form DR-11) and an Annual Resale Certificate. The business name and location address, the registration effective date, and the certificate number will be indicated on the Annual Resale Certificate.

(b) Dealers who lose their Annual Resale Certificate may request a replacement by contacting the Department at 1-800-352-3671. Persons with hearing or speech impairments may call the Department's TDD, at 1-800-367-8331. Written requests should be addressed to Central Registration, Florida Department of Revenue, 5050 West Tennessee Street, Building E, Tallahassee, Florida 32399-0100.

(3) Except as provided in subsection (4), a dealer making a sale for resale is required to document the exempt sales by CHOOSING ONE of the following three methods:

(a) COPIES OF ANNUAL RESALE CERTIFICATES OBTAINED BY THE SELLING DEALER. Prior to making a tax exempt sale for the purposes of resale, the selling dealer must obtain a copy of the purchaser's current Annual Resale Certificate, or a Transaction Resale Authorization Number or Vendor Resale Authorization Number issued by the Department.

1. The copy of the Annual Resale Certificate must be signed by the purchaser or the purchaser's authorized representative.

2. A selling dealer may make sales for resale to a purchaser whose current Annual Resale Certificate is on file without seeking a new Annual Resale Certificate for each subsequent transaction during that calendar year. A new Annual Resale Certificate must be obtained each calendar year. Except for sales made to purchasers who purchase on account from the dealer on a continual basis, a selling dealer may only make exempt sales for resale to purchasers during the calendar year for which the purchaser's Annual Resale Certificate appears valid on its face.

3. For sales made to purchasers who purchase on account from a dealer on a continual basis, the selling dealer may rely upon the Annual Resale Certificate beyond the expiration date of the certificate and is not required to obtain a new Annual Resale Certificate each calendar year. For purposes of this paragraph, the phrase "purchase on account from a dealer on a continual basis" means that the selling dealer has a continuing business relationship with a purchaser and makes recurring sales on account to that purchaser in the normal course of business. For purposes of this paragraph, a sale "on account" refers to a sale where the dealer extends credit to the purchaser and records the debt as an account receivable, or where the dealer sells to a purchaser who has an established cash or C.O.D. account, similar to an "open credit account." For purposes of this paragraph, purchases are made from a selling dealer on a "continual basis" if the selling dealer makes sales to the purchaser no less frequently than once in every twelve month period in the normal course of business.

(b) TRANSACTION RESALE AUTHORIZATION NUMBER ISSUED AT POINT-OF-SALE – VALID FOR SINGLE TRANSACTION ONLY. Prior to making a tax exempt sale for the purposes of resale, the selling dealer may obtain a Transaction Resale Authorization Number from the Department in lieu of obtaining a copy of an Annual Resale Certificate from the purchaser or a Vendor Resale Authorization Number from the Department.

1. A "transaction resale authorization number" must be obtained by the selling dealer at the point-of-sale through use of an automated nationwide toll-free telephone verification system. The nationwide toll-free number to access the system is 1-877-357-3725.



2. The selling dealer must key in the purchaser's sales tax certificate of registration number through use of a touch-tone phone. The system will either issue a 13 digit transaction resale authorization number or alert the selling dealer that the purchaser does not have a valid resale certificate. Callers who do not have a touch-tone phone will be connected to a live operator. Persons with hearing or speech impairments may call the Department's TDD, at 1-800-367-8331.

3. A transaction resale authorization number is not valid to exempt subsequent resale purchases or rentals made by the same purchaser. A selling dealer must obtain a new transaction resale authorization number for each and every resale transaction.

4. The selling dealer must document the transaction resale authorization number on the sales invoice, purchase order, or a separate form that is prepared by either the purchaser or the selling dealer. The sales invoice, purchase order, or separate form must contain the following statement: "The purchaser hereby certifies that the property or services being purchased or rented are for resale." This statement must be followed by the signature of the purchaser. The signature may be obtained by the selling dealer through use of an electronic signature pad or other electronic method.

5. Alternatively, in lieu of meeting the requirements of subparagraph 4., the transaction resale authorization number may be documented on a properly completed Uniform Sales and Use Tax Certificate-Multijurisdiction, as provided in subsection (8) of this rule.

**(c) VENDOR RESELL AUTHORIZATION NUMBER FOR REGULAR CUSTOMERS WHO HAVE PREVIOUSLY SUBMITTED DOCUMENTATION TO THE SELLING DEALER – VALID FOR CALENDAR YEAR ISSUED.** Prior to making a tax exempt sale for the purposes of resale, the selling dealer may obtain a Vendor Resale Authorization Number from the Department, in lieu of obtaining a Transaction Authorization Number or a copy of the purchaser's Annual Resale Certificate. This option is available to selling dealers throughout the calendar year without limitation.

1. The "Vendor Resale Authorization Number" is a customer-specific authorization number that will be valid for all sales for resale made to a particular customer during the calendar year.

2. To obtain vendor resale authorization numbers, the selling dealer must send to the Department, using an electronic medium, a list of the dealer's regular customers for which the dealer has a resale certificate number or outdated Annual Resale Certificate on file. The request may be submitted on form DR-600013, Request for Verification that Customers are Authorized to Purchase for Resale, or by providing the following information: date of request; name of the dealer's business; return address; name and telephone number of a contact person. The written request, or completed form

DR-600013, should be forwarded to: Florida Department of Revenue, Production Control, G30 Carlton Building, Tallahassee, Florida 32399-0100. The electronic format for sending the customer data is provided in form DR-600013 and may be obtained from the Department's web site at <http://sun6.dms.state.fl.us/dor/> or by calling the Department at 850-488-3516. In response to this request, the Department will issue to the selling dealer, using the same electronic medium, a list containing a unique vendor resale authorization number for each customer who is an active registered dealer.

3. The selling dealer may make exempt sales for resale to a customer during the period in which the vendor resale authorization number for that customer is valid. Vendor resale authorization numbers are valid for the remainder of the calendar year during which they are issued. However, vendor resale authorization numbers issued by the Department in November or December shall be valid for the remainder of the current calendar year and the next calendar year.

**(4) SALES OF ALCOHOLIC BEVERAGES AND CERTAIN MOTOR VEHICLES; SALES TO OUT-OF-STATE DEALERS.**

(a) The sale of alcoholic beverages by distributors licensed by the Division of Alcoholic Beverage and Tobacco, Department of Business and Professional Regulation, to others who are also licensed by the Division of Alcoholic Beverage and Tobacco, Department of Business and Professional Regulation, are deemed to be sales for resale. The distributors are not required to meet the documentation requirements provided in subsection (3) of this rule.

(b) The sale of motor vehicles or recreational vehicles through a motor vehicle auction licensed by the Department of Highway Safety and Motor Vehicles, pursuant to s. 320.27(1)(c)4., F.S., to other motor vehicle dealers licensed by the Department of Highway Safety and Motor Vehicles under s. 320.27(2), F.S., are deemed to be sales for resale. The motor vehicle auction is not required to meet the documentation requirements provided in subsection (3) of this rule.

(c) A sale to a nonresident dealer who is not required to be registered in this state for resale outside this state is governed by Rule 12A-1.064(2)(b), F.A.C., or Rule 12A-1.007(6), F.A.C. However, blanket resale affidavits from out-of-state motor vehicle dealers are acceptable in lieu of individual affidavits in Rule 12A-1.007(6), F.A.C., for each sale of each motor vehicle to such out-of-state motor vehicle dealers.

**(5) BURDEN OF ESTABLISHING EXEMPT NATURE OF SALES FOR RESELL.**

(a) A selling dealer who makes a sale for resale in good faith, and who complies with the requirements of subsections (3) and (4) of this rule, has met the burden of proof for establishing the exempt nature of the sale, and is relieved from any liability for tax due on that sale. Submission of copies of Annual Resale Certificates to the Department that are obtained after the sale from purchasers who were active registered

dealers at the time of the sale will be considered sufficient compliance with subsection (3) when submitted during audit or protest, but will not be acceptable if submitted during any proceeding under Chapter 120, F.S. or in any circuit court action under Chapter 72, F.S.

(b)1. A sale that is not in compliance with the requirements of subsections (3) and (4) of this rule is presumed to be a retail sale, and the selling dealer will be liable for any applicable sales tax not collected and remitted on that sale.

2. For a sale that is not in compliance with the requirements of subsections (3) and (4), but that is made to a person who was an active registered dealer at the time of the sale, the presumption that the sale is a retail sale can be overcome during an audit or protest if:

a. The selling dealer makes a reasonable attempt to obtain a signed Annual Resale Certificate from the purchaser, but is unable to do so; and

b. It would be reasonable to assume, based on the nature of the purchaser's business, that the sale was for resale.

3. A sale made to a person who was not an active registered dealer at the time of the transaction is a retail sale, and can never be considered a sale for resale. However, a selling dealer who accepts an Annual Resale Certificate that appears valid on its face will not be held liable for any tax due on this transaction, if it is later determined that the purchaser was not an active registered dealer at the time of the transaction.

(6) RECORDS REQUIRED. Resale certificates created and issued by purchasers that were based on the Department's suggested format provided in Rule 12A-1.039, F.A.C., effective 12-13-94, are valid only for the purpose of documenting sales for resale made prior to February 1, 2000. The selling dealer must also maintain copies of receipts, invoices, billing statements, or other tangible evidence of sales, copies of Annual Resale Certificates and other certificates, and Vendor Resale Authorization and Transaction Authorization Numbers until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S. Electronic storage by the selling dealer of the copy of the Annual Resale Certificate or other required documentation through use of imaging, microfiche, or other electronic storage media will be sufficient compliance with the provisions of this subsection.

#### (7) PROVISIONS APPLICABLE TO PERSONS CLAIMING THE RESALE EXEMPTION.

(a) Annual Resale Certificates may only be used by purchasers who hold a valid Sales and Use Tax Certificate of Registration (form DR-11) issued by the Department, and whose registration status is currently active. For dealers who have been in business for less than the full calendar year, the effective date of the Annual Resale Certificate (form DR-13) will be the postmark or hand delivered date of the Sales and Use Tax Application for Certificate of Registration. The

effective date is found in the block labeled "Registration Effective Date" on the Sales and Use Tax Certificate of Registration (form DR-11).

(b) A dealer whose Sales and Use Tax Certificate of Registration has been revoked or whose registration status has been inactivated or canceled by the Department is prohibited from purchasing, leasing, or renting taxable property or services for the purposes of resale exempt from tax. However, a selling dealer who accepts an Annual Resale Certificate that appears valid on its face will not be held liable for tax on this transaction, if it is later determined that the purchaser was not an active registered dealer at the time of the transaction.

(c) A purchaser who files returns on a consolidated basis (80 code) may extend, and the selling dealer may accept, a copy of the Annual Resale Certificate bearing the purchaser's consolidated sales tax registration number (80 code number), in lieu of extending a copy of the Annual Resale Certificate for each active location that is reported under the consolidated sales tax registration number (80 code number).

(d) For dealers who report sales tax using a county-control number, the Annual Resale Certificate will only be issued to the active reporting number(s) within each county. Dealers who report using a county-control number must use the Annual Resale Certificate issued to the active reporting number(s) to make purchases for resale, except dealers who file returns under a consolidated sales and use tax registration number (80 code). Sales tax numbers issued to the individual locations within a county are inactive, and will not be issued an Annual Resale Certificate.

(e) Wholesalers and certain other sales tax dealers who are currently on an inactive reporting status will need to contact the Department at 800-352-3671 (Florida only) or 850-488-6800 (outside Florida) to have their sales tax registration number activated in order to obtain the Annual Resale Certificate and make exempt purchases for resale. By activating the sales tax registration number, the dealer will then be required to file a sales tax return during each applicable reporting period, as provided in s. 212.11(1), F.S.

(f) Purchasers who are holders of a Direct Pay Permit, Temporary Tax Exemption Permit, or other permits or exemption certificates issued pursuant to Chapter 212, Florida Statutes, are not required to extend or provide copies of their Annual Resale Certificate to the selling dealer to make tax exempt purchases authorized under the Direct Pay Permit, Temporary Tax Exemption Permit, or other exemption certificates or permits issued pursuant to Chapter 212, F.S.

(g) Purchasers of vessels and parts thereof used to transport persons or property in interstate or foreign commerce must complete the affidavit as required in Rule 12A-1.064(5), F.A.C.

(h) A person who complied with the provisions of this rule when making a purchase or rental of tangible personal property that is intended for resale, but then uses, consumes, distributes,

or stores for use or consumption in this state, the tangible personal property in a manner inconsistent with the purposes described in paragraph (1)(b) of this rule, is required to pay use tax as provided in s. 212.05(1)(b), F.S.

(i) Any person who, for the purpose of evading tax, uses an Annual Resale Certificate or signs a written statement claiming an exemption from sales tax knowing that tax is due on the property or services at the time of purchase or rental, is subject to the civil and criminal penalties provided in s. 212.085, F.S.

(j) The resale exemption shall also apply to the importation of tangible personal property into this state for resale in this state. A dealer who imports tangible personal property into this state for resale must be an active registered dealer at the time the property is imported into this state to meet the resale exemption requirements. The determination whether a particular item of tangible personal property imported into this state is for resale is based on the same criteria described in paragraph (1)(b) of this rule.

(8) USE OF UNIFORM SALES AND USE TAX CERTIFICATE-MULTIJURISDICTION. The Department will allow purchasers to use the Multistate Tax Commission's Uniform Sales and Use Tax Certificate-Multijurisdiction. However, the use of this uniform certificate must be in conjunction with the telephonic or electronic authorization number method described in paragraph (3)(b) or (c) of this rule.

Specific Authority 212.07(1)(b), 212.17(6), 212.18(2), 213.06 (1) FS. Law Implemented 95.091(3), 212.02(14), 212.05(1)(b),(j), 212.06(4)(b), 212.07(1)(b), 212.08(3),(5)(a),(6),(7)(e),(9), 212.085, 212.13(5)(c),(d), 212.17(6), 212.18(2), (3), 212.21(2), 213.053(10) FS., ss. 21, 22, 23, 24, Ch. 99-208, L.O.F. History—Revised 10-7-68, 1-7-70, 6-16-72, 9-26-77, Amended 7-20-82, 4-12-84, Formerly 12A-1.39, Amended 1-2-89, 9-14-93, 12-13-94, \_\_\_\_\_.

12A-1.097 Public Use Forms.

(1) No change.

<u>Form Number</u>	<u>Title</u>	<u>Effective Date</u>
(2) through (4)	No change.	
(5)(a) DR-5	<u>Sales and Use Tax Application for Consumer's Consumer Certificate of Exemption (r. 10/99 N. 09/87)</u>	08/92
(b) DR-5N	<u>Information and Instructions for Completing Application for Consumer's Certificate of Exemption (r. 10/00)</u>	
(b) DR-5R	<u>Renewal Application for Consumer Certificate of Exemption (r. 04/88)</u>	08/92
(6) through (27)	No change.	
(28) DR-600013	<u>Request for Verification that Customers are Authorized to Purchase for Resale (N. 01/00)</u>	

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.17(6), 212.18(2),(3) FS. History—New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

<u>RULE TITLES:</u>	<u>RULE NOS.:</u>
Manufacturing	12A-1.043
Sales to or by Contractors Who Repair, Alter, Improve and Construct Real Property	12A-1.051
Electric Power and Energy	12A-1.053
Fuels	12A-1.059
Rentals, Leases, and Licenses to Use Transient Accommodations	12A-1.061

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12A-1.043, F.A.C., Manufacturing, is to: (1) incorporate the legislative changes to s. 212.07, F.S., that require dealers who purchase items for the purposes of resale to extend a copy of their Annual Resale Certificate to make tax exempt purchases; (2) provide that dealers who do not sell tangible personal property are not required to register as dealers and may extend an exemption certificate, as provided in Rule 12A-1.038, F.A.C., as amended, to purchase tax exempt items purchased for the purpose of manufacturing, producing, compounding, processing, or fabricating items of tangible personal property for their own use or consumption; and (3) provide a technical correction to properly reference Rule 12A-1.051(12), F.A.C., where guidelines for use tax due on asphalt manufactured for one's own use are provided.

The purpose of the proposed amendments to Rule 12A-1.051, F.A.C., Sales to or by Contractors Who Repair, Alter, Improve and Construct Real Property, is to: (1) provide that dealers are required to issue a copy of their Annual Resale Certificate to make tax exempt purchases for the purposes of resale; (2) provide reference to Rule 12A-1.038, F.A.C., as amended, for sales made to entities that hold a valid Consumer's Certificate of Exemption; and (3) incorporate the provisions of s. 4, Chapter 2000-276, L.O.F., which extends to corporations and affiliated groups the exclusion from the requirement to pay use tax on rock, shell, fill dirt, or similar materials that are secured from the property owned by the corporation and used on property owned by the corporation or a corporate member of the corporation's affiliated group.

The purpose of the proposed amendments to Rule 12A-1.053, F.A.C., Electric Power and Energy, is to: (1) provide guidelines for when the sale of electricity to be used in residential households, to owners of residential models, and to licensed family day care homes are exempt from tax; (2) provide guidelines for when a utility will be held liable for tax exempt sales of electricity that is used for a non-exempt purpose; and (3) remove obsolete provisions regarding imposition of obsolete tax rates.

The purpose of the proposed amendments to Rule 12A-1.059, F.A.C., is to: (1) change the title to "Fuels" to reflect the removal of provisions for the sale of lubricants that are unnecessary; (2) provide guidelines regarding documentation requirements for dealers who make tax exempt sales of fuels used in residential households, to owners of residential models, and to licensed family day care homes that are exempt from tax; (3) provide guidelines for when a dealer will be held liable for tax exempt sales of fuel that is used for a non-exempt purpose; (4) remove obsolete provisions regarding the sale of motor fuel and special fuel that are provided in ss. 206.87(3)(f) and 212.0501, F.S., as amended, and Rule 12B-5.130(2), F.A.C.; (5) provide guidelines for the exemption provided for boiler fuels, including a suggested exemption certificate to be issued by the purchaser to purchase boiler fuels tax exempt; (6) remove redundant provisions regarding the sale of fuels and other items subject to the proration provisions in Rule 12A-1.064, F.A.C.; (7) remove redundant provisions regarding the sale of fuels used to generate electrical power or energy that are provided in Rule 12A-1.053, F.A.C.; and (8) remove examples of lubricants and other items for which an administrative rule to provide that the sale of tangible personal property is taxable is unnecessary.

The purpose of the proposed amendments to Rule 12A-1.061, F.A.C., Rentals, Leases, and Licenses to Use Transient Accommodations, is to: (1) provide that, to qualify for the exemption provided for military personnel on active duty and present in the community under official orders, the dealer may obtain a copy of an overflow certificate or a copy of the official orders of the purchaser; (2) correct the reference to exemption certificates for purchases of transient accommodations made by government employees and representatives of exempt organizations that will be provided in Rule 12A-1.038, F.A.C., as amended; (3) remove the unnecessary repetition of record keeping requirements from subsection (13) that are provided in subsection (19) of the rule; and (4) clarify that exemption certificates are required to be maintained in a dealer's books and records.

**SUBJECT AREA TO BE ADDRESSED:** The purpose of this rule development workshop is to provide an opportunity for the public comment regarding these proposed amendments to Rules 12A-1.043, 12A-1.051, 12A-1.053, 12A-1.059, and 12A-1.061, F.A.C.

**SPECIFIC AUTHORITY:** 212.17(6), 212.18(2), 213.06(1) FS.  
**LAW IMPLEMENTED:** 92.525(1)(b), 212.02(2),(4),(7), (10)(a)-(g),(16),(19),(21), 212.03(1),(2),(3),(4),(5),(7), 212.031, 212.04(4), 212.05, 212.052, 212.06(1),(3), (14),(15)(a), 212.07(1),(8), 212.08(4),(6),(7)(b),(i),(j),(m),(o), 212.11(1),(2), 212.12(7),(9),(12), 212.13(2), 212.14(5), 212.18(2),(3), 212.183, 213.37, 213.756, 366.051 FS.

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

**TIME AND DATE:** 10:00 a.m., February 14, 2001

**PLACE:** Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule development workshop may be obtained from Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

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

12A-1.043 Manufacturing.

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

(d) Persons who manufacture, produce, compound, process, or fabricate items of tangible personal property for resale or for their own use or consumption may purchase direct materials tax exempt but shall include the cost of the direct materials when computing tax on the cost of the items so manufactured, produced, compounded, processed, or fabricated for such persons' own use or consumption. If tax has been paid on the direct materials, the method described in paragraph (c) should be used when computing the tax on the cost of the items so manufactured, produced, compounded, processed, or fabricated.

(e)1. To purchase direct materials tax exempt, dealers registered with the Department to sell tangible personal property may extend a copy of their Annual Resale Certificate (form DR-13) to the selling dealer in lieu of paying tax at the time of purchase. The cost of such materials is subject to tax on the cost of the items so manufactured, produced, compounded, processed, or fabricated, as provided in paragraph (d).

2. Persons who do not sell tangible personal property are not required to register with the Department as a dealer. However, to purchase direct materials tax exempt, such persons may extend an Exemption Certificate, as provided in Rule 12A-1.038, F.A.C., to the selling dealer in lieu of paying tax at the time of purchase. The cost of such materials is subject to tax on the cost of the items so manufactured, produced, compounded, processed, or fabricated, as provided in paragraph (d).

~~(f)(e)~~ No change.

(2) through (3) No change.

(4) Any person who manufactures asphalt for his own use shall calculate and remit the use tax on such asphalt, as provided in Rule 12A-1.051(12)(~~6~~), F.A.C.

(5) through (6) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4), (7), 212.052, 212.06(1), 212.12(12), 366.051 FS. History—Revised 10-7-68, 1-7-70, 6-16-72, Amended 1-19-74, 12-26-83, Formerly 12A-1.43, Amended 1-2-89, 2-28-90, 3-20-96, 7-27-99,\_\_\_\_\_.

12A-1.051 Sales to or by Contractors Who Repair, Alter, Improve and Construct Real Property.

(1) through (4) No change.

(5) Rule for (3)(d) contractors. Contractors who perform retail sale plus installation contracts described in paragraph (3)(d), do sell tangible personal property. They should register as dealers and provide a copy of their Annual Resale Certificate (form DR-13) to the selling dealer to purchase tax exempt resale certificates for materials that are itemized and resold under paragraph (3)(d) contracts. They should not provide the certificate to purchase tax exempt resale certificates for items that they use themselves rather than reselling, such as hand tools, shop equipment, or office supplies. They must charge their customers tax on the price paid for tangible personal property, ~~unless a valid exemption certificate is provided~~, but not on the charges for installation labor. See Rule 12A-1.038, F.A.C., for tax exempt sales made to entities that hold a valid Consumer's Certificate of Exemption.

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

(b) If the predominant nature of a mixed contract is a contract for tangible personal property, taxability of the contract will be determined as if the contract were entirely for tangible personal property. For example, a vendor of a mechanical conveyor system for a warehouse provides reinforced concrete foundations and embeds steel plates in the concrete to permit installation of the equipment by bolting it to the plates. The contract is predominantly for the sale of equipment. The contractor should buy the equipment, concrete, and steel plates tax exempt by extending a copy of the contractor's Annual Resale Certificate (form DR-13) to the selling dealer using a resale certificate and charge tax on the full price charged to the customer.

(c) No change.

(d) If a mixed contract clearly allocates the contract price among the various elements of the contract, and such allocation is bona fide and reasonable in terms of the costs of materials and nature of the work to be performed, taxation will be in accordance with the allocation. For example, a residential developer builds and sells a home on a cost plus basis, but the contract provides separately stated prices for the sale and installation of certain optional free standing appliances that are tangible personal property and are not classified as real

property fixtures. The contractor may purchase those appliances by issuing a copy of the contractor's Annual Resale Certificate (form DR-13) to the selling dealer using a resale certificate and charge sales tax on the price paid for the appliances, including installation, by the home buyer. The contractor is responsible for paying tax on all the materials that are included in the cost plus price of the home, other than the separately itemized appliances. Similarly, a manufacturer who sells and installs a mechanical conveyor system in a warehouse could state a separate charge in the contract for providing reinforced concrete with embedded steel plates in the warehouse floor to support the conveyor. The conveyor system is machinery or equipment and is therefore tangible personal property. The concrete and plates would be considered a real property improvement. The contractor should pay tax on the materials used for the real property part of the contract and not charge tax to the customer on the related charge. The customer should pay tax on the rest of the contract price allocable to the conveyor machinery itself.

(e) This subsection does not affect any exemption provided in Chapter 212, F.S., for machinery or equipment that may be claimed by a contractor based on a temporary tax exemption permit, affidavit, or other authorized certification by the owner of real property. For example, purchases of certain equipment for generating electrical power or of certain machinery for manufacturing tangible personal property for sale are exempt from sales and use taxes. In order for the property owner to receive the benefit of these exemptions, it has been specifically provided that contractors who purchase and install the exempt items may claim the exemption based on the property owner's providing the required documentation of entitlement. The guidelines on mixed contracts are not intended to impact these exemptions. In the case of a mixed contract that is treated as a real property contract, the contractor is still entitled to purchase the qualified equipment or machinery tax-exempt. In the case of a mixed contract treated as a sale of tangible personal property, the contractor would purchase the equipment or machinery by issuing a copy of the contractor's Annual Resale Certificate (form DR-13) to the selling dealer using a resale certificate and accept the property owner's authorized documentation of exemption in lieu of charging tax on the subsequent sale of the equipment or machinery to the property owner. See Rule 12A-1.038, F.A.C., for tax exempt sales made to entities that hold a valid Consumer's Certificate of Exemption.

(9) Dual operators. Some contractors both use materials themselves in the performance of contracts and resell materials either in over-the-counter sales or under contracts described in paragraph (3)(d). Those contractors should register as dealers. When they purchase materials that they may either use themselves or that they may resell, they may issue a copy of the contractor's Annual Resale Certificate (form DR-13) to the selling dealer resale certificate. Florida tax should be remitted when a subsequent event determines the appropriate taxation

of the materials. If the materials are subsequently resold, tax should be collected from the buyer and remitted to the state. If the materials are used by the contractor, use tax should be paid to the state ~~State~~ instead.

(10) through (12) No change.

(13) Use tax on rock, shell, fill dirt, or similar materials. A real property contractor is taxable on the cost of rock, shell, fill dirt, or similar materials the contractor uses to perform a real property contract for another person.

(a) If the contractor acquires the materials from a location the contractor owns or leases, the contractor must remit use tax based on one of the following methods:

1. The fair retail market value, which means either the price the contractor would have to pay on the open market or the price at which the contractor would sell the materials to third parties; or

2. The cost of the land plus all costs of clearing, excavating, and loading the materials, including labor, power, blasting, and similar costs.

(b) If the contractor purchases the materials and as part of the agreement excavates and removes them from the seller's land (including state-owned submerged land), the taxable cost is the purchase price paid to the seller plus all the costs incurred by the contractor in clearing, excavating, and removing the materials, including labor.

(c) When rock, shell, fill dirt, or similar materials are secured from a location owned by the contractor for use on his or her own property, the contractor does not owe tax on these materials. For purposes of this paragraph, a contractor that is a corporation is considered to own any location that is owned by any corporation in the same affiliated group as the contractor. "Affiliated group" shall have the meaning provided in s. 220.03(1), F.S.

~~(d)~~(e) A contractor on a road project owes no tax on borrow materials that are provided at no charge by the Department of Transportation, including materials extracted from pits that are provided at no charge by that department.

(14) through (19) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4),(7),(16),(19),(21), 212.06(1),(14),(15)(a), 212.07(1),(8), 212.08(6), 212.14(5), 212.183 FS. History—Revised 10-7-68, 1-7-70, 6-16-72, Amended 2-3-80, 3-27-80, 6-3-80, 8-26-81, 11-15-82, 6-11-85, Formerly 12A-1.51, Amended 1-2-89, 8-10-92, 7-27-99, 3-30-00,\_\_\_\_\_.

12A-1.053 Electric Power and Energy.

(1)(a) ~~The sale of electric power or energy by a utility private or public utilities and rural electric cooperative associations is taxable. The sale of electric~~ Electric power or energy is exempt when it is separately metered and sold for use in residential households, to owners of residential models, or to licensed family day care homes (including trailer lots) direct to the actual consumer by utilities who are required to pay the gross receipts tax imposed by chapter 203, F.S., is exempt Section 203.01, Florida Statutes. Such electric power or energy

~~is exempt, even though metered and billed direct to the landlord (master metered). However, if any part of the electric power or energy utility or fuel is used for a non-exempt purpose, the entire sale is subject to tax taxable. Landlords shall provide separate meters for non-exempt consumption of electric power and energy. This exemption shall also apply to electric power or energy sold to residents when separately metered and billed direct to them. Electric power or energy used in residential model homes or common areas of apartments, cooperatives and condominiums is exempt provided that none of the electric power or energy is used in residential model homes which are used as sales offices or for other non-exempt purposes. Hotels and motels cater primarily to transient guests and are not considered to be residential households. Therefore, this exemption shall not apply to electric power or energy sold for use in hotels and motels.~~

(b) A utility is not obligated to collect and remit tax on any sale of electric power or energy when all of the following factors are present:

1. The property to which the electric power or energy is sold is coded "residential," based on tariffs filed by the utility with the Public Service Commission.

2. The utility has on file a writing or document evidencing a representation of the utility's customer that the electric power or energy is being purchased for exclusive residential household use, including licensed family day care homes. The writing or document may be a customer application, a certificate, or a series of billing statements to the customer that identifies the customer as holding a residential account and provides the customer a means to correct its classification if any of the electric power or energy is used for business or commercial purposes. A commercial or business purpose does not include gas or fuel used in a licensed family day care home.

3. The utility must have acted in good faith in accepting the representation of the customer.

(c) Tax is due on electric power or energy purchased by a customer tax exempt for the purposes of residential household use that does not qualify for such exemption. In such instances, if the utility complies with the requirements of paragraph (b), the Department will look to the customer for any applicable tax, penalty, or interest due. The Department will look to the utility for any applicable tax, penalty, or interest due when the utility's books and records indicates a failure to comply with the requirements of paragraph (b) or the utility has erroneously classified a business or commercial customer as a residential customer or as a licensed family day care home.

(b) Effective May 1, 1982, the sale or use of electric power or energy that is subject to tax shall be taxed at the rate of 5 percent in lieu of the former rate of 4 percent. If a customer is billed for electric power or energy for a cycle ending on or after May 1, 1982, the 5 percent tax rate is applicable on the entire taxable transaction even though the billing may have

been for electrical services received prior to May 1, 1982. Where no cycle date appears on the billing, the billing date will control the rate of tax applicable.

(2) through (3) No change.

(4) Effective June 1, 1982, the provision under 166.231(3), F.S., which provided that the municipal tax on electricity shall not be levied and collected on the first 50 kilowatt hours per month for residential use has been eliminated. Therefore, if a utility has a billing cycle which begins in May and ends in a subsequent month, the utility may deduct from their sales tax collects an amount equal to the municipal tax loss on the sale of electricity to residential customers. If a utility's billing cycle begins in June, the utility shall not deduct from their sales tax collections an amount equal to the municipal tax loss on the sale of electricity to residential customers.

(4)(5) No change.

Specific Authority 212.17(6), 212.18(2), 213.06 FS. Law Implemented 212.02(2),(19), 212.05(1)(e), 212.06(1)(a),(b),(2); 212.08(4),(7)(j), 212.18(2) FS. History—Revised 10-7-68, 6-16-72, Amended 12-11-74, 10-18-78, 6-3-80, 12-23-80, 7-20-82, Formerly 12A-1.53, Amended \_\_\_\_\_.

#### 12A-1.059 Fuels and Lubricants.

(1)(a) ~~The sale of fuel, including crude oil, fuel oil, kerosene, sterno, diesel oil, natural and manufactured gas, coke, charcoal briquets, cord wood, and other fuel products is taxable. The sale of natural or Natural and manufactured gas, such as butane, propane, and all other forms of liquefied petroleum (L.P.) gas, is exempt when separately metered and sold for use in residential households, to licensed family day care homes, or (including trailer lots) directly to owners of residential models the actual consumer by utilities who are required to pay the gross receipts tax imposed by Chapter 203, F.S., is exempt Section 203.01, Florida Statutes. The sale of exemption for residential households (including trailer lots) also includes L.P. gas, crude oil, fuel oil, kerosene, diesel oil, coke, charcoal briquets, cord wood, and other household fuels for the purposes of heating, cooking, lighting, and refrigeration in residential households, to owners of residential models, or to licensed day care homes is exempt. However, Such sales of utilities and fuels are exempt regardless of whether such sales are billed to the landlord; provided, however, that if any part of the utility or fuel is used for a non-exempt purpose, the entire sale is subject to tax taxable. Landlords shall provide separate meters for any non-exempt consumption of utilities or fuels. This exemption shall also apply to the sale of utilities and fuels used in residential model homes or common areas of apartments, cooperatives and condominiums provided that none of the utilities or fuels are used in residential model homes which are used as sales offices or for other non-exempt purposes. No exemption certificate or affidavit is required to be obtained by a dealer of special fuel or a dealer of liquefied petroleum gases when the fuel is sold and delivered into the customer's storage facility located on the customer's residential premises, when the fuel is for the purposes of home cooking or~~

home heating. Hotels and motels cater primarily to transient guests and are not considered to be residential households. Therefore, this exemption shall not apply to utilities or fuels sold for use in hotels and motels.

(b) Any dealer who sells manufactured gas that is delivered to the customer's storage facility located on the customer's residential premises to be used for home heating or cooking is not obligated to collect and remit tax or obtain a certificate from the customer. However, the dealer must document on the customer's delivery ticket, sales invoice, or billing statement that the fuel being sold and delivered is for the purposes of home heating or cooking.

(c) Any person who sells natural or manufactured gas or other fuels for residential household purposes or for use in a licensed family day care home, but does not deliver the gas or fuel directly to a storage facility located on the customer's residential premises, is not obligated to collect and remit tax on any sale of gas when:

1. The seller has on file a writing or document evidencing a representation of the customer that the natural or manufactured gas or other fuel is being purchased for exclusive residential household use or for use in a licensed family day care home. The writing or document may be a customer application, a certificate, or a series of billing statements to the customer that identifies the customer as holding a residential account and provides the customer a means to correct its classification if any of the fuel is used for business or commercial purposes. A business or commercial purpose does not include gas or fuel used in a licensed family day care home; and

2. The seller must have acted in good faith in accepting the representation of the customer.

(d) Tax is due on any natural or manufactured gas or other fuel purchased by a customer tax exempt for the purposes of residential household use, or for use in a licensed family day care home, that does not qualify for such exemption. In such instances, if the selling dealer complies with the requirements of paragraph (b), the Department will look to the customer for any applicable tax, penalty, or interest due. The Department will look to the selling dealer for any applicable tax, penalty, or interest due when the dealer's books and records indicates a failure to comply with the requirements of paragraph (b) or the dealer has erroneously classified a business or commercial customer as a residential customer or as a licensed family day care home.

(e)(b) ~~The charge~~ Where the amount of the sale exceeds two dollars, and except for the filling of liquefied petroleum (L.P.) gas tanks in excess of twenty pounds, including tanks used in recreational vehicles, is exempt when the L.P. gas will be used by the purchaser for the purposes of residential heating or cooking twenty-pound tanks, the dealer must support his claim for exemption from the tax with a copy of an invoice which contains the date of sale, quantity and description of the

fuel, license number, and state of issue of the travel trailer. Twenty-pound L.P. gas tanks are used exclusively for residential household purposes and the charge for filling of such tanks them with L.P. gas is exempt under the law. The dealer must document on the customer's invoice or other written evidence of sale that the charge is for filling a twenty pound tank, or the gas is sold for the purposes of residential household cooking or heating.

(f) Any person who sells charcoal briquets or cord wood to be used for residential household cooking or heating is not required to obtain a certificate from the purchaser to make tax exempt sales of these items.

~~(2)(a) Motor fuels or special fuels, other than liquefied petroleum gases, on which the tax is imposed by Chapter 206 or by Part II, Chapter 212, F.S., are exempt from the tax imposed by Part I, Chapter 212, F.S. Motor fuels or special fuels exempt from tax under Chapter 206 or Part II, Chapter 212, F.S., are taxable under Part I, Chapter 212, F.S., unless specifically exempted therein.~~

~~(b) Butane gas, propane gas, and all other forms of liquefied petroleum gases are not defined as special fuels under Chapter 212, F.S. Such fuels are taxable under Part I, Chapter 212, F.S., at the rate of 6 percent of the total selling price, unless specifically exempted therein.~~

~~(c) Natural gas and liquefied petroleum gases, when such gases are used in any tractor, vehicle, or other farm equipment which is used exclusively on a farm or for processing farm products on the farm and no part of which is used in any vehicle or equipment driven or operated on the public highways of this state are exempt. This restriction shall not apply to the movement of farm vehicles or farm equipment between farms.~~

~~(d) Natural gas and liquefied petroleum gases used in the transporting of bees by water and the operating of equipment used in the apiary of a beekeeper are also exempt.~~

~~(e) In order to obtain the exemption on natural gas or liquefied petroleum gases, the purchaser shall furnish the seller a certificate stating that the natural gas or liquefied petroleum gases are used for agricultural purposes.~~

~~(3) All fuels used by public or private utilities, including municipal corporations and rural cooperative associations in the generation of electric power or energy for sale, are exempt.~~

~~(4) Fuels used or consumed in vessels or railroad locomotives which are used to transport persons or property in interstate or foreign commerce are taxable under Part I, Chapter 212, F.S., subject to the provisions contained in Rule 12A-1.064. Fuels, other than liquefied petroleum gases, used or consumed in other vessels or railroad locomotives and any other vehicle including, but not limited to, motor vehicles and aircraft are exempt from tax under Part I, Chapter 212, F.S. However, such fuels are taxable under Part II, Chapter 212, F.S.~~

~~(5) Lubricating oils, including machine oils and thread lubricating oil and greases are taxable, and the tax is due on the total selling price paid by the purchaser, including any other state and federal taxes which are a part thereof.~~

~~(6) The sale of lubricating oils and greases, motor additives, friction proofing oils, solvents, driers, and all other lubricants for use on or by commercial fishing vessels or on or by ships, vessels, aircraft, trucks, and other vehicles is taxable based on the total selling price, including any other state and federal taxes which are a part thereof. (See Rule 12A-1.064, F.A.C., for proration of tax on these items when used in or on vehicles, vessels, or aircraft engaged in interstate or foreign commerce.)~~

~~(7) The entire lump sum charges made for grease jobs, wheel packs, etc., are taxable and are payable by the customer to the dealer.~~

~~(8) Naphtha, mineral spirits and lighter fluids are taxable.~~

~~(9) Liquefied petroleum gas or other fuel used to heat a structure in which starter pullets or broilers are raised is exempt.~~

~~(2)(a)(10) "Boiler" fuels. When purchased as a combustible fuel, purchases of natural gas, residual oil, recycled oil, waste oil, solid waste material as defined in s. 403.703(13), F.S., coal, sulfur, wood, wood residues, or wood bark used in an industrial manufacturing, processing, compounding, or production process at a fixed location in this state is shall be exempt from the taxes imposed by this chapter; provided, however, that this exemption shall not apply to such fuels that are not used in manufacturing, processing, compounding, or producing items of tangible personal property for sale, or to the boiler fuels used by any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business Regulation. For the purpose of this exemption, the term "residual oil" means shall mean ASTM Grades No. 5 and No. 6, heavy diesel, and bunker C. Purchase invoices must indicate the type of residual oil purchased. This exemption does not shall NOT apply to any type of liquefied petroleum gases, naphtha, kerosene, or distillate fuel oil, such as including but not limited to diesel fuels, No. 1 and No. 2 heating oils, and No. 4 fuel oil. The term "fixed location" means shall mean being permanently affixed to one location or plant site, or any portable plant which may be set up for a period of not less than six months in a stationary manner so as to perform the same industrial manufacturing, processing, compounding, or production process that could be performed at a permanent location or plant site. To be entitled to this This exemption at the time of purchase, shall not be allowed, however, unless the purchaser must issue furnishes the seller a certificate stating that the combustible fuel is used in an industrial manufacturing, processing, compounding, or production process. The following is a suggested format of a certificate to be used for this purpose:~~



EXEMPTION CERTIFICATE

BOILER FUELS USED TO PRODUCE TANGIBLE PERSONAL PROPERTY FOR SALE

\_\_\_\_\_, incorporated in the State of \_\_\_\_\_, its undersigned officer who is duly authorized, hereby certifies to \_\_\_\_\_ that purchases of residual oil, recycled oil, waste oil, solid waste material as defined in s. 403.703(13), F.S., coal, sulfur, wood, wood residues, or wood bark under account number \_\_\_\_\_ will be exclusively used as a combustible fuel in the manufacturing, processing, compounding, or production of tangible personal property for sale. This industrial process is located at \_\_\_\_\_ in \_\_\_\_\_, Florida, County of \_\_\_\_\_. Further, it is certified that \_\_\_\_\_ is not subject to regulation by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation. The purchase of the combustible fuel pursuant to this certification is exempt from tax, pursuant to s. 212.08(7)(b), F.S.

Dated at \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_.

AUTHORIZED OFFICER OF COMPANY

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

(b) The sale of boiler fuels that are not used in manufacturing, processing, compounding, or producing items of tangible personal property for sale is subject to tax. The sale of boiler fuels used by any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation is subject to tax.

~~(11) Special fuel may be purchased tax exempt when the fuel is consumed by a power take off or engine exhaust for the purpose of unloading bulk cargo by pumping or turning a concrete mixer drum used in the manufacturing process or for compacting solid waste by a motor vehicle designed to carry such waste and such vehicles have no separate fuel tank or power unit. An invoice or delivery ticket, which shall be signed by the person operating the motor vehicle, shall be made at the time each motor vehicle is refueled and shall provide accurate information as to the date, the number of gallons placed in the fuel tanks of the motor vehicle, the motor vehicle number, or tag number in the event the motor vehicle is not numbered. All internal records which provide information as to fuel consumption by the concrete mixer trucks, trucks in which bulk cargo is unloaded by pumping, and trucks used to compact solid waste shall continue to be maintained for audit review. In order to purchase the fuel tax exempt, the purchaser:~~

~~(a) must obtain a license as a dealer of special fuel and as a sales tax dealer; and~~

~~(b) compute the tax on the special fuel consumed by each motor vehicle using a power take off unit for turning a concrete drum or for compacting solid waste based on the actual number of gallons consumed during the turning or~~

~~compacting operation taxable under Part I Chapter 212, F.S., and the remaining gallons taxable under Parts II of Chapters 206 and 212, and Chapter 336, F.S., or on a percentage factor of 65 percent taxable under Parts II of Chapters 206 and 212, and Chapter 336, F.S., and 35 percent taxable under Part I, Chapter 212, F.S.; or~~

~~(c) compute the tax on special fuel consumed by each motor vehicle using a power take off unit or engine exhaust for unloading bulk cargo by pumping based on the actual number of gallons consumed during the pump off operation or on the industry's standard of 10 gallons per pump off taxable under Part I Chapter 212, F.S., and the remaining gallons taxable under Parts II of Chapters 206 and 212, and Chapter 336, F.S.~~

Cross Reference: Rules 12A-1.087 and 12B-5.130(2), F.A.C.

Specific Authority 212.17(6), 212.18(2), 213.06(1), FS. Law Implemented 206.87(3)(f), 212.05, 212.06(3), 212.08(4), (5)(a)-(e), (7)(b), (j), FS. History- Revised 10-7-68, 6-16-72, Amended 7-19-72, 12-11-74, 10-18-78, 7-3-79, 6-3-80, 12-23-80, 8-26-81, 12-31-81, 7-20-82, 10-13-83, Formerly 12A-1.59, Amended 12-13-88, 5-19-93, 9-14-93, 3-20-96, \_\_\_\_\_.

12A-1.061 Rentals, Leases, and Licenses to Use Transient Accommodations.

(1) through (10) No change.

(11) MILITARY PERSONNEL ON ACTIVE DUTY.

(a) Rental charges or room rates paid by military personnel currently on active duty and present in the community under official orders are exempt. This includes rental charges or room rates for transient accommodations paid by military personnel while traveling to a destination designated by their official orders. The exemption does not include rental charges or room rates for transient accommodations paid by military personnel that are in the community, but are not under official orders to be present in the community.

(b) To qualify for this exemption, military personnel must present either of the following documents to the owner or owner's representative of the transient accommodation:

~~1. a written declaration stating that he or she is currently serving on active duty in the U.S. Armed Services; and~~

~~1.2. a copy of the official orders supporting the active duty status of the military personnel and making it necessary to occupy the transient accommodation; or~~

2. A copy of an overflow certificate issued to military personnel on active duty status by any unit of the U.S. Armed Services.

~~(c) The following is a suggested written declaration to be completed and presented to the owner or owner's representative of the transient accommodation:~~

~~The undersigned hereby declares that he or she is currently serving on active duty in the U.S. Armed Services and that it is necessary to reside at the named facility to carry out official orders.~~

Name and Address of Facility: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Rank/Rate: \_\_\_\_\_ Serial No. \_\_\_\_\_  
Address: \_\_\_\_\_ (Place of duty) \_\_\_\_\_  
Dated this \_\_\_\_\_ day  
of \_\_\_\_\_ 19\_\_\_\_  
\_\_\_\_\_

(Signature of Military Personnel)

(12) No change.

**(13) GOVERNMENTAL EMPLOYEES AND REPRESENTATIVES OF EXEMPT ORGANIZATIONS.**

(a) Employees of the federal government or its agencies are exempt from tax on rental charges or room rates for transient accommodations, even though the employee may be reimbursed by the federal government or its agencies, only when:

1. The federal government or its agencies pays the rental charges or room rates directly to the owner or the owner's representative of the transient accommodations or reimburses the employee for the actual rental charges or room rates;

2. The employee does not use the transient accommodations for personal purposes; and

3. The employee provides the owner or the owner's representative of the transient accommodations with the proper documentation. See Rule 12A-1.038(4) ~~12A-1.001(9)(d)1~~, F.A.C., for the ~~information and suggested formats of the~~ proper documentation to be provided by the employee.

(b)1. Employees of governmental units other than the federal government or its agencies (i.e., state, county, city, or any other political subdivision of the State) and authorized representatives of organizations that hold a Consumer's Certificate of Exemption issued by the Department ~~exempt from tax under s. 212.08(7)(m) or (o), F.S.~~, are exempt from tax on rental charges or room rates for transient accommodations only when:

a. The rental charges or room rates are billed directly to and paid directly by the governmental unit or the exempt organization;

b. The employee or representative does not use the transient accommodations for personal purposes; and

c. The employee or representative provides the owner or the owner's representative of the transient accommodations with proper documentation. See Rule 12A-1.038(3) and (4) ~~12A-1.001(9)(d)2~~, F.A.C., for the ~~information and suggested formats of the~~ proper documentation to be provided by the employee or representative.

2. Rental charges or room rates paid with personal funds of any individual representing an exempt organization or of any employee of a governmental unit, other than the federal government or its agencies, are subject to tax, even though the representative may receive an advance or reimbursement from the exempt organization or governmental unit.

~~(e) To exempt rental charges or room rates to government employees and representatives of exempt organizations, the owner or owner's representative of the transient accommodations must maintain a copy of the documents required under paragraphs (a) or (b) in their records until the tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S. Upon request, a copy of the documents must be made available to the Department.~~

(14) through (18) No change.

(19) **RECORDS REQUIRED.** Any person who collects rental charges or room rates for transient accommodations must maintain adequate records, including copies of all lease or rental agreements, duplicate copies of receipts issued for the payment of rental charges or room rates, and any exemption certificates until the tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S. Upon request, records must be made available to the Department.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 92.525(1)(b), 212.02(2),(10)(a)-(g),(16), 212.03(1),(2),(3),(4),(5),(7), 212.031, 212.04(4), 212.08(6), (7)(i),(m),(o), 212.11(1),(2), 212.12(7),(9),(12), 212.13(2), 212.18(2),(3), 213.37, 213.756 FS. History-Revised 10-7-68, 1-7-70, Amended 1-17-71, Revised 6-16-72, Amended 7-19-72, 4-19-74, 12-11-74, 5-27-75, 10-18-78, 4-11-80, 7-20-82, 1-29-83, 6-11-85, Formerly 12A-1.61, Amended 10-16-89, 3-17-94, 1-2-95, 3-20-96, 11-30-97, 7-1-99, \_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Regulation of Overhanging Encroachments

RULE CHAPTER NO.: 14-43

RULE TITLE: Regulation of Overhanging Encroachments

RULE NO.: 14-43.001

PURPOSE AND EFFECT: The title is changed to "Regulation of Overhanging Encroachments" for Rule Chapter 14-43 and for Rule 14-43.001. The rule is reworded and restructured significantly from the August 3, 1999, amendment.

SUBJECT AREA TO BE ADDRESSED: Rule 14-43.001 is amended and the title of the rule is revised.

SPECIFIC AUTHORITY: 334.044(2), 337.407 FS.

LAW IMPLEMENTED: 316.006, 316.0745, 316.077, 316.0775, 334.044, 335.02, 335.14, 337.29, 337.407, 338.237, 479.01, 479.107, 768.28 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:

14-43.001 Regulation of Overhanging Encroachments  
~~Over State Rights of Way.~~

(1) Definitions.

(a) "Banner" means ~~a temporary encroachment in the form~~ of a length or sheet of cloth, fabric, plastic, or other flexible material bearing a message which may be either of the following:

1. "Pole Banner" means a banner which is located adjacent to the travel lanes of the roadway and is attached to an existing permanent support.

2. "Street Banner" means a banner which extends over the travel lanes of the roadway and is attached to one or more existing permanent supports.

(b) "Canopy" means a permanent or semi-permanent, on-premise roof-like encroachment or projection partially extending over the right of way.

(c) "Department" means the State of Florida Department of Transportation.

(d) "Governmental Entity" has the same meaning as provided in Section 11.45(1)(c), Florida Statutes.

(e) "Local Governmental Entity" has the same meaning as provided in Section 11.45(1)(d), Florida Statutes.

~~(f)~~ (e) "Overhanging Encroachment Sign" for purposes of this rule means a sign, canopy, or banner, as these terms are herein defined, permanent encroachment in the nature of an on-premise advertising display pursuant to Section 479.16, Florida Statutes, which are placed along and extends over the state rights of way which are within municipalities, or which are of curb-and-gutter construction outside municipalities.

(g) "Sign" has the same meaning as provided in Section 479.01(14), Florida Statutes.

(2) Overhanging encroachments are prohibited on the Interstate Highway System. Overhanging encroachments shall be authorized, pursuant to Section 337.407, Florida Statutes, to be placed along and over state roads under the following conditions:

(a) No new supports may be located within state right of way.

(b) Any overhanging encroachment must be allowed by the affected local governmental entity.

(c) Any overhanging encroachment which interferes with Department construction must be adjusted or removed at the owner's expense.

(d) Overhanging encroachments may not obstruct the view of any traffic signal, traffic device, or official sign, nor in any way interfere with motorists' ability to safely operate their vehicles.

(e) Overhanging encroachments must comply with the setback or clearance requirements set forth in (3) and (4) below. The Department will notify the owner if the overhanging encroachment must be adjusted to meet setback or clearance requirements, and, upon failure of the owner to make such adjustment, it shall be removed by the Department. If the overhanging encroachment presents a safety hazard, the Department shall remove it and notify the owner of the removal.

(f) No overhanging encroachment may be erected or maintained which would interfere with the Department's maintenance, operation, or other use of a transportation facility.

(g) When an overhanging encroachment must be removed by the Department, the owner may reclaim it within 30 calendar days from the date of removal, upon payment of any costs incurred by the Department in removing the encroachment.

~~(3)(2) Overhanging Signs and Canopies. Overhanging~~ Signs and canopies are prohibited ~~along and over~~ on limited access roadways ~~rights of way. Signs and canopies~~ Conditions ~~under which overhanging signs or canopies may only be placed~~ along adjacent to and over state roads rights of way within corporate limits of a municipality, or outside municipalities ~~or~~ where curb and gutter construction exists outside municipalities as authorized under Section 337.407, Florida Statutes, are in compliance with the following conditions:

(a) Where curb and gutter construction exists, ~~provided the~~ entire structure, including attachments and supports, must clears the sidewalk vertically by at least nine feet, ~~(2.7 meters)~~ and the outside edge of the structure must be ~~canopy or sign is~~ at least two feet ~~(0.6 meters)~~ behind a the vertical line extending upward from through the face of the curb, and the entire structure must comply ~~complies~~ with the Department's clear zone requirements set forth in Table 2.11.9 2-12-1 Clear Zone Widths and Table 2.11.10 2-12-2 Clear Zone Widths for Curved Alignments on Highways With Flush Shoulders (January 2000 1998), incorporated herein by reference. Copies of these tables are available from the Office of Right of Way, 605 Suwannee Street, MS 22, Tallahassee, Florida 32399-0450.

(b) Within municipalities where there is no curb and gutter construction, provided the sign or canopy, including attachments and supports, does not extend more than six feet ~~(1.8 meters)~~ over the right of way; may does not extend closer than 12 feet ~~(3.7 meters)~~ from the edge of the driving lane; must have ~~has~~ a vertical clearance of at least 10 ten feet ~~(3 meters)~~; and the entire structure must comply ~~complies~~ with the Department's clear zone requirements as set forth in Table

2.11.9 Clear Zone Widths and Table 2.11.10 Clear Zone Widths for Curved Alignments referenced in the tables identified and incorporated by reference in 14-43.001(2)(a) above.

~~(e) Where canopies or overhanging signs interfere with construction, they shall be adjusted or temporarily removed at the owner's expense.~~

~~(c)(d) The design of said canopies or signs, or canopies as to bracing and attachments to buildings, shall be approved for safety features by the appropriate official of the governmental agency affected.~~

~~(d)(e) No canopy or overhanging sign shall be erected away from the site of the business which it promotes advertises.~~

~~(f) No canopy or sign may be erected or maintained which would interfere with the Department's maintenance, operations, or other use of a transportation facility.~~

~~(f)(g) Lighting of Overhanging signs and canopies shall conform to the requirements of may be lighted, provided, however, the lighting is in compliance with Section 479.11(5), Florida Statutes.~~

~~(h) If the Department determines that a canopy or overhanging sign is not erected safely or is not in compliance with the setback or clearance requirements, upon prior written notice by the Department, it must be adjusted by the owner to meet such requirements or it shall be removed by the Department. If the canopy or overhanging sign is removed, the Department shall deliver written notice to the owner. The notice shall advise the owner of the canopy or overhanging sign of his or her right to request an administrative proceeding pursuant to Chapter 120, Florida Statutes. If the canopy or overhanging sign presents a safety hazard, the Department shall remove it and provide written notice of such removal to the permittee.~~

~~(i) When a canopy or overhanging sign must be removed by the Department, the owner may reclaim the canopy or sign within 30 calendar days from the date of removal upon payment of any costs incurred by the Department in removing the canopy or sign.~~

~~(j) No new supports may be placed within state rights of way for purposes of supporting a canopy or overhanging sign.~~

~~(k) This rule shall not authorize the erection of any canopy or sign which is prohibited by the municipality, county, local zoning authority, or agency affected.~~

~~(4)(3) Banners. Banners may only be placed along and over any state roads which are within municipalities, or which are of curb-and-gutter construction outside municipalities erected pursuant to a permit issued by the Department subject to a local government entity under the following conditions:~~

~~(a) The banner(s) must promote a public event which is sponsored by a local governmental entity. Written authorization for the placement of banners from the local government shall constitute sponsorship.~~

1. For purposes of this rule, "public event" means an event which is open to all members of the public. Fund-raising drives by non-profit organizations are considered public events.

2. For purposes of this rule, "sponsored" means written concurrence from the local government that the local governmental entity supports, endorses, and approves the event as having benefit to the general public.

~~(a) All banners for which permits are issued shall be erected in accordance with the Manual on Uniform Traffic Control Devices, which is incorporated by reference under Rule 14-15.010, F.A.C.~~

~~(b) Except as provided in 1. and 2. below, banners will be permitted for a period not to exceed 30 consecutive calendar days, on dates set forth in the application. The display period shall not extend more than two days beyond the date of the event being promoted. Banner permits for the same event shall not be renewed within 180 days.~~

~~(c) Banner permits for banners may be issued for routinely recurring events, e.g., events occurring monthly or quarterly, unless otherwise provided in this rule, provided the banner is displayed for no more than three consecutive days per month. The permit duration shall be no more than 12 months.~~

2. Within the corporate limits of a municipality, banners promoting or identifying a specific area, location, or designation within the municipality may be displayed. In these instances, the local governmental entity must be the banner applicant, and no additional messages or advertisements may be displayed on the banners.

(c) Outside the corporate limits of a municipality, pole banners must be placed a minimum of 1,000 feet apart and may not utilize more than 20 percent of the available supports. Inside municipalities, pole banners may be placed no closer than one on every third light standard on the same side of the roadway for non limited access facilities, and a minimum of 1,000 feet apart on limited access facilities.

1. The lowest point of the banner must be at least 10 feet above the pavement elevation;

2. The outside edge of the pole banner may be no closer than 12 feet from the edge of the driving lane; and

3. The pole banner must be attached to a light standard or other such device which is permanently located in the right of way.

~~(d) No banner may be erected or maintained which would interfere with the Department's maintenance, operation, or other use of a transportation facility.~~

~~(e) Any banner that interferes with construction shall be adjusted or removed at the owner's expense.~~

~~(f) No new supports may be placed within state rights of way for purposes of supporting a banner.~~

~~(g) The banner must advertise a public event which is sponsored or supported by a governmental entity.~~

(h) ~~Banners may not obstruct the view of any traffic signal, traffic device, or official sign, nor in any way interfere with motorists' ability to safely operate their vehicles.~~

~~(d)(4) Placement of banners on frangible light standards or other frangible devices will require a load rating analysis, signed and sealed by a registered professional engineer, certifying that the specific light standards or devices used to support the banners will handle the additional loadings placed on the structures by the banner and attachments, and will not to exceed the wind loading design requirements of the structure. Copies of load rating analyses previously submitted are acceptable for subsequent applications when all specifications are the same.~~

~~(e) Banners may not be placed within 500 feet of a limited access interchange.~~

~~(f) Street banners may only be placed on the right of way of non limited access roadways and must vertically clear the pavement by at least 18 feet. Street banners must be a minimum of 1,000 feet apart.~~

~~(j) The following additional conditions apply to banners adjacent to or across non limited access roadways:~~

~~1. Pole banners must vertically clear any curb by at least nine feet (2.7 meters) and horizontally clear the curb face by at least two feet (0.6 meters). For non limited access roads where there is no curb and gutter, the banners and support structures must vertically clear the pavement by at least 10 feet (3 meters) and horizontally clear the pavement by at least 12 feet (3.7 meters).~~

~~2. Street banners must vertically clear the pavement by at least 17 feet (5.2 meters), and may not obstruct or obscure the view of any traffic signal, traffic device, or official sign.~~

~~(k) In addition to the conditions identified in subsections (3)(a) through (i) above, the following conditions apply to the Interstate Highway System, Florida's Turnpike, and limited access roadways:~~

~~1. Pole banners will only be permitted for display for a duration not to exceed 60 consecutive days and only for events of national or international significance, provided the municipality has not hosted the event within the preceding 12 months. The following are examples of events for which pole banners may be permitted on the Interstate Highway System, Florida's Turnpike, and limited access roadways:~~

- ~~a. The World Cup~~
- ~~b. The Super Bowl~~
- ~~c. The Stanley Cup~~
- ~~d. The World Series~~
- ~~e. Summit of the Americas~~
- ~~f. The Olympic Games~~

~~2. The lowest point of the pole banner must be at least 10 feet (3 meters) above the pavement elevation;~~

~~3. The outside edge of the pole banner may be no closer than 12 feet (3.7 meters) from the edge of the driving lane; and~~

~~4. The pole banner must be attached to a light standard or other such device, which is permanently located in the right of way. No new support structures for pole banners may be placed in the right of way.~~

~~(5)(4) Permit Issuance. Applications for an overhanging encroachment sign, canopy, or banners must be made in writing to the appropriate District Maintenance Office.~~

~~(a) Applications for permits for overhanging signs and canopies shall include:~~

- ~~1. The name and address of the applicant.~~
- ~~2. A sketch of the sign or canopy, drawn to scale, which includes the message, letterings, logos, or emblems.~~
- ~~3. A sketch of the specific location of the sign or canopy, including height, location of supports, proximity to utility poles, and the identification of the state highway where the sign or canopy will be located.~~
- ~~4. Sketches or specific descriptions of the method to be used to affix the sign or canopy to the support structure(s).~~
- ~~5. Proof of compliance with any applicable local governmental regulations.~~

~~(b) Applications for permits for banners shall be made no later than 30 days and no earlier than 365 days prior to the requested installation date. The application Banner Permit Issuance. Applications for banners shall be on Application for Banner Permit, DOT Form 850-040-75, Rev. 01/01., incorporated herein by reference. Copies of Form 850-040-75 are available from the State Maintenance Engineer or any District Maintenance Engineer. The application shall include:~~

~~1. The name, and address, and telephone number of the applicant. If the applicant is a business or governmental entity, the name of the contact person must be supplied that is sponsoring or supporting the event. For purposes of this rule, submission of an application for a permit for banners constitutes sponsorship or support for the event.~~

~~2. Identification of the event being promoted advertised and a description of the event.~~

~~3. A sketch or drawing of the banner(s), drawn to scale, which includes the entire message that will appear on the banner(s).~~

~~4. A sketch of the specific location of the banner(s), including height, location of supports, proximity to utility poles, and the identification of the state highway where the banner(s) will be located.~~

~~5. Sketches, photographs, or specific descriptions of the method to be used to affix the banner(s) to the support structure(s).~~

~~6. The beginning and ending dates of the event being promoted.~~

~~7.6. The beginning and ending dates of the display period(s) requested.~~

~~8.7. Proof of compliance with the requirements of subsection (4)(c)(3) and any local governmental regulations.~~

9. Written authorization from the local government granting permission to the applicant for the installation of the banners. No permit for the placement of banners shall be issued when the local governmental entity has an ordinance prohibiting their installation.

10. When the roadway requested for banner installation is under the ownership of an Expressway Authority, written authorization from the affected Expressway Authority granting permission to the applicant for the installation of the banners must be provided.

~~11.8. A load rating analysis by a registered professional engineer, if required by subsection (3)(i). See (4)(d), above.~~

(c) Permits for banners will not be approved where a Department construction project is planned during the requested display period.

(d)(e) The Permittee shall agree as follows:

1. To the extent provided by law, the Permittee shall indemnify, defend, and hold harmless the Department and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission, or negligent act by the Permittee, its agents, or employees arising from activities associated with ~~under~~ this permit, ~~except that neither the Permittee, its agents, or its employees will be liable under this provision for any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission, or negligent act by the Department or any of its officers, agents, or employees arising from activities under this permit.~~

2. When the Department receives a notice of claim for damages that may have been caused by the Permittee in the performance of activities that arise under this permit, the Department will immediately forward the claim to the Permittee. The Permittee and the Department will evaluate the claim and report their findings to each other within 14 working days and will jointly discuss options in defending the claim. After reviewing the claim, the Department will determine whether to require the participation of the Permittee in the defense of the claim or to require that the Permittee defend the Department in such claim as described in this section. The Department's failure to promptly notify the Permittee of a claim shall not act as a waiver of any right herein to require the participation in or defense of the claim by the Permittee. The Permittee shall bear all expenses of the Department in defense of the claim. ~~The Department and the Permittee will each pay its own expenses for the evaluation, settlement negotiations, and trial, if any. However, if only one party participates in the defense of the claim at trial, that party is responsible for all expenses at trial.~~

~~(e)(d)~~ If the application is denied, the Department shall provide a Notice of Administrative Hearing rights to advise the applicant in writing of the denial and advise the applicant of his or her right to request an administrative proceeding pursuant to Chapter 120, Florida Statutes.

(6) Failure to comply with the provisions of this rule shall result in the issuance of a Notice of Intent to Revoke the permit, which shall include a Notice of Administrative Hearing Rights.

(6) Provision of any notice, denial, revocation, or Notice of Administrative Hearing Rights by the Department under this rule shall not constitute, or create entitlement to an administrative hearing where such right does not otherwise exist.

Specific Authority 334.044(2), 337.407 FS. Law Implemented 316.006, 316.0745, 316.077, 316.0775, 334.044, 335.02, 335.14, 337.29, 337.407, 338.237, 479.01, 479.107, 768.28 FS. History—Amended 3-21-64, 5-9-70, 7-9-75, Formerly 14-43.01, Amended 8-3-99.

**COMMISSION ON ETHICS**

RULE CHAPTER TITLE: Filing Full and Public Disclosure of Financial Interests Pursuant to Article II, Section 8, Florida Constitution

RULE CHAPTER NO.: 34-8

PURPOSE AND EFFECT: The Commission proposes the development of rule amendments and new rules which are intended to completely reorganize the rules in this chapter with regard to the financial disclosure obligations of public officers and employees.

SUBJECT AREA TO BE ADDRESSED: Financial disclosure requirements, including implementation of automatic penalty provisions for late filing; amendment of previously filed forms; and the final filing required within 60 days of leaving public office or employment.

SPECIFIC AUTHORITY: Art. II, Section 8, Fla. Const., 112.3144, 112.3145, 112.322(9) FS., Chs. 2000-243, 2000-258, L.O.F.

LAW IMPLEMENTED Art. II, Section 8, Fla. Const., 112.3144, 112.3145 FS., Chs. 2000-243, 2000-258, L.O.F.

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

TIME AND DATE: 10:00 a.m., Wednesday, February 7, 2001  
 PLACE: Florida Commission on Ethics, Conference Room, Suite 101, 2822 Remington Green Circle, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia Cobb Costas, Staff Attorney, Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, phone number (850)488-7864 or Suncom 278-7864

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Personnel Management System**

RULE CHAPTER TITLE: Adoption Benefits for State and Water Management District Employees  
 RULE CHAPTER NO.: 60L-25

RULE TITLE: Program Administration  
 RULE NO.: 60L-25.005

PURPOSE AND EFFECT: To confirm the adoption of the department's form DMS/EPE.ADP, entitled "Application for Adoption Benefits for State and Water Management District Employees," dated 11/00, which was filed for adoption with the Bureau of Administrative Code on December 15, 2000. The reason for this confirmation is that the form as filed contained changes from the version that was noticed in the Florida Administrative Weekly on August 18, 2000, but the changes were not stated in the notice of change that was published on November 9.

SUBJECT AREA TO BE ADDRESSED: The Application for Adoption Benefits for State and Water Management District Employees form to be used by these employees when applying for adoption benefits.

SPECIFIC AUTHORITY: 110.15201 FS.

LAW IMPLEMENTED: 110.152 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., February 5, 2001

PLACE: Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Anna B. Gray, State Employee Benefits and Training Program Manager, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60L-25.005 Program Administration.

(1) No change.

(2) For each child adopted, an eligible applicant shall apply separately to the agency head for this benefit using the Department's Application for Adoption Benefits Form No. DMS/EPE.ADP, created in November, 2000, which is hereby incorporated by reference, and shall include a certified copy of the final order of adoption naming the applicant as an adoptive parent. It is the employee's responsibility to ensure that applications submitted to the agency are forwarded to the

Department within the open enrollment period. The agency head shall forward all applications to the Department during the open enrollment period.

(3) No change.

Specific Authority 110.15201 FS. Law Implemented 110.152 FS. History--New 1-4-01, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors Licensing Board**

RULE TITLE: Criteria for Continuing Education  
 RULE NO.: 61G6-9.002

PURPOSE AND EFFECT: The Board proposed to review and update this rule.

SUBJECT AREA TO BE ADDRESSED: Criteria For Continuing Education.

SPECIFIC AUTHORITY: 489.507(3), 489.519(3) FS.

LAW IMPLEMENTED: 489.513(3), 489.519(3) 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: Anthony Spivey, Executive Director, Electrical Contractors Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Continuing Professional Education  
 RULE NO.: 61H1-33.003

PURPOSE AND EFFECT: The Board proposes to amend this rule to correct the example in (4) wherein the rule states ... or two (2) all technical .... which should have read eight (8) and to add the reference to 61H1-27.001(1) which defines accredited institution.

SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education.

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 473.304, 473.312 FS.

LAW IMPLEMENTED: 473.312 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Martha Willis, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite #1, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.003 Continuing Professional Education.

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

(4) Credit may be prorated by the sponsor for courses that cover more than one area of study by (1) prorating the amount of time spent in each area or (2) awarding credit based on the lowest topic covered with accounting and auditing being the highest and behavioral the lowest. Therefore an eight-(8)-hour course that was 75% accounting and auditing and 25% management would receive six (6) hours of accounting and auditing credit and two (2) hours of technical business or eight (8) two-(2) hours of all technical business. Hours cannot be prorated in less than one hour increments.

(5) In order for a licensee to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(a) Courses taken at institutions of higher education:

1. Higher education credit courses taken from an accredited institution as defined in 61H1-27.001(1) shall be credited for continuing professional education purposes at the rate of 15 hours for each semester hour of higher education credit and 10 hours for each quarter hour of higher education credit, provided the number of contact hours (hours in the classroom) totals at least 90% of the continuing professional education credit so determined. Otherwise, continuing professional education credit shall be limited to the actual number of contact hours.

2. through (7) No change.

Specific Authority 120.55(1)(a)4., 473.304, 473.312 FS. Law Implemented 473.312 FS. History--New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 7-7-85, 8-20-85, 9-18-88 Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE TITLE: RULE NO.:

Biennial Renewal Fee/Initial Licensure Fee 64B2-12.005

PURPOSE AND EFFECT: The proposed rule change is to raise the fee charged for renewal of a license.

SUBJECT AREA TO BE ADDRESSED: Biennial Renewal Fee/Initial Licensure Fee.

SPECIFIC AUTHORITY: 455.564(2), 460.406 FS.

LAW IMPLEMENTED 455.564(2), 460.407 FS.

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

TIME AND DATE: 10:00 a.m., March 2, 2001

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-12.005 Biennial Renewal Fee/Initial Licensure Fee.

(1) The fee for biennial renewal of a chiropractic license shall be ~~\$500.00 three hundred and fifty dollars (\$350.00)~~.

(2) No change.

Specific Authority ~~456.013, 455.564(2), 456.025, 460.406, 460.407~~ FS. Law Implemented ~~456.013, 455.564(2), 456.025, 460.407~~ FS. History--New 1-10-80, Amended 10-25-83, Formerly 21D-12.05, Amended 1-28-87, 12-31-89, 10-15-92, Formerly 21D-12.005, 61F2-12.005, 59N-12.005, Amended 11-4-98, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: RULE NO.:

Delegation of Certification for Licensure to Chair

of Examination Committee; When Permitted 64B5-1.025

PURPOSE AND EFFECT: The purpose of the rule amendments is to change the word "Chairman" wherever it appears in the rule to Chair and to update the rule text in subsection (2).

SUBJECT AREA TO BE ADDRESSED: Delegation of certification for licensure to chairman of examination committee; when permitted.

SPECIFIC AUTHORITY: 466.004(4) FS.

LAW IMPLEMENTED: 456.013(2) 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 IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256



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

64B5-1.025 Delegation of Certification for Licensure to Chairman of Examination Committee; When Permitted.

(1) The Board delegates to the Chairman of the Examination Committee of the Board the authority to certify, on behalf of the Board, an applicant to the Department for licensure only in the circumstance where certification was previously denied due to a failing grade on the licensure examination and it has been subsequently determined by the Department that the failing grade resulted solely from a ministerial error in the Department's calculation of the applicant's grade. Except under the limited circumstance described herein, the Chairman of the Examination Committee is not authorized to certify applicants for licensure.

(2) The Chairman of the Examination Committee shall routinely inform the Board at its next meeting ~~meetings~~ of those candidates that have been ~~he has~~ certified since the last meeting of the Board.

Specific Authority 466.004(4) FS. Law Implemented 456.013(2) 455-564(2) FS. History--New 4-19-87, Formerly 21G-1.025, 61F5-1.025, 59Q-1.025, Amended.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE CHAPTER TITLE: Emergency Financial Assistance

RULE CHAPTER NO.: 65A-33

for Housing Program

65A-33

RULE TITLES:

RULE NOS.:

Verification

65A-33.007

Program Administration

65A-33.008

PURPOSE AND EFFECT: The proposed amendment of rule 65A-33.007 provides that an applicant for the Emergency Assistance for Housing Program must either be a current client of the Temporary Cash Assistance Program or homeless as verified through a recognized social services agency. Rule 65A-33.008 provides the manner in which these requirements are administered. These revised procedures will use the amount of funding that is available to serve those most vulnerable and in need.

SUBJECT AREA TO BE ADDRESSED: This proposed rule amendment revises the department's application processing procedures applicable to the Emergency Financial Assistance for Housing Program. Procedures are being changed so that the amount of funding available is used to serve those most vulnerable and in need. This is to be accomplished via current Temporary Cash Assistance (TCA) eligibility or homelessness as verified through social service agencies/entities, such as the Department of Children and Families, faith based and other public/private agencies. In order to qualify for the Emergency Financial Assistance for Housing Program, non-TCA clients must have first sought the services of the social service agency

and that agency must substantiate that the person(s) is homeless. TCA clients must show proof of eviction or pending eviction.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.16 FS.

IF REQUESTED AND DEEMED NECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., February 5, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Paul Bartlett, Operations and Management Consultant Manager, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE:

RULE NO.:

Bag Limits, Length Limits, Open Seasons:

Freshwater Fish

68A-23.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish a minimum length limit for largemouth bass in order to protect and restore the population in Lake Jackson (Leon County).

SUBJECT AREA TO BE ADDRESSED: Minimum length limit for largemouth bass for Lake Jackson.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A WORKSHOP ON THE PROPOSED RULE WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S WORKSHOP AND PUBLIC MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, March 29-30, 2001

PLACE: Holiday Inn-Capital, 1355 Apalachee Parkway, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Darrell L. Scovell  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

## Section II Proposed Rules

**DEPARTMENT OF STATE**

**Division of Licensing**

RULE TITLES:	RULE NOS.:
Licensed Firearms Instructors; Schools or Training Facilities; License Application	1C-3.134
School Staff; Licensing Requirements; Standards	1C-3.138
School Curriculum; Examinations; Retention of Records	1C-3.140

**PURPOSE AND EFFECT:** To amend rules relating to schools or training facilities that offer classes required for recovery (repossession) agents to be licensed, so that classes may also be offered by correspondence or distance education. The effect is to allow recovery agents to acquire necessary training by correspondence or distance education.

**SUMMARY:** Training required for a person to be licensed as a recovery agent.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST.** Rule implementation costs are zero.

**SPECIFIC AUTHORITY:** 493.6103, 493.6406(3) FS.

**LAW IMPLEMENTED:** 493.6406(3) FS.

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

**TIME AND DATE:** 10:00 a.m., February 20, 2001

**PLACE:** Conference Room, 2520 North Monroe Street, Tallahassee, Florida 32303

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Michele Guy, Assistant General Counsel, Department of State, Division of Licensing, The Capitol, MS#4, Tallahassee, FL 32399, Telephone (850)488-3492, Fax (850)488-2789

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

1C-3.134 Licensed Firearms Instructors; Schools or Training Facilities; License Application.

(1) Licensed Firearms Instructors. All licensed Firearms Instructors must utilize the instruction requirements and materials contained in the Division's Firearms Instructors Training Manual.

(2) Schools or Training Facilities. All persons or business entities desiring to operate a security officer school or training facility, or recovery agent school or training facility, which recovery agency school may include correspondence or distance education schools, shall make application for licensure as required by sections 493.6304 and 493.6406, Florida Statutes, using Form LC2E123. The Division shall examine such application to determine if it complies with all

requirements of the law and these rules. Applicants who operate programs for tuition or a fee at other than public educational facilities must submit a letter from the Department of Education confirming that the Department of Education's requirements have been met. Upon a determination by the Division that the application is complete and all requirements have been met, the Division shall issue a written temporary approval authorizing commencement of operations. A school or training facility shall not operate until temporary written approval is granted. A representative of the Division shall inspect the school or training facility within 4 months of the commencement of operations. Within 60 days of such inspection, a license shall be granted or denied. Licensure shall be valid for a period of 2 years unless suspended or revoked by final order of the Division. ~~A license for a school or training facility is valid only for the training site, facility or branch office named on the license and is not transferable to any other location. If a licensed location is changed, a new complete application and appropriate fee must be submitted.~~ In addition to the application, the following shall be submitted before written temporary approval is granted:

(a) Non-refundable application and license fees for each training site or facility where classes are to be conducted. If the course is offered by correspondence or through distance education, the application shall reflect the address where records will be retained. See Rule 1C-3.116(3)(a)13. and 15. for fees. A statement providing the date that instruction will commence, the street address or physical location, city and county of the primary building in which the classes will be conducted, a physical description of the facilities, and a scale drawing of the floor plan as a blueprint;

(b) A statement of the ownership structure of the proposed school which charges a tuition or fee, including names and addresses of all directors, and corporate status or partnership alignment. Corporations must submit a copy of the current articles of incorporation issued by the Department, Division of Corporations;

(c) A statement confirming the adoption of the minimum curriculum as required by Rule 1C-3.140(1) and (2);

(d) A statement confirming that each instructor is qualified as required by Rule 1C-3.138;

(e) A statement confirming property damage and bodily injury liability insurance coverage for the proposed school or training facility, together with a certificate of insurance. Liability insurance coverage in an amount of not less than \$50,000 shall continue in force and effect so long as the school or facility is in operation;

(f) A description of the proposed system for the handling of students' records and transcripts, and a copy of the current school-student contract format if tuition or a fee is charged;

(g) If the curriculum will be taught at a physical location – A statement providing the date that instruction will commence, the street address or physical location, city and county of the

primary building in which the classes will be conducted, a physical description of the facilities, and a scale drawing of the floor plan as a blueprint. Minimum classroom floor space shall be of 25 square feet for each student enrolled. Additional areas required shall include:

1. a break area;
2. restrooms; and
3. an administrative office at the primary school or agency.

~~(h) Non refundable application and license fees for each training site, facility or branch office where classes are to be conducted. See Rule 1C-3.130(1)(m) and (2) for fees.~~

(3) Exemptions.

(a) Public educational facilities which are a part of the State University System, or are operated by a community college board of trustees under statutory authority and rules of the State Board of Education, or by a district school board, and area vocational schools shall be exempt from all requirements of 1C-3.134, except the filing of Form LC2E123.

(b) Instructors who are full-time faculty members and who teach security officer or recovery agent classes shall be exempt from licensure if they teach exclusively for public educational facilities referred to in (a) above.

(4) Change of Address.

(a) If a school desires to change the physical location of the business, as it appears on the license, the department must be notified within 10 days of the change of address; each license requiring revision must be returned with such notification; and the fee prescribed in Rule 1C-3.116(3)(a)13. and 15. must be submitted for each license requiring revision. A school that moves its location at the time of renewal of its license shall pay only renewal fees.

(b) If the curriculum will be taught at a physical location – A statement shall be submitted which provides the date that instruction will commence, the street address or physical location, city and county of the primary building in which the classes will be conducted, a physical description of the facilities, and a scale drawing of the floor plan as a blueprint. Minimum classroom floor space shall be 25 square feet for each student enrolled. Additional areas required shall include:

1. a break area;
2. restrooms; and
3. an administrative office at the primary school or agency.

Specific Authority 493.6105(6), 493.6115(8), 493.6304(3), 493.6406(3) FS. Law Implemented 493.6105(6), (7), 493.6115(8), 493.6304(3), 493.6406(3) FS. History–New 10-1-91, Amended 2-18-93, 7-6-93, 7-31-96.

1C-3.138 School Staff; Licensing Requirements; Standards.

(1) through (3) No change.

(4) Students shall be remain under the supervision of a licensed instructor during all classes taught at a physical location and. Students shall be under the constant supervision of a licensed instructor during examinations regardless of the type of facility conducting the examination.

Specific Authority 493.6304(3), 493.6406(3) FS. Law Implemented 493.6304(3), 493.6406(3) FS. History–New 10-1-91, Amended 7-6-93, 7-31-96.

1C-3.140 School Curriculum; Examinations; Retention of Records.

(1) Security Officer Schools and Training Facilities.

(a) A security officer school or training facility shall teach, at a minimum, and the students shall attend classes in the subject areas as set forth in the Security Officer Curriculum Guide (Form LC1E186; eff. \_\_\_\_ 7/96), incorporated by reference. The security officer curriculum shall be taught in two courses, Course A consisting of 24 hours of instruction and Course B consisting of 16 hours of instruction.

(b) through (e) No change.

(2) Recovery Agent Schools and Training Facilities.

~~(a) Beginning October 1, 1994, Class "E" and "EE" applicants not previously licensed must have completed 40 hours of training before they may be licensed. A recovery agent school or training facility, which may include correspondence or distance education schools, shall teach, at a minimum, and the students shall attend classes in the subject areas as set forth in the Recovery Agent/Intern Curriculum Guide (Form LC1E187; eff. \_\_\_\_ 7/96), incorporated by reference.~~

(b) Upon completion of the required curriculum, a final examination shall be administered by a licensed Class "RI" Recovery Agent Instructor or an instructor employed by a public educational facility as defined in 1C-3.134(3)(a) schools and training facilities shall administer a final examination of not less than 1 hour in duration. The examination, which shall be has been approved by the Division as meeting the content criteria of section (a) and the Recovery Agent/Intern Curriculum Guide, shall not be less than 1 hour in duration.

(c) No more than 50 percent of the questions in each subject areas may be true or false questions, and 75 or more questions answered correctly is a passing score. The school or training facility shall issue a certificate of completion to each student who successfully completes the training standards established herein. Each certificate shall bear the name and license number of the school from at which training was received.

(3) Retention of records.

(a) Each school or facility which provides instruction at a physical location shall maintain for 2 years, and make available for inspection upon request of the department, the following records:

~~1.(a)~~ A schedule which shall include the date, time, location and instructor of each class session;

~~2.(b)~~ A separate file for each course which establishes that minimum course standards were met to include, at a minimum, the course materials and reference sources used for each class presentation and the original of each final exam bearing the grade received and the signature of the student;

3. A copy of the signed student contract;

4.(e) A log for each class session containing the signature of each student in attendance:

5.(d) A copy of any certificate, diploma or other record presented to each student which establishes the successful completion of the course of study and final examination.

6.(e) A separate file on each licensed ~~approved~~ instructor containing, as a minimum, a copy of the qualifications and license of each.

(b) Each correspondence or distance education school shall maintain for 2 years, and make available for inspection upon request of the department, the following records:

1. A schedule which shall include the name of the student, and the date(s) the course materials were provided to the student.

2. A separate file for each course which establishes that minimum course standards standards were met to include, at a minimum, the course materials and reference sources used and the original of each final exam bearing the grade received and the signature of the student;

3. A copy of the signed student contract.

4. A copy of any certificate, diploma or other record presented to each student which establishes the successful completion of the course of study and final examination.

5. A separate file on each licensed instructor containing, as a minimum a copy of the qualification and license of each.

Specific Authority 493.6303(4), 493.6304(3), 493.6403(2), 493.6406(3) FS. Law Implemented 493.6303(4), 493.6304(3), 493.6403(2), 493.6406(3) FS. History—New 10-1-91, Amended 2-18-93, 7-6-93, 10-6-93, 12-5-94, 7-31-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michele Guy, Assistant General Counsel, Department of State, Division of Licensing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John M. Russi, Director, Division of Licensing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 27, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 8, 2000

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Banking**

RULE TITLE: Minimum Audit Procedures – International Bank Agencies  
RULE NO.: 3C-140.018

PURPOSE AND EFFECT: The rule will be revised to update the audit requirements for Florida-licensed international bank agencies and to make those audit requirements similar to those imposed on Florida-chartered commercial banks, savings associations and trust companies. In so doing, any inequities between segments of the financial services industry will be eliminated, and the costs of audits for differing segments of the industry should equalize.

SUMMARY: The proposed amendment specifies: the frequency of audits; persons qualified to perform audits; requirements for independence of auditors; requirements for the contents of audits; the permissibility of continuous audits; documentation to be submitted to the Department; and the requirements for the Department’s review of audits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Pursuant to Section 663.13, Florida Statutes, no statement of estimated regulatory cost is required and none 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: 655.012(3), 655.045(3), 663.09, 663.13 FS.

LAW IMPLEMENTED: 655.045(3), 663.09 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., February 12, 2001

PLACE: Division of Banking Conference Room, 6th Floor, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda R. Townsend, Chief, Bureau of Financial Institutions, District II, Division of Banking, Room 636, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9111

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 3C-140.018 follows. See Florida Administrative Code for present text.)

3C-140.018 Minimum Audit Procedures – International Bank Agencies.

(1) Scope, Records in English. Each state licensed international bank agency shall keep a set of accounts and records in English, reflecting all transactions on a daily basis. The international banking corporation of each state licensed bank agency shall perform, or shall cause to be performed, an audit of the agency within each calendar year and within 15 months of the previous audit, in compliance with the following minimum audit requirements. If the audit is performed on a departmental or continuous basis, it should be initiated during the calendar year and within 15 months of the previous audit.

(2) Persons Qualified to Perform Audits. Persons who perform audits for the international bank agencies must be independent of any manager or employee in charge of operating the international agency and must qualify pursuant to one of the following classes:

(a) The audit department of the international bank agency or the audit department of an affiliated group or related bank holding company, or the audit department of a correspondent bank, provided that the audit department and the audit department supervisor are under management of the international banking corporation.

(b) Certified Public Accountants licensed to practice in the State of Florida and independent of the international bank agency and of its affiliates.

(3) A party is considered independent if:

(a) The party reports directly to the international bank agency's board of directors or other entity charged with supervision of the international bank agency;

(b) The party's duties at the international bank agency are confined entirely to auditing the international bank agency;

(c) The party has no proprietary interest, directly or indirectly, in any partnership, firm, or other person that controls or directs the international bank agency;

(d) The party has no outstanding loans or other obligations that have been criticized by any other auditor or any regulatory agency;

(e) All relationships the party has with any member of the board of directors or other entity charged with supervision of the agency have been disclosed to the board of directors or other entity charged with supervision of the agency and all questions concerning the party's independence have been resolved before the internal audit begins; and

(f) For certified public accountants, independence shall be governed by the rules of the State Board of Accountancy.

(4) To satisfy the requirements of this section, each internal audit shall:

(a) Assess the effectiveness of the international bank agency's internal control policies and procedures, including the electronic data processing function; and

(b) Be conducted in accordance with generally accepted auditing principles as set forth in the 1996 GAAS Guide and shall include an assessment of each of the following areas:

1. Asset accounts;
2. Liability accounts;
3. Regulatory Capital;
4. Income and expense accounts; and
5. Contingent liabilities and off-balance sheet activities.

(5) In lieu of a comprehensive internal audit, an international bank agency may satisfy this audit requirement by having a continuous audit performed by a party qualified pursuant to subsection (2) above.

(6) Within 90 days after the completion of the internal audit, and within 45 days of acceptance by the board of directors or other entity charged with supervision of the international bank agency, the board of directors or other entity charged with supervision of the international bank agency shall submit the following to the Department:

(a) A copy of the completed internal audit report, including the date or dates on which the audit was conducted;

(b) A statement indicating that all of the areas outlined in this rule were reviewed, or specific reasons why certain areas were not reviewed;

(c) A statement of condition and a statement of income and expense for the financial institution (and the holding company if appropriate) as of the audit date;

(d) A statement describing the findings and recommendations of the audit;

(e) A copy of the international bank agency's response to the auditors' findings and recommendations; and

(f) A letter from the international banking corporation's board of directors or other entity charged with supervision of the international bank agency stating that the audit report, the auditors' recommendations and the international bank agency's response to the auditors' recommendations have been reviewed and accepted, or in the alternative why they have been rejected.

All audit documentation specified herein shall be forwarded to: Division of Banking, Suite 636, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

(7) The Department shall review each audit and, if it finds that the internal audit does not comprehensively address all relevant areas of concern or accurately reflect the condition of the financial institution, the Department shall require an audit pursuant to paragraph 655.045(3)(a), Florida Statutes.

Specific Authority 655.012(3), 655.045(3), 663.09, 663.13 FS. Law Implemented 120.53(1)(b), 655.045(3), 663.09 FS. History--New 3-29-83, Formerly 3C-15.12, Amended 8-19-86, 5-22-90, 10-29-91, 2-17-92, Formerly 3C-15.012, Amended \_\_\_\_\_. Cf. Rule 3C-1.022, F.A.C., which governs Reports Required for Certain Currency Transactions:

NAME OF PERSON ORIGINATING PROPOSED RULE:  
David Devick, Financial Control Analyst, Division of Banking  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Linda Townsend, Chief, Bureau of Financial Institutions, Division of Banking  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 31, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2000

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Powers and Duties of University Presidents  
RULE NO.: 6C-4.001  
PURPOSE AND EFFECT: The rule prescribed the duties of the University Presidents.

SUMMARY: The rule is recommended for repeal on the basis of insufficient rule authority for the Board of Regents to keep this rule in effect.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-4.001 Powers and Duties of University Presidents.

Specific Authority 240.209(1),(3)(r) FS. Law Implemented 20.055, 240.209(1),(4) FS. History-Derived from 6C-2.11, 11-18-70, Amended 6-5-72, 12-8-72, 6-5-73, 11-5-73, Amended and Renumbered 12-17-74, Amended 1-13-76, 3-21-77, 3-31-77, 5-27-81, 8-11-85, Formerly 6C-4.01, Amended 7-11-89, 10-10-95, 9-30-98, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Student Government Associations RULE NO.: 6C-6.0103

PURPOSE AND EFFECT: The rule prescribed the duties and responsibilities for university student government associations.

SUMMARY: The rule is recommended for repeal as the Board of Regents lacks rulemaking authority for this rule.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-6.0103 Student Government Associations.

Specific Authority 240.209(1),(3)(q) FS. Law Implemented 240.209(1), 240.235(1)(a)2. FS. History-New 5-29-94, Amended 10-2-94, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Student Conduct and Discipline RULE NO.: 6C-6.0105

PURPOSE AND EFFECT: As required by Section 120.181(1)(g), F.S., a university committee reviewed this rule on student conduct and discipline and recommended the proposed amendments.

SUMMARY: The rule has been significantly amended to include greater specificity in university student disciplinary proceedings and to assure students their due process.

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

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

SPECIFIC AUTHORITY: 120.81(1)(g), 240.209(1) FS.

LAW IMPLEMENTED: 120.81(1)(g), 240.209(1) FS.

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-6.0105 Student Conduct and Discipline.

(1) In furtherance of the educational mission of the universities, each university president shall establish university rules that ensure fairness and which shall insure due process in student disciplinary proceedings to students and that guarantee the academic integrity of the university institution. This rule applies to all student disciplinary proceedings conducted by a university under ss. 240.132, 240.1325, 240.133, 240.261, or 240.262, F.S.

(2) Each university shall establish a Student Disciplinary Judicial System, including a code of conduct, which shall include, at a minimum:

(a) A written description of the rights and responsibilities of students, standards of conduct expected by the university, a list of specific violations, appropriate penalties or sanctions, and procedures for filing complaints and conducting student disciplinary proceedings, which must be consistently administered by the university. An amendment to the list of specific violations in the university's code of conduct may not be applied retroactively to conduct that occurred before the effective date of the amendment;

(b) Definitions of terms used in the university's code of conduct, such as "student" and "university community," and a description of the specific locations to which the code of conduct generally applies, except in circumstances of certain off-campus conduct as described in the code of conduct;

~~(c)(a)~~ Student membership on University hearing committees, panels, or courts, of which students, appointed by the appropriate university process, comprise at least one-half of the membership;

~~(b)~~ A written description of the penalties and sanctions which may be imposed on students for violation of the conduct code;

~~(d)(e)~~ A written description of the general procedures to be followed in the initial student disciplinary proceeding hearing which shall include a description of each step of the disciplinary process, the services resources available to the student for preparing his or her his/her defense, and the availability of impartial advisers for a the student charged with a violation;

~~(e)(d)~~ A written procedure for the disposition of emergency cases that which involve the health, safety, health or general welfare of the student or the university community;

~~(f)(e)~~ Acknowledgement that the burden of proof in student disciplinary proceedings is disciplinary matters shall be on the complainant;

~~(g)(f)~~ Provision for the requirements as to the burden of proof required in student disciplinary proceedings, which shall, at a minimum, be a preponderance of the evidence;

~~(h)(g)~~ Provision of a time limit for charging a student with a violation of the university's code of conduct, which may not exceed 1 year from the date the violation was committed or discovered, whichever is later filing charges. University administrators may exercise professional discretion when applying the time provision to account for circumstances that warrant a waiver of the one-year time limit from the date of discovery. Such circumstances include but are not limited to: stalking, sexual battery, relationship violence, in which the delay may be related to issues of victimization; and

~~(i)(h)~~ Provision for an accurate and complete a record of each student disciplinary proceeding and the preservation thereof the hearing.

(3) Each university shall publish the following information on its Internet website and in its student handbook as described in s. 240.2097, F.S.: ~~a description of its Student Judicial System which shall be available and disseminated broadly to its students.~~

(a) University policies implementing ss. 240.132, 240.1325, 240.133, 240.261, and 240.262, F.S., which govern the conduct and discipline of students, including the university's code of conduct and the procedures for filing complaints and conducting student disciplinary proceedings; and

(b) A description of each step of the disciplinary process, the resources available to a student for preparing his or her defense, and the availability of impartial advisers for a student charged with a violation.

(4) Each university shall comply with s. 228.093, F.S., 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act of 1974, as amended, and other requirements of state and federal law relating to the confidentiality of the records and reports of students. The universities shall adhere to provisions of state and federal law requiring the confidentiality of records.

(5) The due process requirements contained in ~~subsection paragraph~~ (6), below, are shall be applicable in all cases involving student discipline, including matters concerning academic dishonesty.

(6) Due process as applied by the universities must shall include, as a minimum, the following:

(a) The student shall be provided with written notice of the charges against him or her him/her in sufficient detail and in sufficient time to prepare for a hearing before an appropriate committee, panel, or court, as established by each university, or before the appropriate university official or officials. The written notice of the charges shall be accompanied by the forms and information described in paragraph (6)(c), below.;

(b) Each university institution shall establish a minimum number of days before in advance of the student disciplinary proceeding within which the university must present to the student hearing to present the written notice of charges, but in no case will this notice be less than 3 regular business three days (excluding legal holidays), except in cases of emergency as specified below or unless waived by the student;

(c) The student shall be entitled to a prompt disciplinary proceeding hearing before an appropriate committee, panel, or court, as established by each university, with allowances for delays due to the unavailability of student members serving on such committee, panel or court; Alternatively, or the student has shall have the option to waive the notice requirements in paragraph (b) and request adjudication of the matter by an appropriate university official or officials, as designated by the university. The student's right to a student disciplinary proceeding conducted by a committee, panel, or court composed at least one-half of students may only be waived by the student in writing on forms provided by the university which include an explanation of the effect of the waiver;

(d) The student may have an adviser of the student's choice present at the student disciplinary proceeding. inspect the evidence which will be presented against him/her;

(e) The student and his or her adviser, if any, have the right to inspect all of the information that will be presented against the student at least 3 regular business days (excluding legal holidays) before the student disciplinary proceeding. may present evidence on his/her own behalf;

(f) The student may present information on his or her own behalf. hear and question adverse witnesses;

(g) The student may hear and question adverse witnesses. shall not be forced to present testimony which would be self-incriminating; however, the university is not required to postpone disciplinary proceedings pending the outcome of any criminal prosecution;

(h) The student may not be forced to present testimony that is self-incriminating; however, the university is not required to postpone student disciplinary proceedings pending the outcome of a criminal prosecution, and a penalty or sanction imposed under the university's code of conduct is in addition to any penalty imposed by the courts for the criminal offense. have an adviser of the student's choice present at the hearing;

(i) The decision of responsible or not responsible guilt or innocence on the charges of violating the university's code of conduct must shall be based solely on the information evidence presented at the student disciplinary proceeding. hearing;

(j) The decisions of any university committee, panel, or court, or of any university official or officials, must shall be presented to the student in writing and within a reasonable period of time after following the conclusion of the student disciplinary proceeding, as specifically prescribed by the university's rules. hearing;

(k) If a university's policies provide that the decision of a university committee, panel, or court in a student disciplinary proceeding constitutes a recommendation to a university official for official action, then the following apply:

1. With respect to a finding of responsible or not responsible on the charges of violating the university's code of conduct, the university official reviewing the recommendation of the university committee, panel, or court may only:

a. Accept the recommendation; or

b. Remand the case for rehearing.

2. With respect to penalties or sanctions, the university official may modify the penalty or sanction recommended by the university committee, panel, or court if the penalty or sanction is inappropriate to the violation.

3. Any differences between the recommendation of the university committee, panel, or court and the university official's final decision, and the reasons therefor, must be based on information from the student disciplinary hearing and presented to the student in writing.

(l)(\*) The student may appeal the decision of any university committee, panel, or court, or of any university official or officials, within a period specified by the university, to the president or the president's designee. No person may hear or decide an appeal if he or she participated in the decision to charge the student with the violation or if he or she conducted or participated in the student disciplinary proceeding being reviewed on appeal. ; and

(m)(4) The student's status will remain unchanged pending the university's final decision in the student disciplinary proceeding matter, except in cases where the president or president's designee determines that the health, safety, health or general welfare of the student or the university community is involved. A student's enrollment status may be changed only in cases where the president or president's designee determines that an emergency exists, which affects the health, safety, health or general welfare of the student or the university community. If a student's enrollment status is changed under this paragraph, but the student is subsequently found not responsible for the violation, the university must:

1. Correct any record of the change in enrollment status in the student's permanent records and reports in a manner compliant with state and federal laws; and

2. Refund to the student, a pro rata portion of any fees and charges for tuition, other university specific fees and charges as appropriate due to the temporary change in enrollment status and in a manner consistent with university policies and procedures.

(7) At the conclusion of the appeals process, the decision of the president or the president's designee shall be final.

(8) Each university shall include in its list of violations of the university's code of conduct, a description of offenses those types of violations student misconduct occurring off-campus for which the student may be subject to discipline.



The action of the university with respect to any such off-campus conduct shall be taken independently of any off-campus authority. The disciplinary authority of the university for off-campus conduct will not be exercised to merely duplicate the penalties imposed under applicable federal, state, and local laws and ordinances. The university may only take disciplinary action against a student for violations committed off campus if at least one of the following applies:

(a) The off-campus conduct is specifically provided by law or the university's conduct of code as subject to university discipline.

(b) The off-campus conduct demonstrates that the continued presence of the student on campus presents a danger to the health, safety, or welfare of the university community; is disruptive to the orderly conduct processes and functions of the university; or is intimidating or threatening to the university community or an individual within the university community.

(c) The off-campus conduct is of such a serious nature that it adversely affects the student's suitability to remain a part of the university community.

(9) If a student charged with an off-campus violation of the university's code of conduct disputes whether the off-campus conduct is subject to discipline under the university's code of conduct, the university committee, panel, or court, or the university official or officials, shall consider the dispute and review the decision to charge the student with a violation.

(10) Each university's code of conduct shall include a description of the rights of alleged victims in the student disciplinary system. The university shall provide notice to the victim of his or her rights at least 3 regular business days (excluding legal holidays) before the student judicial proceeding is conducted. Each university is encouraged to provide support and assistance programs for victims, as appropriate.

~~(11)(9)~~ Each university shall establish a committee for the periodic evaluation of its ~~the~~ student disciplinary ~~judicial~~ system. At least one-half of the committee members shall be students appointed by the student body president. ~~The committee shall include student members appointed by the student government president.~~

(12) At least once every 5 years, the committee created by s. 120.81(1)(g), F.S., shall periodically review and evaluate this rule to determine that it ensures fairness and due process in disciplinary proceedings involving students in the State University System and systemwide accountability for the proper functioning of the student judicial system at each of the universities.

Specific Authority ~~120.81(1)(g), 240.209(1),(3)(m)~~ FS. Law Implemented ~~120.81(1)(g), 240.209(1),(3)(m), 120.57(5)~~ FS. History—New 2-18-85, Formerly 6C-6.105, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: R.E. LeMon, Associate Vice Chancellor, Academic and Student Affairs

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2000

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Institutional Responsibility for Student Life and Student Organizations  
 RULE NO.: 6C-6.011

PURPOSE AND EFFECT: The rule prescribed that universities should adopt rules governing student life and student organizations.

SUMMARY: The rule is recommended for repeal by the Board of Regents, as the universities have the requisite authority to adopt rules on this issue.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-6.011 Institutional Responsibility for Student Life and Student Organizations.

Specific Authority 240.209(1),(3)(m), 240.227 FS. Law Implemented 240.209(1),(3)(m), 240.227 FS. History—Formerly 6C-2.48, 11-18-70, Amended and Renumbered 12-17-74, Amended 8-11-85, Formerly 6C-6.11, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Adam W. Herbert, Chancellor, State University System  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Intercollegiate Athletic Compliance, Initial Eligibility, and Limitation on Athletically-related Financial Aid  
RULE NO.: 6C-6.019

PURPOSE AND EFFECT: The rule prescribed that universities and student-athletes comply with applicable rules of their athletic associations and conferences.

SUMMARY: The rule is recommended for repeal by the Board of Regents; the universities have the requisite authority to adopt rules on this issue.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-6.019 Intercollegiate Athletic Compliance, Initial Eligibility, and Limitation on Athletically-related Financial Aid.

Specific Authority 240.209 (1), (3)(r) FS. Law Implemented 240.209 (1) FS. History—New 12-13-88, Amended 10-15-90, 11-27-95, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Classroom Attendance of Student Athletes  
RULE NO.: 6C-6.020

PURPOSE AND EFFECT: The rule prescribed class attendance policies for student-athletes.

SUMMARY: The rule is recommended for repeal by the Board of Regents; the universities have the requisite authority to adopt rules on this issue.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-6.020 Classroom Attendance of Student Athletes.

Specific Authority 240.209(1),(3)(o) FS. Law Implemented 240.209(1),(3)(o), 240.227(1) FS. History—New 10-17-89, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Participation in Programs and Activities Involving Foreign Travel  
RULE NO.: 6C-6.021

PURPOSE AND EFFECT: The rule prescribed university duties with regard to students involved in foreign travel.

SUMMARY: The rule is recommended for repeal by the Board of Regents; the universities have the requisite authority to adopt rules on this issue.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-6.021 Participation in Programs and Activities Involving Foreign Travel.

Specific Authority 240.209(1),(3)(q) FS. Law Implemented 240.209(1) FS. History--New 11-9-92, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Commercial Solicitation on Campus

RULE NO.: 6C-9.006

PURPOSE AND EFFECT: The rule states that the regulation of commercial solicitation is a responsibility of the university president.

SUMMARY: The rule is recommended for repeal by the Board of Regents; the universities have the requisite authority to adopt this as a rule.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-9.006 Commercial Solicitation on Campus.

Specific Authority 240.209(1),(3)(a),(m) FS. Law Implemented 240.209(1),(3)(a),(m) FS. History--Formerly 6C-2.05, 11-18-70, Amended and Renumbered 12-17-74, Amended 5-10-78, 8-11-85, Formerly 6C-9.06, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE: Intercollegiate Athletics Operations

RULE NO.: 6C-9.012

PURPOSE AND EFFECT: The rule prescribes the requirements of university departments of athletics.

SUMMARY: The rule is recommended for repeal by the Board of Regents; the universities have the requisite authority to adopt such a rule.

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

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

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

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

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

TIME AND DATE: 9:00 a.m., February 14, 2001

PLACE: Live Oak Pavilion, Florida Atlantic University, Boca Raton, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-9.012 Intercollegiate Athletics Operations

Specific Authority 240.209(1),(3)(r) FS. Law Implemented 240.209(1) FS. History—Formerly 6C-3.13, 11-18-70, Amended and Renumbered 12-17-74, Amended 4-14-76, 12-11-79, 8-11-85, 1-8-86, Formerly 6C-9.12, Amended 9-28-86, 9-15-91, 4-12-93, 4-16-96, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patricia C. Haynie, Vice Chancellor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2001

DEPARTMENT OF CORRECTIONS

RULE TITLE: Public Information and Inspection of Records RULE NO.: 33-102.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures relating to the production of public information and the inspection of records.

SUMMARY: The proposed rule provides a relevant form relating to the copying of public records and clarifies procedures relating to the assessment of a special service charge where the production of requested information involves extensive clerical or supervisory assistance by departmental personnel.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 120.53 FS.

LAW IMPLEMENTED: 119.07, 120.53 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-102.101 Public Information and Inspection of Records. (1) through (2) No change.

(3) In addition to the actual cost of materials and supplies, a special service charge will be assessed for providing information when the nature or volume of the records requested requires extensive clerical or supervisory assistance by departmental personnel. For the purpose of this rule, "extensive" means that it will take more than 15 minutes to locate, review for confidential information, copy and refile the requested material. The special service charge will be computed to the nearest quarter of an hour exceeding 15 minutes based on the current rate of pay for the paygrade of the person who performed the service, ~~but not to exceed a paygrade 18,~~ and will be assessed when appropriate regardless of the number of individual copies made. The Department may also charge for the cost of mailing the requested records including the cost of the envelope and the postal service charge.

(4) No change.

(5) When copies requested pursuant to this rule are available to be picked up or for mailing, the requestor shall be notified of the costs of reproduction as specified in subsections (2) and (3) on an Invoice for Production of Records, Form DC1-201. Form DC1-201 shall also indicate if any information is redacted from the copies provided as required by state law. Form DC1-201 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 Form DC1-201 is \_\_\_\_\_.

Specific Authority 120.53 FS. Law Implemented 119.07, 120.53 FS. History—New 10-8-76, Formerly 33-1.04, Amended 2-24-81, 6-9-86, 2-9-88, Formerly 33-1.004, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Louis Vargas

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary Department of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 3, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 15, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Travel RULE NO.: 33-302.106

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify applicable titles and to clarify procedures related to offender travel.

SUMMARY: The proposed rule clarifies titles of the Bureau of Interstate Compact, the Commonwealth of Puerto Rico, and the Virgin Islands of the United States. It also clarifies: procedures related to offender travel for routine purposes, travel which requires a travel permit, and the transfer of supervision.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.106 Offender Travel.

(1) No change.

(2) An officer shall discuss the offender's routine travel needs during the initial interview to determine whether the offender must travel daily, weekly, or monthly between counties due to the location of her or his residence and her or his employment site, school, medical needs, program, or other approved need. If the offender must travel across county lines to get to her or his employment site, school, program, doctor, or routine shopping, the officer will document this specific information in the electronic case notes and give the offender a blanket approval for this travel provided the travel is verified and is not prohibited by the supervision orders. If the offender's residence or purpose of travel out of county changes, the blanket approval will be suspended until the offender's travel needs are revisited, reviewed, and approved. Any other travel out of county must be approved in advance.

(3) Inter-county travel in Florida approved for a visit of thirty (30) days or less does not require a "Travel Permit," DC3-220, unless the offender is a sex offender or requires specific or additional instructions that must be written on a travel permit. Sex offenders require a travel permit for all out of county travel. If the offender is granted permission to travel and visit another county and subsequently requests an extension of the visit out of county, which will exceed thirty (30) days, the officer will transfer the offender's supervision to the other county. Form DC3-220, Travel Permit, is hereby incorporated by reference. Copies of this form can be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

(4)(2) An officer shall transfer the supervision of an offender who is granted permission to travel and remain in another county outside of her or his county of residence in the State of Florida travelling to a single judicial circuit in the state of Florida for more than 30 consecutive days.

(5)(3) An officer shall transfer the supervision of an offender who is travelling to a single other state, the District of Columbia, the Commonwealth of Puerto Rico or the Virgin Islands of the United States, for more than 30 consecutive days. The transfer of supervision involves the forwarding of all pertinent supervision documents via the Bureau of Interstate Compact to the receiving location and the formal assumption of supervision of the offender by a probation or / parole officer in the receiving location.

(a) When interstate travel is for the sole purpose of transfer to another state, the District of Columbia, the Commonwealth of Puerto Rico or the Virgin Islands of the United States, the offender must meet the other state's requirements and receive consent to travel from the Bureau of Interstate Compact Office before proceeding to that state.

(b) In compact cases that meet emergency criteria, the officer must submit a Request for Emergency Reporting Instructions, Form EF1-007, to the Bureau of Interstate Compact Office two days before the requested date of travel. This time frame does not apply to offenders who already reside in the receiving state and who must return immediately after sentencing. Form EF1-007 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. ~~Requests for copies to be mailed must be accompanied by a self-addressed envelope.~~ The effective date of this form is March 21, 2000.

(6)(4) In high profile and sex offender cases, the officer must review the Interstate Compact File Cabinet computer database or seek guidance from the Bureau of Interstate Compact Office to ensure that the offender meets and follows travel requirements for the state of destination before granting travel permission. Once the officer has verified and instructed the offender as to the requirements of the state of destination, a copy of the travel permit providing the offender's itinerary must be transmitted to the Bureau of Interstate Compact Office.

(7) The officer will obtain permission from the sentencing or releasing authority prior to granting permission to the community control offender for the right to travel out of state. A DC3-220 will be notarized and approved with a copy forwarded to the Bureau of Interstate Compact.

(8)(5) Offender travel outside the United States or its territories shall not be approved by an officer or supervisor, without the written approval of the sentencing or releasing authority.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 3-21-00, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 2, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 24, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLE: Control of Contraband
RULE NO.: 33-602.203
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures relating to the control of contraband.
SUMMARY: The proposed rule clarifies procedures relating to obtaining relevant forms and clarifies the manner in which cash found in mail will be treated.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
SPECIFIC AUTHORITY: 944.09, 945.215 FS.
LAW IMPLEMENTED: 944.47, 945.215 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Giselle Lysten Rivera, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

- 33-602.203 Control of Contraband.
(1) through (6) No change.
(7) Disposition of Contraband.
(a) Those contraband items retained for use in disciplinary hearings as evidence will be stored until such time as the warden or his designee approves of their being destroyed or disposed of. A secure area within the institution will be designated as the storage area for all contraband items. A Contraband Log, Form DC6-219, will be utilized to document the storage of contraband items. Form DC6-219 is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is March 2, 2000.

- (b) through (d) No change.
(e) If items of contraband are detected in the mail, that are not of any illegal nature (other than cash concealed within mail), the institution finding the contraband will provide the sender and addressee a receipt for the property in accordance with department rules relating to mail procedures (33-210.101 33-602.404, Routine Mail; 33-210.102 33-602.402, Legal Documents and Legal Mail; and 33-210.103 33-602.403, Privileged Mail).

(f) If cash found in any mail is not in plain view, it will be considered contraband and deposited in the inmate welfare trust fund.

(8)(a) All cells, lockers, dormitories and other areas of an institution may be searched in a reasonable manner at any time. A copy of Form DC6-220, Inmate Impounded Personal Property List, shall be given for any property taken in such a search if the inmate acknowledges possession or if the property was taken from an area occupied by the inmate or under his control. The inmate's acceptance of his copy of Form DC6-220 shall not constitute admission of possession of contraband. Form DC6-220 is hereby incorporated in Rule 33-602.201(16)(b) by reference. Copies of the form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is March 2, 2000.

(b) No change.
Specific Authority 944.09, 945.215 FS. Law Implemented 944.47, 945.215 FS. History--New 10-8-76, Amended 2-24-81, 4-18-82, 8-13-84, 2-13-85, 6-2-85, Formerly 33-3.06, Amended 2-9-87, 11-3-87, 8-14-90, 11-22-91, 1-6-94, 5-28-96, 10-26-97, Formerly 33-3.006, Amended 3-2-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Dugger
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 3, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 15, 2000

WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District

RULE TITLE: Emergency Authorization
RULE NO.: 40C-1.1009
PURPOSE AND EFFECT: The purposes and effect of this rule amendment is to (1) clarify the specific circumstances under which an emergency authorization may be approved by providing a new definition of "emergency conditions", and (2) expressly state that the granting of emergency authorization does not obviate the need to either obtain a permit for the

activity within a certain time period unless otherwise provided in the authorization, or restore the site to its prior condition within one year.

SUMMARY: This rule amendment would clarify the definition of "emergency conditions" in 40C-1.1009, F.A.C., and expressly require the applicant to either obtain a permit for the activity authorized under 40C-1.1009, F.A.C., unless otherwise provided, or restore the system to its prior condition within one year.

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

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

SPECIFIC AUTHORITY: 120.54(5), 373.044, 373.113, 373.418 FS.

LAW IMPLEMENTED: 120.54(5), 373.119, 373.413, 373.416, 373.418, 373.426, 373.439 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board Meeting, which begins at 9:00 a.m., February 14, 2001

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459, Suncom 860-4459

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-1.1009 Emergency Authorization.

(1) Permission to begin construction, alteration, operation, maintenance, abandonment, or removal of any system works requiring a permit under Chapters 40C-4, 40C-40, 40C-42, 40C-44, or 40C-400, F.A.C., prior to the issuance of a permit may be applied for, in writing, when emergency conditions can be alleviated by such construction, alteration, operation, maintenance, abandonment, or removal of the system justify. Emergency conditions are defined as conditions which pose a present or imminent danger and require immediate action to protect: public health, safety or welfare; the health of animals, fish or aquatic life; a public water supply; or recreational, commercial, industrial, agricultural or other reasonable uses. Unless otherwise provided in the emergency authorization, the issuance of an emergency authorization shall not obviate the need for a permit. If a permit is not obtained within a period of one year following execution of the emergency authorization, then such system shall be returned to the condition that existed

prior to execution of the emergency authorization. The one year time limit shall be tolled during any challenge or appeal of the permit which delays the issuance of the permit or stays the effect of the permit. However, no such permission shall be granted unless the construction of the works are already under consideration for a permit. A serious set of unforeseen and unforeseeable circumstances must exist to create an emergency.

(2) No change.

Specific Authority 120.54(5), 373.044, 373.113, 373.418 FS. Law Implemented 120.54(5), 373.119, 373.413, 373.416, 373.418, 373.426, 373.439 FS. History—New 12-7-83, Formerly 40C-4.451, 40C-4.0451, 40C-4.451, Amended 8-4-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

If any person decides to appeal and decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodation to participate in this meeting is requested to advised the District at least 5 work days before the meeting by contacting Linda Lorenzen at (904)329-4262 or (904)329-4450 (TDD).

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLES:	RULE NOS.:
Definitions	40C-4.021
Permits Required	40C-4.041
Exemptions	40C-4.051
Publications Incorporated by Reference	40C-4.091
Modification of Permits	40C-4.331

PURPOSE AND EFFECT: The purposes of the proposed rule amendments are to (1) create a definition of "incidental site activities," (2) exclude certain minor wetland activities from the environmental resource permit wetland threshold, (3) amend two permitting exemptions for seawalls, (4) repeal the provision in 40C-4.051(12)(s) concerning rotenone use pursuant to paragraph 120.536(2)(b), F.S., (5) clarify when a proposed modification to an existing permit qualifies for a non-substantial letter modification, (6) allow phases of a project that have a valid conceptual or master drainage system permit to be processed as a standard general permit, regardless

of size or wetland impacts, (7) delete certain heavily urbanized areas of the existing Riparian Habitat Protection Zone (RHPZ) for the Little Wekiva River, (8) repeal portions of the Econlockhatchee River Hydrologic basin rules that are now largely redundant due to subsequent amendments to the District's stormwater rule (chapter 40C-42, F.A.C.) and subsequent adoption of the provisions on elimination or reduction of impacts, mitigation, and cumulative impacts in the Applicant's Handbook: Management and Storage of Surface Waters, (9) extend the existing exemption from certain wetland permitting criteria that is currently provided for certain ditches and man-made livestock watering ponds less than one acre in area to include minor outfall structures and all man-made ponds less than one acre in size that were constructed in uplands, and (10) clarify, pursuant to Chapter 2000-133, Laws of Florida, that when impacts are offset by mitigation located within the same drainage basin that no cumulative impacts would occur as a result of the project. The effects of the proposed amendments are to (1) clarify what construction activities qualify for the new standard general permit for incidental site activities, (2) reduce the number of projects that must obtain an environmental resource permits, (3) revise the exemption criteria for restoring or constructing a seawall, including revisions to achieve consistency with existing statutory authority, (4) repeal the rotenone use provision because the District lacks statutory authority to regulate this activity, (5) clarify to applicants when modifications to existing permits qualify for non-substantial letter modifications versus a more formal permit application submittal, (6) allow a faster permitting process for phases of a conceptually approved project or for subsequent activities on a project which has received an individual permit for a master drainage plan, (7) reduce the permitting criteria for projects in certain areas of the Little Wekiva River that are already heavily urbanized, (8) repeal rule language that is largely redundant, (9) reduce unnecessary permitting criteria for projects that contain wetland impacts to man-made ponds less than one acre in size and impacts from small outfall structures, and (10) clarify existing language concerning cumulative impacts.

**SUMMARY:** The proposed rule amendments would add a definition for "incidental site activities" in 40C-4.021, F.A.C. and section 2.0, Applicant's Handbook, exclude certain minor wetland activities from the permitting threshold in 40C-4.041(2)(b)8., F.A.C., amend existing seawall exemptions in 40C-4.051(12), F.A.C., revise the criteria for letter modifications in 40C-4.331(1), F.A.C., create a new provision allowing phases of projects with a valid conceptual or master drainage system permit to qualify for standard general permits in 3.5 and 7.2, Applicant's Handbook, delete certain urbanized areas of the Little Wekiva River Basin from the Riparian Habitat Protection Zone (RHPZ) in 11.3.5, Applicant's Handbook, repeal redundant language for the Econlockhatchee River Hydrologic basin in 11.4.3 and 11.4.5, Applicant's Handbook, expand the exemption from certain permitting

criteria from impacts to livestock watering ponds less than one acre in size to all man-made ponds less than one acre in size that were constructed in uplands, and clarify existing language for cumulative impacts in 12.2.8.2, Applicant's Handbook.

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

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

**SPECIFIC AUTHORITY:** 373.044, 373.113, 373.118, 373.414, 373.415, 373.418 FS.

**LAW IMPLEMENTED:** 373.016(2), 373.413, 373.414, 373.415, 314.416, 373.418, 373.426, 403.813(2) FS.

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

**TIME AND DATE:** Following the regularly scheduled Governing Board Meeting, which begins at 9:00 a.m., February 14, 2001

**PLACE:** St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459, Suncom 860-4459

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

40C-4.021 Definitions.

When appearing in this chapter or in chapters 40C-40, 40C-41, 40C-42, 40C-44, or 40C-400, F.A.C., the following words shall mean:

(1) through (16) No change.

(17) "Incidental Site Activities" means the following activities in uplands which are conducted as part of the construction of a system proposed in an environmental resource permit application: land clearing; grading; excavation of borrow areas for on-site grading; erosion and sediment control measures; road and building subgrade construction (excluding foundation construction); unpaved access road construction; utility installation; fence installation; construction trailer installation; and other similar activities.

(17) through (31) renumbered (18) through (32) No change.

Specific Authority 373.044, 373.113, ~~373.471~~ 373.414, 373.413 FS. Law Implemented 373.019, 373.403, 373.413, 373.414, 373.416, 373.418, 373.426 FS. History—New 1-31-77, Formerly 16I-4.02, 40C-4.02, Amended 2-3-81, 12-7-83, Formerly 40C-4.021, 40C-4.0021, Amended 8-11-91, 9-25-91, 2-27-94, 10-3-95, \_\_\_\_\_.



40C-4.041 Permits Required.

(1) No change.

(2) The District issues three types of environmental resource permits: conceptual approval permits, individual permits and general permits.

(a) No change.

(b) An individual or general permit is required prior to the construction, alteration, operation, maintenance, abandonment or removal of a surface water management system which:

1. through 7. No change.

8. Is wholly or partially located in, on, or over any wetland or other surface water, excluding the following activities:-

a. Filling any ditch that was constructed in uplands and which provides drainage or water conveyance only for areas owned or controlled by the person performing the filling; or

b. construction and alteration of outfall pipes less than 20 feet in length in wetlands or other surface waters, and associated headwalls, erosion control devices, and energy dissipation structures.

Specific Authority 373.044, 373.113, 373.118, 373.171, 373.413, 373.415, 373.416, 373.418 FS. Law Implemented 373.118, 373.409, 373.413, 373.416, 373.4135, 373.426, 373.429 FS. History—New 1-31-77, Formerly 16I-4.04, 40C-4.04, Amended 2-3-81, 12-7-83, Formerly 40C-4.041, 40C-4.0041, Amended 8-28-88, 8-1-89, 4-3-91, 8-11-91, 9-25-91, 10-20-92, 2-27-94, 10-3-95, 11-25-98,\_\_\_\_\_.

40C-4.051 Exemptions.

(1) through (11) No change.

(12) No permit shall be required under chapters 40C-4, 40C-40, 40C-42, 40C-44, or 40C-400, F.A.C, for the following activities:

(a) through (k) No change.

(l) The restoration of a seawall or riprap at its previous location or upland of or within 18 inches one foot waterward of its previous location, as measured from the face of the existing seawall slab to the face of restored seawall slab or from the front slope of the existing riprap to the front slope of the restored riprap. No filling can be performed except in the actual restoration of the seawall or riprap. No construction shall be undertaken without necessary title or leasehold interest, especially where private and public ownership boundaries have changed as a result of natural occurrences such as accretion, reliction and natural erosion. ~~Restoration and repair shall be performed using the criteria set forth in subsection 373.414(5), F.S.~~ This exemption shall be limited to functioning seawalls or riprap. This exemption shall not affect the permitting requirements of chapter 161, F.S.

(m) The construction of ~~private vertical~~ seawalls or riprap in wetlands or other surface waters, ~~other than in an estuary or lagoon, and the construction of riprap revetments,~~ where such construction is between and adjoins at both ends existing seawalls or riprap, follows a continuous and uniform construction line with the existing seawalls or riprap, is no more than 150 feet in length, does not violate state water

quality standards, impede navigation, or adversely affect flood control. However, this exemption shall not affect the permitting requirements of chapter 161, F.S. In estuaries and lagoons, cConstruction of vertical seawalls is limited to the circumstances and purposes stated in shall be in accordance with section 373.414(5)(b)1.-4., F.S.

(n) through (r) No change.

~~(s) The use of rotenone, by the Florida Game and Fresh Water Fish Commission, in conducting tests related to its responsibility regarding fish management. The chemical selected shall be used at no more than the strength approved by the Environmental Protection Agency (EPA) label. In addition, the chemical shall be used only under the direct on-site supervision of a staff member of the Florida Game and Fresh Water Fish Commission.~~

(t) through (w) renumbered (s) through (v) No change.

(13) through (15) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413, 373.415, 373.416, 373.418 FS. Law Implemented 373.406, 373.413, 373.416, 373.426, 403.813(2) FS. History—New 1-31-77, Formerly 16I-4.05, 40C-4.06, Amended 2-3-81, 12-7-83, Formerly 40C-4.051, 40C-4.0051, Amended 4-3-91, 8-11-91, 9-25-91, 5-17-94, 10-3-95, 11-25-98,\_\_\_\_\_.

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I "Policy and Procedures," Part II "Criteria for Evaluation," subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K "Legal Description Upper St. Johns River Hydrologic Basin," "Legal Description Ocklawaha River Hydrologic Basin", "Legal Description of the Wekiva River Hydrologic Basin," "Legal Description of the Econlockhatchee River Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Alachua County," "Legal Description Tomoka River Hydrologic Basin," "Legal Description Spruce Creek Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Marion County," and "Legal Descriptions of the Lake Apopka Drainage Basin," and Appendix M "Regional Watersheds for Mitigation Banking," of the document entitled "Applicant's Handbook: Management and Storage of Surface Waters," effective \_\_\_\_\_ ~~8-21-00.~~

(b) through (c) No change.

(2) No change.

Specific Authority 373.044, 373.046(4), 373.113, 373.413, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421(2), 373.461(3) FS. Law Implemented 373.016, 373.046, 373.413, 373.4135, 373.4136, 373.414, 373.415, 373.416, 373.421(2)-(6), 373.426 FS. History—New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 8-11-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00,\_\_\_\_\_.

40C-4.331 Modification of Permits.

(1) In addition to the modification of permits pursuant to section 373.429, Florida Statutes, a request for modification of a valid permit may be made as set forth in this section. The request for modification shall be reviewed using the conditions

for issuance in sections 40C-4.301 and 40C-4.302, F.A.C. The Governing Board may modify a permit in accordance with the provisions of Section 373.429, Florida Statutes,

(2) A request for modification may be made by a permittee as follows:

(a) By formal application; ~~that and~~ will be reviewed using the ~~same criteria and the same~~ review and public notice procedures as new applications, pursuant Chapter 40C-1 and Rules 40C-4.101 and 40C-4.301, F.A.C.; or

(b) By letter ~~that which~~ describes the proposed modification, ~~and~~ provided that the requested modification does not cause any of the following circumstances to occur: substantially alter the system design or permit conditions:

1. Increase the project area;
2. Increase proposed impervious surface unless accounted for in the previously permitted design of the system;
3. Reduce the stormwater treatment or flood attenuation capability of the proposed system;
4. Result in additional loss of floodplain storage within the 10 year floodplain at a location where the upstream drainage area is greater than 5 square miles;
5. Result in additional unmitigated impacts to wetlands and other surface waters, unless mitigation is not required pursuant to the second paragraph of subsection 12.2.2, subsection 12.2.2.1, or subsection 12.2.2.2, of the Applicant's Handbook: Management and Storage of Surface Waters, adopted by reference in section 40C-4.091, F.A.C.
6. Result in more than 10% or 1 acre, whichever is less, of total additional mitigated impacts to wetlands and other surface waters per permit modified.
7. Result in any additional impacts within a designated riparian habitat protection zone;
8. Reduce the frequency or parameters of monitoring requirements, except in accordance with a permit condition that specifically provides for future adjustments in such monitoring requirements;
9. Reduce the financial responsibility mechanisms provided to ensure the continued construction and operation of the system in compliance with permit requirements, except in accordance with specific permit conditions that provide for a reduction in such financial responsibility mechanisms; or
10. Otherwise, substantially alter the system design or permit conditions.

(2) An entity other than a permittee may request the modification of a permit only when the entity has purchased or intends to take ownership through condemnation of all or part of a permitted system. In such cases, the entity requesting the modification must submit either a formal application or letter modification in accordance with (1)(a) or (b) above and must demonstrate that both the modified portions of the system and the unmodified portions of the system, including portions of the system remaining in the ownership of the existing

permittee, will continue to comply with the conditions for issuance in sections 40C-4.301 and 40C-4.302, F.A.C. and all permit conditions.

(3) Modifications by letter in accordance with (1)(b) and (2), above, must be approved and acknowledged in writing by the Director; Department of Water Resources; Assistant Director; Department of Water Resources; or a Service Center Director through correspondence to the applicant.

(4) A permit which has expired or which has been revoked shall not be subject to modification.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.429 FS. History—New 2-20-77, Amended 12-26-77, Formerly 16I-4.34, 40C-4.34, Amended 2-3-81, 12-7-83, Formerly 40C-4.331, 40C-4.0331, Amended 1-1-89,\_\_\_\_\_.

Applicant's Handbook Section

2.0 Definitions

The following definitions are used by the District to clarify its intent in implementing its permitting programs pursuant to part IV, chapter 373, F.S. Many of these definitions are derived directly from chapter 373, F.S., and are reproduced here for the convenience of applicants.

(a) through (y) No change.

(z) Incidental Site Activities – The following activities in uplands which are conducted as part of the construction of a system proposed in an environmental resource permit application: land clearing; grading; excavation of borrow areas for on-site grading; erosion and sediment control measures; road and building subgrade construction (excluding foundation construction); unpaved access road construction; utility installation; fence installation; construction trailer installation; and other similar activities.

3.0 Activities Requiring a Permit

3.1 through 3.4 No change.

3.5 Conceptual Approval Permits

3.5.1 through 3.5.4 No change.

3.5.5 Phases within a conceptually approved project shall be processed as standard general permits provided:

(a) The proposed activity is consistent with the conceptual approval permit;

(b) The approved conceptual plan includes the location and acreage of wetlands onsite, an assessment of wetland impacts, and a conceptual mitigation plan (if required); and

(c) The approved conceptual plan includes the approximate size, location, and discharge points of the proposed stormwater management system.

7.2 Master drainage plans ~~Public Works Projects~~

7.2.1 An applicant ~~municipality or county~~ may apply for and receive a standard general or individual permit for its existing or proposed master drainage plan for a in its project area of jurisdiction.

7.2.2 Such application will be processed in accordance with the procedures established for standard general and individual permits.

7.2.3 After ~~a municipality or county has received issuance of~~ an individual permit for ~~its~~ a master drainage plan, subsequent activities within the master drainage plan which are conducted in accordance with the requirements of 40C-40.302(1), F.A.C., ~~the plan~~ and which would ordinarily require an individual permit, may be authorized under the provisions of a standard general permit.

7.2.4 Subsequent activities which would ordinarily require an individual permit and which significantly differ from the master drainage plan will require an individual permit.

#### 11.0 Basin Criteria

11.1 and 11.2 No change.

#### 11.3 Wekiva River Hydrologic Basin

11.3.1 through 11.3.4 No change.

#### 11.3.5 Standard for Riparian Wildlife Habitat

The wetlands abutting the Wekiva River, Little Wekiva River downstream of S.R. 434, Rock Springs Run, Black Water Creek, Sulphur Run and Seminole Creek support an abundance and diversity of aquatic and wetland dependent wildlife. Uplands abutting these wetlands protect the wetlands from climatic extremes and also provide important habitat for some aquatic and wetland dependent species. Construction and alteration of surface water management systems within these wetlands and uplands can result in adverse changes in the habitat, abundance, and food sources of aquatic and wetland dependent species.

(a) The applicant must provide reasonable assurance that the construction or alteration of a system will not adversely affect the abundance, food sources, or habitat (including its use to satisfy nesting, breeding and resting needs) of aquatic or wetland dependent species provided by the following designated Riparian Habitat Protection Zone:

1. The wetlands abutting the Wekiva River, Little Wekiva River downstream of S.R. 434, Rock Springs Run, Black Water Creek, Sulphur Run, or Seminole Creek;

2. The uplands which are within 50 feet landward of the landward extent of the wetlands above.

3. The uplands which are within 550 feet landward of the stream's edge as defined, for the purpose of this subsection, as the waterward extent of the forested wetlands abutting the Wekiva River, Little Wekiva River downstream of S.R. 434, Rock Springs Run, Black Water Creek, Sulphur Run or Seminole Creek. In the absence of forested wetlands abutting these streams, the stream's edge shall be defined, for the purpose of this subsection, as the mean annual surface water elevation of the stream; however, if hydrologic records are unavailable, the landward extent of the herbaceous emergent wetland vegetation growing in these streams shall be considered to be the stream's edge.

#### 11.4 Econolockhatchee River Hydrologic Basin

11.4.1 through 11.4.2 No change.

#### 11.4.3 Stormwater Management Standard

~~(a) Construction of new stormwater management systems must be in accordance with the design and performance standards of chapter 40C-42, F.A.C. However, systems which serve drainage areas in excess of 10 acres can not use detention with filtration treatment as the sole stormwater treatment methodology. Additionally, when retention systems are not feasible due to limited percolation capacity, wet detention treatment or other treatment demonstrated to be equivalent to retention or wet detention, in accordance with chapter 40C-42, F.A.C., and paragraph 11.4.3(b), must be used.~~

~~(b) Wet detention treatment systems:~~

~~(1) provide a treatment volume of one inch of runoff, or 2.5 inches of runoff from the impervious area, whichever is greater.~~

~~(2) are designed so that outfall structures shall bleed down the required treatment volume such that one-half of this volume will be discharged within 60 to 72 hours following a storm event, but no more than one-half of this volume will be discharged within the first 60 hours.~~

~~(3) provide a permanent pool of water such that the volume between the control or bleed down elevation and the pond bottom results in an average residence time of at least 14 days during the wet season (June—October).~~

~~(4) provide a littoral zone to be designed as follows:~~

~~a. the littoral zone shall be gently sloped (6:1 or flatter). At least 30 percent of the wet detention system surface area shall consist of a littoral zone. The percentage of littoral zone is based on the ratio of vegetated littoral zone to surface area of the pond at the control elevation.~~

~~b. the treatment volume must not cause the pond level to rise more than 18 inches above the control elevation unless it is demonstrated that the littoral zone vegetation can survive at greater depths.~~

~~e. eighty percent coverage of the littoral zone by suitable aquatic plants is required within the first thirty-six months following completion of the system.~~

~~d. to meet the 80% coverage requirement, planting of the littoral zone is recommended. As an alternative, portions of the littoral zone may be established by placement of wetland top soils (at least a four inch depth) containing a seed source of desirable native plants. When utilizing this alternative, the littoral zone must be stabilized by mulching or other means and at least the portion of the littoral zone within 25 feet of the inlet and outlet structures must be planted.~~

~~(5) are designed so that the permanent pool does not exceed a maximum depth of 12 feet below the invert of the bleed down device unless the applicant affirmatively demonstrates that greater depths will not inhibit the physical,~~

chemical and biological treatment processes or cause the resuspension of pollutants into the water column due to anaerobic conditions in the bottom sediments and water.

(6) are designed so the flow path through the pond has an average length to width ratio of at least 2:1. The alignment and location of inlets and outlets should be designed to maximize flow paths in the pond. If short flow paths are unavoidable, the effective flow path should be increased by adding diversion barriers such as islands, peninsula, or baffles to the pond. Inlet structures shall be designed to dissipate the energy of water entering the pond.

(7) are designed so that bleed-down devices incorporating dimensions smaller than three inches minimum width or less than 20 degrees for "v" notches shall include a device to eliminate clogging. Examples of such devices include baffles, grates, and pipe elbows.

(8) are designed so that bleed-down structure invert elevations are at or above the estimated post-development average water table elevation and above the anticipated post-development wet season tailwater elevation. If the structure is proposed to be set below the average water table elevation, ground water inflow must be considered in the drawdown calculations, calculation of average residence time, and estimated normal water level.

(9) provide for permanent maintenance easements or other acceptable legal instruments to allow for access to and maintenance of the system, including the pond, littoral zone, inlets, and outlets.

11.4.4 renumbered 11.4.3 No change.

11.4.5 Off-site Land Preservation as Mitigation in the Eeonlockhatchee River Hydrologic Basin.

Mitigation in the Eeonlockhatchee River Hydrologic Basin must offset any adverse impacts of the system to the functions provided by the Eeonlockhatchee River Riparian Habitat Protection Zone and wetlands outside this zone, to aquatic and wetland dependent species. Subsection 16.1.6 of this Handbook allows for consideration of innovative mitigation proposals. Mitigation within the Eeonlockhatchee River Hydrologic Basin may include the off-site preservation of lands. The lands proposed for preservation must be regionally significant or provide unique fish and wildlife habitat. For the purposes of this section the land to be preserved must be located entirely within the Eeonlockhatchee River Basin as designated in section 40C 41.023, F.A.C., and the applicant must propose to convey the land in fee simple to the St. Johns River Water Management District or a mutually acceptable designee. At the option of the District, a perpetual conservation easement or other acceptable legal instrument may be conveyed to the District or a mutually acceptable designee in accordance with section 704.06, F.S. All of the following requirements will apply to off-site land preservation proposals within the Eeonlockhatchee River Basin:

(a) Prior to proposing off-site land preservation, the applicant must demonstrate that alternatives for avoiding adverse impacts to the functions provided by the Riparian Habitat Protection Zone and wetlands outside the zone have been evaluated, and that to the maximum extent practicable, adverse impacts to these functions have been avoided.

(b) As a part of an off-site land preservation proposal, the applicant must demonstrate that the proposal meets the standard described in paragraph 11.4.4(a) by providing a functional analysis, as described in paragraph 11.4.4(b), of the proposed impacts within the Riparian Habitat Protection Zone and the benefits of the proposed preservation area. If adverse impacts occur to wetlands, then as part of an off-site land preservation proposal, the applicant must demonstrate that the proposal meets the criteria described in subsection 10.7.4.

(c) The range of appropriate ratios to be used to determine credit for preservation will depend upon the functional analysis of impacts and benefits. The suitability of this mitigation option, the specific ratios applicable, credits to be assigned, and the use of these credits will be determined on a case-by-case basis based on site-specific information.

12.0 Environmental Considerations

12.1 No change.

12.2 Environmental Criteria

12.2.1 No change.

12.2.2 Fish, Wildlife, Listed Species and their Habitats

12.2.2.1 No change.

12.2.2.2 Alterations in wholly owned livestock watering ponds that were completely constructed in uplands and which are less than one acre in area and alterations in drainage ditches that were constructed in uplands will not be required to comply with the provisions of subsections 12.2.2-12.2.2.3, 12.2.3-12.2.3.7, 12.2.5-12.3.8, unless those ponds or ditches provide significant habitat for threatened or endangered species. This means that, except in cases where those ponds or ditches provide significant habitat for threatened or endangered species, the only environmental criteria that will apply to those ponds or ditches are those included in subsections 12.2.4-12.2.4.5 and 12.2.2.4. This provision shall only apply to those ponds and ditches which were constructed before a permit was required under part IV, chapter 373, F.S. or were constructed pursuant to a permit under part IV, chapter 373, F.S. This provision does not apply to ditches constructed to divert natural stream flow.

12.2.8 Cumulative Impacts

12.2.8.1 No change.

12.2.8.2 Applicants may propose measures such as preservation to prevent cumulative impacts. Such preservation shall comply with the land preservation provisions in subsection 12.3.8. If unacceptable cumulative impacts are expected to occur, based on an evaluation conducted in accordance with subsection 12.2.8, the applicant may propose mitigation measures as provided for in sections 12.3-12.3.8.

Whenever mitigation located within the same drainage basin fully offsets the proposed impacts to wetland functions as described in section 12.2.2 and to water quality, then the regulated activity does not result in unacceptable cumulative impacts within that drainage basin.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

If any person decides to appeal and decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodation to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Linda Lorenzen at (904)329-4262 or (904)329-4450 (TDD).

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLES:	RULE NOS.:
Conditions for Issuance of Permits	40C-40.302
Limiting Conditions	40C-40.381

PURPOSE AND EFFECT: The purposes of the proposed rule amendments are to (1) allow more projects to qualify for standard general permits instead of individual permits by excluding certain minor wetland impacts which currently do not require mitigation from the threshold for the amount of wetland impacts allowable under a standard general permit, (2) create a standard general permit category for subdivisions with large lots (minimum 5 acres), (3) create a standard general permit for phases of a project that have a valid conceptual or master drainage system permit, and (4) create a standard general permit for incidental site activities to allow an applicant to begin limited construction activities prior to Governing Board consideration of an individual permit application, provided a complete application for an individual permit and a recommendation of approval by the District staff has been received. The effect of the proposed rule amendments is to reduce the number of projects that require individual permits. This will reduce permit processing time and cost to applicants without any change in resource protection since the same permitting criteria apply to standard general and individual permits. In addition, the proposed amendments will

expedite the review and permitting of certain subdivisions with large lots. Finally, the amendments will reduce the time that applicants for certain individual permits have to wait prior to commencing certain construction activities.

SUMMARY: The proposed rule amendments would raise standard general permitting thresholds in 40C-40.302(2)(c), create a new standard general permit for certain subdivisions with large lots in 40C-40.302(4), and create a new standard general permit for incidental site activities in 40C-40.302(5).

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.414, 373.418 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board Meeting, which begins at 9:00 a.m., February 14, 2001

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459, Suncom 860-4459

THE FULL TEXT OF THE PROPOSED RULES IS:

40C-40.302 Conditions for Issuance of Permits.

To qualify for a standard general permit under this chapter, the permittee must give reasonable assurance that the surface water management system meets subsection (1) and all of the threshold conditions of subsection (2).

- (1) No change.
- (2) Threshold Conditions.
  - (a) through (b) No change.

(c) Construction or alteration of a system, including dredging or filling, must not be proposed in, on or over a total of one acre or more of wetlands and other surface waters. However, calculation of the one acre area shall not include:

- 1. Ditches that were constructed in uplands;
- 2. Any isolated wetland with a surface area of less than 0.5 acres.

(3) No change.

(4) Threshold condition paragraph (2)(b) shall not apply to a residential development that meets the following:

(a) All residential lots are 5 acres or greater in size and each lot has an area of uplands outside the 100-year floodplain that is sufficient to construct a residence without necessitating filling of wetlands or the 100-year floodplain, other than filling ditches that were constructed in uplands or filling for the driveway; and

(b) Deed restrictions are placed upon each lot that require that the residence, onsite sewage disposal system and all associated residential improvements, except for the driveway, be constructed in uplands and outside the 100-year floodplain.

(5) Threshold conditions in subsection (2) shall not apply to the following:

(a) Phases within a project that has a valid conceptual approval permit provided:

1. The proposed activity is consistent with the conceptual approval permit;

2. The approved conceptual plan includes the location and acreage of wetlands onsite, an assessment of wetland impacts, and a conceptual mitigation plan (if required); and

3. The approved conceptual plan includes the approximate size, location, and discharge points of the proposed stormwater management system.

(b) Phases within a project that has valid individual permit for a master drainage plan provided the proposed activity does not significantly differ from the master drainage plan.

(6) Notwithstanding the threshold conditions of subsection (2), a standard general permit shall be authorized for incidental site activities which are in connection with the work set forth in an individual environmental resource permit application, provided:

(a) The applicant has submitted a complete individual environmental resource permit application for the project area that is the subject of the proposed incidental site activities.

1. For the purposes of this requirement, an application is complete when the applicant has submitted all information required on application form 40C-4.900(1) and has submitted all information requested by District staff in timely requests for additional information.

2. This general permit is not authorized for projects where the applicant has submitted a written request to begin processing the permit application in accordance with section 373.4141, Florida Statutes;

(b) The District staff has reviewed the individual environmental resource permit application and is recommending approval of the individual permit. For the purpose of this section, District staff have recommended approval of the individual permit when the Department Director or Assistant Department Director of the Department of Water Resources has signed the technical staff report recommending approval of the application or the Department Director, Assistant Department Director or Service Center Director of the Department of Water Resources have issued a

letter to the applicant stating that the application is complete and the staff will be recommending approval of the application to the Governing Board;

(c) The proposed incidental site activity must not be located within 50 feet of a wetland or other surface water and no excavation shall occur within 200 feet of a wetland;

(d) The proposed incidental site activity must not be located in a riparian habitat protection zone as described in 40C-41.063, F.A.C.;

(e) The applicant has submitted an erosion and sediment control plan that provides reasonable assurance that the incidental site activities will not result in sediment deposition in wetlands or violations of state water quality standards; and

(f) The District must not have received any timely submitted substantial objections (as defined in subsection 6.2.4 of the Applicant's Handbook: Management and Storage of Surface Waters) to the associated individual environmental resource permit application, unless all such objections are withdrawn at the time this general permit is requested.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.019, 373.118, 373.413, 373.416, 373.426 FS. History--New 12-7-83, Amended 9-25-91, 1-6-93, 10-3-95, 1-11-99, \_\_\_\_\_.

40C-40.381 Limiting Conditions.

The general Permits authorized in this chapter shall be subject to the following limiting conditions:

(1) through (2) No change.

(3) For general permits authorizing incidental site activities, the following limiting conditions shall also apply.

(a) If the associated individual environmental permit application is not issued within 60 days of the issuance of this permit for incidental site activities, stabilization measures shall be instituted and maintained for erosion and sediment control on all disturbed areas of the site as soon as practicable but in no case more than 7 days after all activity authorized under this permit has ceased.

(b) The incidental site activities are commenced at the permittee's own risk. The Governing Board will not consider the monetary costs associated with the incidental site activities or any potential restoration costs in making its decision to approve or deny the individual environmental resource permit application. Issuance of this permit shall not in any way be construed as a commitment to issue the associated individual environmental resource permit.

1. The permittee shall proceed in an expeditious fashion to obtain the individual environmental resource permit.

2. Unless revoked or modified, the duration of a general permit authorizing incidental site activities shall be 60 days.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.419, 373.423, 373.426 FS. History--New 12-7-83, Amended 2-27-94, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

If any person decides to appeal and decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodation to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting Linda Lorenzen at (904)329-4262 or (904)329-4450 (TDD).

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLE: Conditions for Issuance of Permits

RULE NO.: 40C-41.063

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to delete certain urbanized areas of the existing Riparian Habitat Protection Zone (RHPZ) for the Little Wekiva River. The Little Wekiva River upstream of State Road 434 is within an already urbanized area. Much of the river in this area is either channelized or contained within a pipe. Current habitat values of the Little Wekiva River in this area no longer warrant the protection afforded by RHPZ status. Additionally, certain stormwater criteria applicable to regulated activities in the Econlockhatchee River Hydrologic basin are deleted because they are largely redundant to subsequent amendments to the District's stormwater rule (40C-42, F.A.C.).

SUMMARY: The rule amendment would delete the area of the Little Wekiva River upstream of State Road 434 from the Riparian Habitat Protection Zone (RHPZ) in 40C-41.063(3)(e), F.A.C., and delete certain redundant permitting criteria applicable in the Econlockhatchee River Hydrologic basin.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.414, 373.415, 373.418 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.415, 373.416, 373.418, 373.426 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board Meeting, which begins at 9:00 a.m., February 14, 2001

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459, Suncom 860-4459

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-41.063 Conditions for Issuance of Permits

(1) through (2) No change.

(3) Within the Wekiva River Hydrologic Basin, the following standards and criteria are established:

(a) through (d) No change.

(e) Standard for Riparian Wildlife Habitat

1. The applicant must provide reasonable assurance that the construction or alteration of a system will not adversely affect the abundance, food sources, or habitat (including its use to satisfy nesting, breeding and resting needs) of aquatic or wetland dependent species provided by the following designated Riparian Habitat Protection Zone:

a. The wetlands abutting the Wekiva River, Little Wekiva River downstream of S.R. 434, Rock Springs Run, Black Water Creek, Sulphur Run, or Seminole Creek;

b. The uplands which are within 50 feet landward of the landward extent of the wetlands above.

c. The uplands which are within 550 feet landward of the stream's edge as defined, for the purpose of this subsection, as the waterward extent of the forested wetlands abutting the Wekiva River, Little Wekiva River downstream of S.R. 434, Rock Springs Run, Black Water Creek, Sulphur Run or Seminole Creek. In the absence of forested wetlands abutting these streams, the stream's edge shall be defined, for the purpose of this subsection, as the mean annual surface water elevation of the stream: however, if hydrologic records are unavailable, the landward extent of the herbaceous emergent wetland vegetation growing in these streams shall be considered to be the stream's edge.

2. through 3. No change.

(4) No change.

(5) Within the Econlockhatchee River Hydrologic Basin the following standards and criteria are established:

(a) through (b) No change.

~~(c) Stormwater Management Standard. Construction of new stormwater management systems must be in accordance with the design and performance standards of chapter 40C-42, F.A.C. However, systems which serve drainage areas in excess of 10 acres cannot use detention with filtration treatment as the sole stormwater treatment methodology. Additionally, when retention systems are not feasible due to limited percolation capacity, wet detention treatment or other treatment demonstrated to be equivalent to retention or wet detention, in accordance with chapter 40C-42, F.A.C., and paragraph 11.4.3(b), Applicant's Handbook: Management and Storage of Surface Waters, must be used.~~

~~(c)(4)~~ No change.

(6) through (7) No change.

Specific Authority 373.044, 373.113, 373.171, 373.414, 373.415, 373.418 FS. Law Implemented 373.413, 373.414, 373.415, 373.416, 373.418, 373.426 FS. History—New 12-7-83, Amended 5-17-87, 8-30-88, 4-3-91, 9-25-91, 7-14-92, 10-3-95, 11-25-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Governing Board of the St. Johns River Water Management District

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

If any person decides to appeal and decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodation to participate in this meeting is requested to advised the District at least 5 work days before the meeting by contacting Linda Lorenzen at (904)329-4262 or (904)329-4450 (TDD).

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLES:	RULE NOS.:
Permits required	40C-42.022
Exemptions From Permitting for Stormwater Management Systems	40C-42.0225
Specific Design and Performance Criteria	40C-42.026
Monitoring and Operational Maintenance Requirements	40C-42.029

PURPOSE AND EFFECT: The purposes of the rule amendments are to (1) raise certain thresholds for when stormwater treatment is required for a project in chapter 40C-42, F.A.C., from the existing threshold of: construction of 5000 square feet or more of building area or other impervious area not subject to vehicular traffic, to a new threshold of: construction of more than 9000 square feet total of impervious surface, (2) create a new exemption from requiring stormwater permits and, hence, treatment of stormwater, for certain communication tower sites, minor roadway safety projects, and recreational paths that are not significant sources of stormwater pollutants, (3) minimize clogging of drawdown devices, and (4) delete the requirement for submittal of inspection forms for low maintenance stormwater systems. The effect of the proposed amendments is to streamline the regulatory process by reducing the number of projects that require stormwater permits, reducing unnecessary requirements for stormwater treatment for projects that are not significant sources of stormwater pollutants, and eliminating unnecessary submittals of inspection reports. In addition, the proposed amendments will lessen the amount of maintenance of stormwater systems needed by reducing the chances of clogging.

SUMMARY: These proposed rule amendments would (1) raise stormwater permitting thresholds in 40C-42.022(1) and (2), F.A.C., (2) create new exemptions from stormwater permitting in 40C-42.0225, F.A.C., (3) revise the design and performance standards for the drawdown of wet detention stormwater systems in 40C-42.026(4), F.A.C., and (4) eliminate the reporting requirements for low maintenance stormwater systems.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.414, 373.416, 373.418 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board Meeting, which begins at 9:00 a.m., February 14, 2001

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459, Suncom 860-4459

THE FULL TEXT OF THE PROPOSED RULES IS:

40C-42.022 Permits Required.

(1) A permit is required under this chapter for construction (including operation and maintenance) of a stormwater management system which serves a project that exceeds any of the following thresholds:

(a) Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, ~~such as This area includes roads, parking lots, driveways, and loading zones;~~

(b) ~~Construction of more than 9,000 square feet total of impervious surface; or Construction of 5000 square feet or more of building area or other impervious area not subject to vehicular traffic; or~~

(c) Construction of 5 acres or more of recreational area. Recreation areas include but are not limited to golf courses, tennis courts, putting greens, driving ranges, or ball fields.

(2) A permit is required under this chapter for alteration, removal, reconstruction, or abandonment of existing stormwater management systems which serve a project which may be expected to result in any of the following:

(a) through (d) No change.

(e) Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, ~~such as This area includes roads, parking lots, driveways, and loading zones;~~

(f) ~~Construction of more than 9,000 square feet total of impervious surface; or Construction of 5,000 square feet or more of building area or other impervious area not subject to vehicular traffic; or~~

(g) Construction of 5 acres or more of recreational area. Recreation areas include but not limited to golf courses, tennis courts, putting greens, driving ranges, or ball fields.

(3) through (6) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.413, 373.416 FS. History—New 9-25-91, Amended 4-11-94, 11-22-94,\_\_\_\_\_.

40C-42.0225 Exemptions From Permitting for Stormwater Management Systems.

The following types of stormwater management systems are exempt from the notice and permit requirements of this chapter:

(1) through (3) No change.

(4) Construction of communication tower sites with one-half acre or less of impervious or semi-impervious surface such as access roads, buildings, and equipment pads. The design of above-grade access roads must allow for conveyance of normal surface water flows.

(5) The construction of the following minor roadway safety projects provided that the capacity of existing swales, ditches, or other stormwater management systems is not reduced:

(a) Sidewalks.

(b) Turnlanes less than 0.25 miles in length and other intersection improvements, or

(c) Road widening and shoulder paving projects which do not result in the creation of additional traffic lanes.

(6) Recreational paths which do not allow motorized vehicles powered by internal combustion engines, except for maintenance and emergency vehicles.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.416, 403.812 FS. History—New 9-25-91, Amended 3-21-93, 10-3-95,\_\_\_\_\_.

40C-42.026 Specific Design and Performance Standards.

(1) through (3) No change.

(4) Wet detention stormwater management systems shall:

(a) No change.

(b) Be designed so that the outfall structures shall bleed down one-half the volume of stormwater specified in paragraph (a), above, within ~~24 48~~ to ~~30 60~~ hours following a storm event, but no more than one-half of this volume will be discharged within the first ~~24 48~~ hours.

(c) through (f) No change.

(g) Be designed so that bleed down devices ~~shall incorporate minimum incorporating~~ dimensions ~~no~~ smaller than ~~six square inches of cross section area, two inches wide, and 20 degrees for "v" notches.~~ Bleed down devices ~~incorporating dimensions smaller than six three~~ inches minimum width or less than ~~45 20~~ degrees for "v" notches shall include a device to ~~minimize eliminate~~ clogging. Examples include baffles, grates, and pipe elbows.

(h) through (k) No change.

(5) through (6) No change.

Specific Authority 373.044, 373.113, 373.118, 373.177, 373.418 FS. Law Implemented 373.413, 373.416, 403.813 FS. History—New 9-25-91, Amended 3-21-93, 6-15-93, 4-11-94, 7-20-95,\_\_\_\_\_.

40C-42.029 Monitoring and Operational Maintenance Requirements.

(1) The operation and maintenance entity is required to provide for periodic inspections of the stormwater management system to insure that the system is functioning as designed and permitted. If specified below or by permit condition, ~~the~~ entity shall submit inspection reports to the District, certifying that the stormwater management system is operating as designed. In addition, the entity will state in the

report what operational maintenance has been performed on the system. The reports shall only be required for those systems which are subject to operation phase permits pursuant to subsection 40C-42.028(1), F.A.C., after the effective date of this rule adoption, unless indicated otherwise in a permit. The reports shall be submitted to the District as follows unless otherwise required by a permit condition:

~~(a) Inspection reports for retention, underdrain, wet detention, swales, and wetland stormwater management systems shall be submitted two years after the completion of construction and every two years thereafter on form number 40C-1.181(15), Registered Professional's Inspection Report, for systems designed by a registered professional. For systems not designed by a registered professional, the inspection reports shall be submitted on form number 40C-1.181(16), Statement of Inspection Report. However, reports for those systems in sensitive karst areas must be submitted pursuant to paragraph (c) below.~~

~~(a)(b)~~ Inspection reports for ~~dry detention~~, exfiltration, and pumped systems shall be submitted one year after the completion of construction and every two years thereafter on form number 40C-1.181(15), Registered Professional's Inspection Report. A registered professional must sign and seal the report certifying the ~~dry detention, filtration~~, exfiltration, or pumped system is operating as designed. However, reports for those systems in sensitive karst areas must be submitted pursuant to paragraph ~~(b)(c)~~ below.

~~(b)(c)~~ No change.

(2) All permits issued pursuant to this chapter prior to (effective date) are hereby modified to remove any condition requiring the submittal of inspection reports for retention, underdrain, wet detention, dry detention, swales and wetland stormwater management systems. All other conditions of these permits shall remain in effect unless revoked or modified by the District.

(2) through (5) renumbered (3) through (6) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171, 373.414, 373.416, 373.418 FS. Law Implemented 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 FS. History—New 9-25-91, Amended 3-21-93, 4-11-94, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

If any person decides to appeal and decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodation to participate in this meeting is requested to advised the District at least 5 work days before the meeting by contacting Linda Lorenzen at (904)329-4262, or (904)329-4450 (TDD).

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLE: RULE NO.:

General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements 40C-400.447

PURPOSE AND EFFECT: The purpose of the rule amendment is to amend the existing noticed general permit for work within government rights-of-ways to allow for the construction of certain ditch stabilization projects. The stabilization of eroded sections of ditches currently requires a standard general or individual permit if materials such as riprap, concrete, or geotechnical textiles are utilized. Mitigation is not normally required for this type of activity. Permitting of these types of projects would be more appropriately regulated under a noticed general permit. The effect of the proposed amendments is to allow more projects for ditch stabilization to obtain a noticed general permit instead of a standard general or individual permit. This will expedite the review and processing of permit applications for these types of projects.

SUMMARY: The rule amendment would amend the existing noticed general permit to governmental entities for the construction of minor activities in existing rights-of-way or easements in 40C-400.447, F.A.C., to include ditch stabilization projects.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.414, 373.418 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.414, 373.416, 373.418 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board Meeting, which begins at 9:00 a.m., February 14, 2001

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459, Suncom 860-4459

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-400.447 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements.

(1) A general permit is hereby granted to the Florida Department of Transportation, counties and municipalities to conduct the activities described below:

(a) through (f) No change.

(g) Ditch bank and bottom stabilization necessary to repair erosion damage to restore previously existing ditch configurations. Authorized repair methods are placement of riprap, sand cement toe walls, clean fill material, poured concrete, geotechnical textiles and other similar stabilization materials. The placement of riprap or other lining materials shall be limited to a length of 500 feet along the axis of the ditch.

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.118, 373.414, 373.418 FS. Law Implemented 373.118, 373.413, 373.414, 373.416, 373.418, 373.426 FS. History—New 10-3-95, Amended 1-11-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Elledge, Director, Department of Water Resources, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4347

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2000

If any person decides to appeal and decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodation to participate in this meeting is requested to advised the District at least 5 work days before the meeting by contacting Linda Lorenzen at (904)329-4262, or (904)329-4450(TDD).

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE TITLE: Permit Processing Fee  
 RULE NO.: 40D-1.607

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to delete an exemption from the District’s permit application fee rule. Application fees are assessed in order to defray the cost of evaluating, processing, advertising, mailing, compliance monitoring and inspection, required in connection with consideration of permit applications. This fee exemption was originally intended to encourage phased projects in which the entire system facilities for treatment, attenuation, or wetland impacts, including capacity to support subsequent phases, would be permitted and constructed as part of an overall initial project phase. When subsequent connecting phases were permitted, the existing surplus capacity in the system would have already been designed and built, thus requiring little permitting review and no application fee. Due to economics and other factors, it is usually not practical for owners to build system facilities larger than initially required, and Rule 40D-1.607(3)(g), F.A.C., as intended, should rarely be used. The current rule language has resulted in administrative problems for staff, and confusion to both staff and permit applicants.

SUMMARY: The proposed rule amendment will repeal an exemption for certain environmental resource permits from the District’s permit application fee rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District’s determination that the proposed revisions to Rule 40D-1.607, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.421(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34609-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.607 Permit Processing Fee.

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

- (1) through (2) No change.
- (3) The following types of applications are exempt from the fees identified in subsection (1):
  - (a) through (f) No change.
  - ~~(g) "PORTIONS OF PROJECT: Chapter 40D 4 or 40 Individual or General Construction Permit for a portion of a project for which a Conceptual Permit application has been previously filed that does not require any additional treatment, attenuation, or wetland impacts on site.~~
- (4) through (12) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Charles H. Miller, P.E., Engineering Program Director, Technical Services Dept., Resource Regulation, 2379 Broad Street, Brooksville, FL 34609-6899, (352)796-7211, Extension 4307

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 28, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 15, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Registration of Course Providers  
PURPOSE AND EFFECT: The purpose of this amendment will be to incorporate the most recent versions of registration of course providers' guidelines.

RULE NO.: 61G6-9.005

SUMMARY: The rule amendment is for the purpose of updating the course providers' guidelines.

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: 455.225, 455.227, 489.507(3) 489.517(3) FS.

LAW IMPLEMENTED: 489.517, 489.531, 489.533 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.005 Registration of Course Providers Sponsors.

(1)(a) Each course provider sponsor must register with the board prior to submitting any continuing education courses to be conducted by a course provider sponsor to the Board for approval.

(b) A university or college which is regionally accredited by an accrediting agency recognized by the United States Department of Education (USDOE); and which university or college offers courses in the contracting areas specified in Part II, Chapter 489, F.S., and pursuant to rule chapter 61G6-9, F.A.C., will be approved as a course provider upon submitting an application to the board is hereby deemed registered with the Board as a course sponsor.

(2) The application for registration must be submitted on the course provider sponsor form BPR/ECLB-REG.TO.CERT.1/2001, with instructions, hereby incorporated by reference, copies of which are provided by the department and must include the name, address, phone number and facsimile number of the course provider sponsor. The registration must also include the name and address of each person or entity who has an ownership interest in the course sponsor or who is entitled to receive any portion of the revenues from the course sponsor.

(3) The course provider sponsor registration is valid until May 31st of odd numbered ~~for four~~ (4) years from the date of issue.

(4) The course provider sponsor must submit to the Board, in writing, notice of any changes in the information provided in the initial application for registration of the course sponsor. The notification must be made within 30 days following the date the change is effective.

(5) The Board shall maintain a list of all course providers sponsors registered with the Board.

(6) The Board shall deny registration of approval, suspend, or revoke the registration of any course provider sponsor if any of the following acts or omissions occur:

(a) No change.

(b) Failing to provide complete and accurate information in the initial application for registration or in any notification of change in information.

(c) Failing to notify the board of a change in the information required in subsection (4) for registration of course providers sponsors.

(d) Falsifying of any records regarding the continuing education courses conducted by the course provider sponsor or the persons who attended the courses.

(e) Failing to maintain any required records regarding the continuing education courses conducted by the course provider sponsor or the persons who attended the courses, including the failure to report the names and license numbers of all persons who attended any approved courses.

(f) through (j) No change.

(k) Failure to provide the attendee list to the Department in an electronic format or otherwise violate provisions in rule section 61G6-6.015.

(7) In the event of suspension or revocation of a course provider's sponsor's registration, the board shall require the course provider sponsor to cancel the scheduled courses and refund all fees collected by the course provider sponsor in connection with any scheduled course.

(8) The board shall deny approval of, suspend, or revoke the registration of any course provider sponsor if any person or entity required to be disclosed in the registration was also disclosed (or was required to be disclosed) in the registration of any course provider sponsor who has been suspended or revoked by the board.

(9) The provider must comply with the requirements stated in Rule 61G6-6.015(5) as a condition of approval as a course provider.

(10) The course provider shall not offer any continuing education courses if the provider status is in a delinquent or expired status.

(11) The course provider shall be responsible for filing with the board, within 30 days after the course is concluded, a list of all licensees who attended a course between September 1, 2000 and April 30, 2001.

Specific Authority 455.225, 455.227, 489.507(3) FS. Law Implemented 489.531, 489.533, 489.517 FS. History—New 11-30-94, Amended 6-13-96, 10-20-96, 12-25-96, 3-24-99, \_\_\_\_\_.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 19, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: Registration of Course Providers  
RULE NO.: 61G6-9.005

PURPOSE AND EFFECT: The purpose of this amendment will be to incorporate the most recent versions of registration of course providers' guidelines.

SUMMARY: The rule amendment is for the purpose of updating the course providers' guidelines.

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: 455.225, 455.227, 489.507(3), 489.517(3) FS.

LAW IMPLEMENTED: 489.517, 489.531, 489.533 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.005 Registration of Course Providers Sponsors.

(1)(a) Each course provider sponsor must register with the board prior to submitting any continuing education courses to be conducted by a course provider sponsor to the Board for approval.

(b) A university or college which is regionally accredited by an accrediting agency recognized by the United States Department of Education (USDOE); and which university or college offers courses in the contracting areas specified in Part II, Chapter 489, F.S., and pursuant to rule chapter 61G6-9,

F.A.C., will be approved as a course provider upon submitting an application to the board is hereby deemed registered with the Board as a course sponsor.

(2) The application for registration must be submitted on the course provider sponsor form BPR/ECLB-REG.TO.CERT.1/2001, with instructions, hereby incorporated by reference, copies of which are provided by the department and must include the name, address, phone number and facsimile number of the course provider sponsor. The registration must also include the name and address of each person or entity who has an ownership interest in the course sponsor or who is entitled to receive any portion of the revenues from the course sponsor.

(3) The course provider sponsor registration is valid until May 31st of odd numbered for four (4) years from the date of issue.

(4) The course provider sponsor must submit to the Board, in writing, notice of any changes in the information provided in the initial application for registration of the course sponsor. The notification must be made within 30 days following the date the change is effective.

(5) The Board shall maintain a list of all course providers sponsors registered with the Board.

(6) The Board shall deny registration of approval, suspend, or revoke the registration of any course provider sponsor if any of the following acts or omissions occur:

- (a) No change.
- (b) Failing to provide complete and accurate information in the initial application for registration or in any notification of change in information.
- (c) Failing to notify the board of a change in the information required in subsection (4) for registration of course providers sponsors.
- (d) Falsifying of any records regarding the continuing education courses conducted by the course provider sponsor or the persons who attended the courses.
- (e) Failing to maintain any required records regarding the continuing education courses conducted by the course provider sponsor or the persons who attended the courses, including the failure to report the names and license numbers of all persons who attended any approved courses.
- (f) through (j) No change.

(k) Failure to provide the attendee list to the Department in an electronic format or otherwise violate provisions in rule section 61G6-6.015.

(7) In the event of suspension or revocation of a course provider's sponsor's registration, the board shall require the course provider sponsor to cancel the scheduled courses and refund all fees collected by the course provider sponsor in connection with any scheduled course.

(8) The board shall deny approval of, suspend, or revoke the registration of any course provider sponsor if any person or entity required to be disclosed in the registration was also

disclosed (or was required to be disclosed) in the registration of any course provider sponsor who has been suspended or revoked by the board.

(9) The provider must comply with the requirements stated in Rule 61G6-6.015(5) as a condition of approval as a course provider.

(10) The course provider shall not offer any continuing education courses if the provider status is in a delinquent or expired status.

(11) The course provider shall be responsible for filing with the board, within 30 days after the course is concluded, a list of all licensees who attended a course between September 1, 2000 and April 30, 2001.

Specific Authority 455.225, 455.227, 489.507(3) FS. Law Implemented 489.531, 489.533, 489.517 FS. History--New 11-30-94, Amended 6-13-96, 10-20-96, 12-25-96, 3-24-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 19, 2000  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLES:	RULE NOS.:
Definitions	61G15-32.002
Common Requirements to All Fire Protection Engineering Documents	61G15-32.003
Design of Water Based Fire Protection Systems	61G15-32.004

PURPOSE AND EFFECT: The Board proposes to amend Rule 61G15-32.002 to further clarify the definitions and to add new definitions. Rule 61G15-32.003 is being to update the requirements. The Board proposes to update the rule text to Rule 61G15-32.004 to delete rule text that is no longer necessary and to further clarify the design of water based fire protection systems.

SUMMARY: The Board has determined that Rule 61G15-32.002 requires amendments in order to further clarify the definitions and to expand the definitions. The Board finds it necessary to amend Rule 61G15-32.003 to update the requirements for all fire protection engineering documents. The Board finds it necessary to update the rule text to Rule 61G15-32.004 to further clarify the design of water based fire protection systems and to delete rule text that is no loner desired by the Board.

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

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

SPECIFIC AUTHORITY: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.005(6), 471.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natlie Lowe, Administrator, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

61G15-32.002 Definitions.

(1) through (4) No change.

(5) Fire Protection Engineering Documents: The fire protection engineering drawings, specifications, design calculations, prescriptive and performance criteria, water supply analysis and other materials or representations that set forth the overall design requirements for the construction, alteration, demolition, renovation, repair, modification, permitting and such, for any public or private fire protection system(s), which are prepared, signed, dated and sealed by the Engineer of Record for the Fire Protection System(s).

(6) Fire Protection Submittals: Layout drawings, Submittals, catalog information on standard products, and other construction data or drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input. These submittals do not require the seal of a Florida registered engineer.

(7) No change.

(8) Material Deviation: Any deviation from the design parameters established and documented by the engineer or record.

(9) Layout: The location of risers, cross mains, branch lines, sprinkler heads, sizing of pipe, hanger locations, and hydraulic calculations based on engineering documents.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.005(6), 471.033(2) FS. History--New 5-19-93, Formerly 21H-32.002, Amended 4-2-00,\_\_\_\_\_.

61G15-32.003 Common Requirements to All Fire Protection Engineering Documents.

(1) No change.

(2) The Fire Protection Engineering ~~Design~~ Documents shall specify the applicable requirements for the acceptance testing of the fire protection system and components, which shall be based upon applicable codes and standards, where available.

(3) No change.

(4) The applicable code and standard used in the preparation of the Fire Protection System shall be shown on the Fire Protection Engineering ~~Design~~ Documents. When applicable codes and standards are not available or applicable, and said documents are based on engineering judgment, which constitutes a deviation from applicable codes and standards, any reasons and assumptions made to develop the fire protection concept shall be identified on the documents.

(5) Structural support and openings required by the Fire Protection System shall be shown on the Fire Protection Engineering Documents and shall be referenced on structural engineering documents. ~~The documents shall provide construction details of the structure, when applicable, that supports the Fire Protection System and Fire Protection Components. Such structural support details are not required to be shown on the Fire Protection Engineering Design Documents provided that the construction documents are submitted to the permitting agency for review as a common submittal. The construction documents shall acknowledge the structural loading capacity of the structure.~~

(6) When submittals contain material deviation require additional engineering work consisting of design or recalculation from the Engineer of Record's Fire Protection Engineering ~~Design~~ Document, such submittals documents shall be accompanied by revised Engineering Documents made and sealed by the Engineer of Record for the Fire Protection System.

(7) through (8) No change.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.005(6), 471.033(2) FS. History--New 5-19-93, Formerly 21H-32.003, Amended 4-2-00,\_\_\_\_\_.

61G15-32.004 Design of Water Based Fire Protection Systems.

(1) No change.

(2) To ensure minimum design quality in Fire Protection Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) The Point of Service for the fire protection water supply as defined by 633.021(17), F.S. The design criteria and documents shall be based on applicable NFPA standards when such applicable standards are published, or on alternate sources as provided in the definition of codes and standards.

(b) Applicable NFPA standard to be applied, or in the case where no such standard exists, the engineering study, judgments, and/or performance based analysis and conclusions. The Point of Service for the fire protection water supply as defined by 633.021(17), F.S.

(c) Classification of hazard occupancy for each room or area. In storage occupancies the Engineer of Record shall determine the commodity classification as determined by applicable standards or on alternate sources as provided in the definition of codes and standards. The NFPA commodity classification shall be provided on the Fire Protection Engineering Documents for all storage occupancies. In cases where applicable hazard classification is not identified in NFPA codes or standards, or a higher hazard classification is required for insurance purposes, the engineer of record shall provide the basis for the design decisions.

(d) Design densities, device temperature rating, and spacing for each separate hazard occupancy. All required hydraulic calculations conducted for the system(s) shall be completed in accordance with the minimum standards for detail and information as required by NFPA 13. The source and location of water supply test results shall be indicated on the documents.

(e) Characteristics of water supply to be used, such as main size and location, whether it is dead-end or circulating; and if dead-end, the distance to the nearest circulating main, as well as its minimum duration and reliability for the most hydraulically demanding design area.

(f) When private or public water supplies are used, the flow test data, including date and time of test, who conducted test or supplied information, test elevation, static gauge pressure at no flow, flow rate with residual gauge pressure, hydrant butt coefficient, and location of test in relation to the hydraulic point of service.

(g) Valving and alarm requirements to minimize potential for impairments and unrecognized flow of water.

(h) Microbiologically Influenced Corrosion (MIC). The Engineer of Record shall establish, as part of the design process, that the quality of water is adequate to prevent the occurrence of MIC. Should the water quality prove to be unsuitable, the engineer is responsible for designing corrective measures.

(i) Blackflow prevention and metering specifications and details to meet local water purveyor requirements including maximum allowable pressure drop.

(j) Quality and performance specifications of all yard and interior fire protection components.

(3) Contractor submittals which deviate from the above minimum design parameters shall be considered material deviations and require supplemental engineering approval and documentation.

(4) In the event the Engineer or Record provides more information and direction than is established above, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.005(6), 471.033(2) FS. History—New 5-19-93, Formerly 21H-32.004, Amended 4-2-00.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLES:	RULE NOS.:
General Responsibility	61G15-35.001
Definitions	61G15-35.002
Qualification Program for Special Inspectors of Threshold Buildings	61G15-35.003
Common Requirements to all Engineers Providing Threshold Building Inspection Services	61G15-35.004

PURPOSE AND EFFECT: The Board is creating a new Chapter entitled "Responsibility Rule of Professional Engineers Providing Threshold Building Inspection", numbered 61G15-35. Four rules will be promulgated, which will provide language for general responsibilities, definitions, the qualification program for special inspectors of threshold buildings, and common requirements for all engineers providing threshold building inspection services.

SUMMARY: The Board has determined that it is necessary to promulgate a new Chapter and four new rules. The Chapter title will be numbered 61G15-35. The Board will promulgate a new rule, entitled "General Responsibilities", which will provide language for professional engineers who offer threshold building inspections services. The second rule will be entitled "Definitions", which will describe the meaning of a threshold building inspector, an authorized representative, a structural inspection plan, and the definition for shoring and reshoring plan. The third rule, will be entitled "Qualification Program for Special Inspectors of Threshold Buildings", and this rule will list the qualifications necessary for special inspectors of threshold building. The last rule being



promulgated will be entitled "Common Requirements to All Engineers Providing Threshold Building Inspection Services", and will provide the common requirements for those engineers who plan on providing threshold building inspection services.

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: 471.008, 471.033(2), 553.79(5)(a)-(d) FS.

LAW IMPLEMENTED: 471.033, 471.045 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natlie Lowe, Administrator, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

#### 61G15-35.001 General Responsibility.

Professional Engineers offering Threshold Building Inspection services pursuant to Section 553.79, F.S. shall provide inspections in accordance with the structural inspection plan provided by the engineer or architect of record to insure compliance with permitted documents. In addition to inspections in accordance with the structural inspection plan, the engineer will inspect the shoring and reshoring for conformance with shoring and reshoring plans submitted to the enforcing agency.

Specific Authority 471.008, 471.033(2), 553.79(5)(a)-(d) FS. Law Implemented 471.033, 471.045 FS. History—New \_\_\_\_\_.

#### 61G15-35.002 Definitions.

(1) Threshold Building Inspector: A registered professional engineer who meets the qualifications and standards set by this Rule Chapter.

(2) Authorized Representative: A representative of the Threshold Building Inspector who undertakes inspections and site visits under the responsible charge of the Threshold Building Inspector.

(3) Structural Inspection Plan: The plan filed for public record by the engineer of record to the enforcing agency to provide specific inspection procedures and schedules.

(4) Shoring and Reshoring Plan: The plan submitted to the enforcing agency regarding the shoring and reshoring of the building.

Specific Authority 471.008, 471.033(2), 553.79(5)(a)-(d) FS. Law Implemented 471.033 FS. History—New \_\_\_\_\_.

#### 61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings.

(1) The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as follows:

(a) Proof of current licensure in good standing as a licensed professional engineer whose principal practice is structural engineering in the State of Florida.

(b) Three years of experience in performing structural field inspections on threshold type buildings.

(c) Two years of experience in the structural design of threshold type buildings. For the purpose of these criteria, structural design shall mean the design of all structural components of the building and shall not be limited to specific structural components only, such as foundations, prestressed or post-tensioned concrete, etc.

(d) Experience in the structural inspection and/or design of at least three threshold type buildings. This experience must be within the ten calendar years preceding submission of the application.

(e) Self-certification as to the competency of the applicant to perform structural inspections on threshold buildings.

(2) All registered professional engineers who are certified Special Inspectors and on the Roster of Special Inspectors maintained by the Department of Community Affairs, pursuant to rule 9B-3.043, F.A.C., as of June 30, 2000 shall be qualified pursuant to this rule and shall continue to be certified Special Inspectors of threshold buildings.

#### (3) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/TBI/08/00 is hereby incorporated by reference, effective \_\_\_\_\_, entitled "Special Inspector Application and Instructions". Copies of Form FBPE/TBI/08/00 may be obtained from the Board by writing to the Florida Board of Professional Engineers, c/o Florida Engineers Management Corporation, 1208 Hays Street, Tallahassee, Florida 32301, or by downloading it from the internet web site [www.fbpe.org](http://www.fbpe.org).

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/TBI/08/00 by mailing to the address listed above.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name;

2. Florida license number;

3. Educational and experience dates and sufficient description of each to clearly demonstrate that the minimum qualification criteria has been met;

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering in the State of Florida, one of whom must be certified as a Special Inspector;

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and

6. Completed form FBPE/TBI/08/00.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(4) Temporary Certification. Professional engineers who have been granted temporary licensure in Florida pursuant to the provisions of Section 471.021, F.S., may also be granted temporary certification as a Special Inspector provided the criteria set forth in these rules have been met. Such temporary certification shall be limited to work on one specific project in this state for a period not to exceed one year.

(5) Roster of Special Inspectors. The Board shall maintain a roster of all persons certified as Special Inspectors pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Florida Board of Professional Engineers, c/o Florida Engineers Management Corporation, 1208 Hays Street, Tallahassee, Florida 32301.

Specific Authority 471.008, 471.033(2), 553.79(5)(a)-(d) FS. Law Implemented 471.033 FS. History-New

61G15-35.004 Common Requirements to All Engineers Providing Threshold Building Inspection Services.

(1) For each Threshold Building, a notice shall be filed for public record, bearing the name, address, signature, date and seal of the Special Inspector, certifying that the Special Inspector is competent to provide the engineering services for the specific type of structure.

(2) Threshold Building Inspectors utilizing Authorized Representatives shall insure the Authorized Representative is qualified by education or licensure to perform the duties assigned by the Threshold Building Inspector. The qualifications shall include licensure as a professional engineer or architect; graduation from an engineering education program in civil or structural engineering; graduation from an architectural education program; successful completion of the NCEES Fundamentals Examination; or registration as building inspector or general contractor.

(3) Threshold Building Inspectors shall be in responsible charge of the work of the Authorized Representative, including reviewing reports and spot checks.

(4) Threshold Building Inspectors shall institute quality assurance procedures to include but not be limited to requiring unscheduled visits, utilization or relevant check lists, use of a Daily Inspection Report and insuring that the Inspector or the Authorized Representative is at the project whenever so required by the inspection plan.

Specific Authority 471.008, 471.033(2), 553.79(5)(a)-(d) FS. Law Implemented 471.033 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Surveyors and Mappers**

RULE TITLE: Seals Acceptable to the Board  
RULE NO.: 61G17-7.001

PURPOSE AND EFFECT: The Board proposes to introduce a new, updated seal.

SUMMARY: Due to the change in the name.

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: 472.008, 472.025 FS.

LAW IMPLEMENTED: 472.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

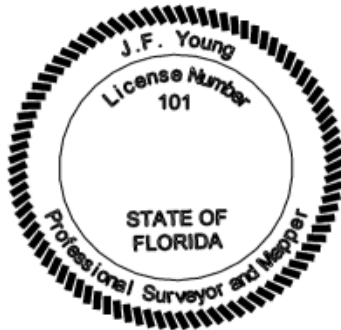
61G17-7.001 Seals Acceptable to the Board.

(1) through (3) No change.

(4) Registrants who ~~were~~ ~~are~~ initially licensed ~~between~~ ~~on~~ ~~or~~ ~~after~~ July 1, 1995 and July 1, 1999, shall use ~~only~~ the type of seal on the right or that provided for in subsection (6) below.

(5) No change.

(6) Seals for registrants licensed after July 1, 1999 shall state that the registrant is a professional surveyor and mapper of the state of Florida and set forth the registrant's license number as set forth below:



Specific Authority 472.008, 472.025 FS. Law Implemented 472.025 FS. History--New 1-3-80, Amended 6-9-80, Formerly 21HH-7.01, 21HH-7.001, Amended 5-30-95, 10-25-95, 12-13-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Surveyors and Mappers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 9, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2000

**DEPARTMENT OF HEALTH  
Board of Clinical Laboratory Personnel**

RULE TITLE: Continuing Education  
RULE NO.: 64B3-11.001  
PURPOSE AND EFFECT: The purpose of the development is to provide procedures relating to continuing education.  
SUMMARY: To make continuing education more effective in preventing behavior warranting discipline.  
SUMMARY OF STATEMENT OF ESTIMATED COST: No Statement of Estimated Regulatory Cost was prepared.  
Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
SPECIFIC AUTHORITY 455.564, 483.821 FS.  
LAW IMPLEMENTED 455.564, 483.821 FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.001 Continuing Education.

(1) In order to renew a clinical laboratory personnel license, a minimum of 24 contact hours of continuing education shall be earned during each biennium including a minimum of one (1) contact hour for each of the categories in which the individual is licensed and one (1) contact hour of continuing education on HIV/ AIDS. Directors and supervisors are required to obtain one (1) contact hour of continuing education in administration and supervision. As part of the minimum of 24 contact hours of continuing education, each licensee shall be required to take a one (1) hour course on Florida laws and rules governing clinical laboratory personnel or attend a public meeting of the full Board at which disciplinary actions are addressed. A telephone conference call meeting of the Board will not satisfy this requirement.

(2) through (8) No change.

Specific Authority 456.013, 455.564, 483.821 FS. Law Implemented 456.013, 455.564, 483.821 FS. History--New 2-22-94, Amended 7-13-94, Formerly 61F3-11.001, Amended 12-11-94, 3-28-95, 12-4-95, 7-1-97, Formerly 590-11.001, Amended 3-19-98, 12-13-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2000

**DEPARTMENT OF HEALTH  
Board of Clinical Laboratory Personnel**

RULE TITLE: Requirements for Continuing Education Providers  
RULE NO.: 64B3-11.003  
PURPOSE AND EFFECT: The Board proposes to update the existing rule text.  
SUMMARY: The purpose of the amendment is to restore prior language to the rule because the instructor's signature is unnecessary.  
SUMMARY OF STATEMENT OF ESTIMATED 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(7), 483.821 FS.  
LAW IMPLEMENTED 455.564(7), 483.821 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.003 Requirements for Continuing Education Providers.

Providers seeking Board approval shall meet the following requirements:

- (1) through (5) No change.
- (6) Providers shall furnish each participant with an authenticated certificate or letter of attendance which shall include the participant's name, license number, course title, number of contact hours earned, dates of attendance, program provider's name, specialty area, and the signature of the provider and instructor's signature.

Specific Authority 456.013 (7), 455-564(7); 483.821, 483.805(4) FS. Law Implemented 456.013(7), 455-564(7), 483.821 FS. History—New 2-22-94, Amended 7-13-94, Formerly 61F3-11.003, 59O-11.003, Amended 12-13-99, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2000

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Probable Cause Determinations

RULE NO.: 64B8-1.001

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the composition of the probable cause panels.

SUMMARY: The proposed rule amendment clarifies the composition of the Board's probable cause panels.

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: 120.53, 456.073(4) FS.

LAW IMPLEMENTED: 456.073(4) FS.

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

TIME AND DATE: 10:00 a.m., February 13, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.001 Probable Cause Determinations.

(1) The determination as to whether probable cause exists that a violation of the provisions of Chapters ~~456 455~~ and 458, Florida Statutes, and/or the rules promulgated pursuant thereto, has occurred shall be made by a majority vote of a probable cause panel of the Board.

(2) There shall be two probable cause panels of the Board. Each probable cause panel shall be composed of three members, one of whom may be a physician who was a past Board member who is not currently appointed to the Board and one of whom may be a past lay member who is not currently appointed to the Board ~~shall be a lay member of the Board.~~ One member of the probable cause panel must be a current Board member.

(3) The probable cause panel members shall be selected by the Chair of the Board, one (1) of whom shall be designated by the Chair of the Board as the presiding officer of the panel.

(4) Each probable cause panel shall meet at such times as called by the presiding officer of the panel or by two members of the panel.

Specific Authority 120.53, 456.073(4) ~~455-621, 458.307(2)(b), 458.309~~ FS. Law Implemented 456.073(4) ~~455-621, 458.307(2)(b)~~ FS. History—New 12-5-79, Amended 11-26-80, 5-27-81, Formerly 21M-18.06, Amended 12-4-86, 7-4-88, 1-1-92, Formerly 21M-18.006, 61F6-18.006, 59R-1.006, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 2, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2001

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Rule Governing Licensure and Inspection of Electrology Facilities

RULE NO.: 64B8-51.006

PURPOSE AND EFFECT: The Electrolysis Council proposed to set forth the criteria regarding safety and sanitary requirements of electrolysis facilities where laser equipment is used.

SUMMARY: This amendment serves to address specific requirements for safety and the sanitation of electrolysis facilities where laser equipment is used.

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

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

SPECIFIC AUTHORITY: 455.711, 455.712, 478.43(1),(4), 478.51(3) FS.

LAW IMPLEMENTED: 478.49, 455.711, 455.712(2),(3),(5), 478.51 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

(1) through (2) No change.

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

(g) In electrology facilities wherein laser equipment is used for hair removal, the following shall be provided:

1. Proof of certification of 30 hours of continuing education in laser hair removal for all electrologists using laser equipment in the facility.

2. Proof of certification as Certified Medical Electrologist for all electrologists using laser equipment in the facility

3. Proof of registration of laser as required by Section 501.122, Florida Statutes.

4. Written designation of laser safety officer.

5. Appropriate sign on door of laser room.

6. Lock on door of laser room.

7. Protective eyewear for all persons in laser room during operation of laser.

8. Fire extinguisher in vicinity of laser room.

9. Cold water and ice.

(4) through (7) No change.

Specific Authority 456.036 ~~455.711~~, 456.037 ~~455.712~~, 478.43(1),(4), 478.51(3) FS. Law Implemented 478.49, 456.036 ~~455.711~~, 456.037 ~~455.712~~(2),(3),(5), 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2000

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLES: Eligibility Determination Process

RULE NOS.: 65A-1.205

Food Stamp Program Case Processing

65A-1.602

PURPOSE AND EFFECT: The rule 65A-1.205 amendment revises some of the department’s application processing procedures applicable to all programs. The rule 65A-1.602 amendment removes rule text that becomes duplicative after the rule 65A-1.205 amendment.

SUMMARY: The rule 65A-1.205 amendment deletes statements requiring an abandonment notice following a request for additional information, incorporates a revised form by reference and clarifies rule statements about the deadline for providing requested information. The rule 65A-1.602 amendment deletes the existing paragraph (1) because the same policy is being implemented across program lines by the rule 65A-1.205 amendment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 409.919, 414.45 FS.

LAW IMPLEMENTED: 414.095, 414.31, 409.903, 409.904, 409.919, 410.033 FS.

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

TIME AND DATE: 2:00 p.m., February 12, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Audrey Mitchell, Program Administrator, Policy Support Unit, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700, Telephone (850)488-3090

THE FULL TEXT OF THE PROPOSED RULES IS:

65A-1.205 Eligibility Determination Process.

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

(c) Time standards for processing applications vary by public assistance program. The time standard begins with the date on which the department or an outpost site receives a signed and dated application and ends with the date on which benefits are made available or a determination of ineligibility is made. For the Medicaid program, the time standard ends on the date an eligibility notice is mailed. Applications must be processed and determinations of eligibility or ineligibility made within the following time frames:

Program	Application Processing Time Standards
Expedited Food Stamps	7 days
Food Stamps	30 days
Temporary Cash Assistance, Refugee Assistance and Child In Care	45 days
<del>Family Related Medical Assistance</del>	<del>45 days</del>
<del>Medical Assistance Programs Related to Supplemental Security Income policies, State Funded Programs, and Qualified Medicare Beneficiaries without disability</del>	<del>45 days</del>
Medical Assistance <u>and</u> Programs Related to Supplemental Security Income policies, State Funded Programs <u>for individuals who apply on the basis of</u> Qualified Medicare Beneficiaries <u>and Working Disabled with</u> disability	90 days
<u>For all other Medical Assistance and State Funded Programs for applicants on the basis Eligibility, including QMB, SLMB, and QI 1</u>	<u>45 days</u>

All days counted after the date of application are calendar days. Applicant delay days do not count in determining non-compliance with the time standard. See sub-paragraph (e) of this rule. Information provided on form CF-ES 2930, Screening for Expedited Medicaid Appointments, 11/99 (revised) (incorporated by reference) will be used in determining expedited processing of Medicaid disability-related applications.

(d) If the eligibility specialist determines at the interview or at any time during the application process that additional information or verification is required, or that an assistance

group member is required to register for employment services, the specialist must grant the assistance group 10 calendar days to furnish the required documentation or to comply with the requirements. For all programs, the verifications are due 10 calendar days from the date of request (i.e., the date the verification checklist is generated) or 30 days from the date of application whichever is later. ~~In cases where m~~Medical information is requested for temporary cash assistance related cases is the return due date is within 30 calendar days ~~following of the request or 30 days from the date of application whichever is later.~~ If the verification due date falls on a holiday or weekend, the deadline for the requested information is the next working day. ~~If the individual does not return the verifications or requested information during the time frames specified, an abandonment notice is mailed giving the individual additional time to comply with the request. The abandonment deadline is 30 calendar days from the date of the interview.~~ If the verification or information is difficult for the person to obtain, the eligibility specialist must provide assistance in obtaining the verification or information when requested or when it appears necessary. If the required verifications and information are not provided by the deadline ~~this~~ date, the application is denied, unless a request for extension is made by the applicant or there are extenuating circumstances justifying an additional extension. The eligibility specialist makes the decision of whether to grant the request for extension based on extenuating circumstances beyond the control of the individual, such as sickness, lack of transportation, etc. When all required information is obtained, the eligibility specialist determines eligibility for the public assistance programs. If the eligibility criteria are ~~is~~ met, benefits are authorized.

(e) through (f) No change

(2) through (6) No change.

Specific Authority 409.919, 414.45 FS. Law Implemented 414.095, 414.31, 409.903, 409.904, 409.919, 410.033 FS. History—New 4-9-92, Amended 11-22-93, 8-3-94, Formerly 10C-1.205, Amended 11-30-98, 9-27-00,

65A-1.602 Food Stamp Program Case Processing.

~~(1) Automatic Denial of Application for Food Stamps. When an AG is requested to verify information during the application process, the application will be pended for ten days from the date the verification is requested. The request for verification will inform the AG of the date(s) by which the information must be provided and that the application will be denied automatically if the requested information is not provided. If the requested verification is not received by the end of the ten day period, the AG will be advised that the application will be held open for a total of 30 days from the date the verification is requested. The assistance group (AG) will be provided the request for verification and a notice at the end of the ten day period. However, no other notification will be given regarding the requirement to provide the requested verification and automatic denial for failure to provide this~~

verification. If the verification is not received, the application will be denied automatically 30 days from the date the verification is requested.

(2) through (4) renumbered (1) through (3) No change.

Specific Authority 414.45 FS. Law Implemented 414.31 FS. History--New 1-31-94, Formerly 10C-1.602, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rodney McInnis, Management Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 9, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2000

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Reef Fish

RULE TITLES: RULE NOS.:

Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Exception, Wholesale/Retail Purchase Exemption 68B-14.0036

Commercial Harvest Requirements; Licenses, Season Closures, Special Restrictions 68B-14.0045

PURPOSE AND EFFECT: The purpose of this rulemaking under Section 120.54(6), Florida Statutes, is to conform Florida rules for the harvest of two species of the reef fish fishery, red porgy and greater amberjack, to recent changes in federal regulations applicable to adjacent federal Exclusive Economic Zone (EEZ) waters of the South Atlantic. A one-fish recreational daily bag and possession limit and 50-fish daily commercial harvest and possession limit for red porgy is implemented for state waters of the Atlantic Ocean, as well as a four-month closed commercial season for the species there. A 1000-pound daily commercial harvest and possession limit is also imposed for greater amberjack in state waters of the Atlantic Ocean. The effect of these rule amendments will be to make harvest rules for these species uniform between state and federal waters and, thus, make each jurisdiction's regulations enforceable.

SUMMARY: Subsection (5) of Rule 68B-14.0036, F.A.C., is amended to allow a one-fish daily recreational bag and possession limit on red porgy in state waters of the Atlantic Ocean. Paragraph (2)(h) of Rule 68B-14.0045, F.A.C., is amended to establish a closed commercial season for red porgy in state waters of the Atlantic Ocean, but to allow commercial harvesters to take a recreational bag limit. Paragraph (3)(c) of the rule is amended to impose a 1000-pound daily commercial harvest and possession limit on greater amberjack taken from

the state waters of the Atlantic Ocean. A new paragraph (3)(d) is added to the rule to impose a 50-fish daily commercial harvest and possession limit for red porgy in state waters of the Atlantic Ocean. These rule amendments have proposed effective dates of March 1, 2001.

SPECIFIC AUTHORITY: Article X, Section 16, Florida Constitution.

LAW IMPLEMENTED: Article X, Section 16, Florida Constitution.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), FLORIDA STATUTES.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

SUBSTANTIALLY AFFECTED PERSONS MAY, WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Exception, Wholesale/Retail Purchase Exemption.

(1) through (4) No change.

(5) Red porgy. ~~Beginning March 6, 2000~~, No recreational harvester shall harvest ~~in or~~ from state waters of the Atlantic Ocean more than 1 red porgy per day, nor possess more than 1 such fish while in, ~~or~~ on, or above state waters of the Atlantic Ocean or on any dock, pier, bridge, beach, or any fishing site adjacent to such waters, ~~any red porgy~~.

PROPOSED EFFECTIVE DATE: March 1, 2001.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 12-31-98. Amended 3-1-99, 10-22-99, 1-1-00, 3-6-00, Formerly 46-14.0036, Amended 3-1-01.

68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Special Restrictions.

(1) No change.

(2) Season closures.

(h) Beginning January 1 and continuing through April 30 each year ~~March 6, 2000~~, no person harvesting for commercial purposes shall harvest in or from state waters of the Atlantic Ocean, nor possess while in or on state waters of the Atlantic Ocean, any red porgy; provided, however, a person harvesting other species for commercial purposes during this closure may harvest and possess a recreational bag limit of red porgy

pursuant to Rule 68B-14.0036(5). During this closed season, the purchase, sale, or exchange of any red porgy harvested from state waters of the Atlantic Ocean is prohibited.

- (3) Special restrictions.
- (c) Amberjack.

1. No person harvesting for commercial purposes shall harvest or land any amberjack with a fork length less than 36 inches. No person shall purchase, sell, or exchange any amberjack with a fork length less than 36 inches.

2. Except during the three-month closed season specified above, no person harvesting for commercial purposes shall harvest in or from state waters of the Atlantic Ocean, possess while in or on such waters, or land from such waters more than 1,000 pounds of greater amberjack per day.

~~3.~~ No person harvesting for commercial purposes shall, on the same trip, harvest or possess greater amberjack pursuant to the bag limit specified in Rule 68B-14.0036(6).

(d) Red Porgy. Except during the closed season specified above, no person harvesting for commercial purposes shall harvest in or from state waters of the Atlantic Ocean, possess while in or on such waters, or land from such waters more than 50 pounds of red porgy per day.

PROPOSED EFFECTIVE DATE: March 1, 2001.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, 1-1-00, 3-6-00, Formerly 46-14.0045, Amended 3-1-01.

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

#### DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-154.530	Small Group Health Insurance Availability

#### SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 36, September 8, 2000, of the Florida Administrative Weekly. A notice of change was published in Vol. 26, No. 50, December 15, 2000. This change being made to address concerns expressed by the Joint Administrative Procedures Committee.

The rule is changed as follows:

In the last sentence, the citation to 641.31074(2)(c), Florida Statutes is changed to read 641.31074(2).

The remainder of the rule reads as previously published.

#### DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-156.0095	Guaranteed Issue for Eligible Persons
4-156.012	Filing and Approval of Policies and Certificates and Premium Rates

#### 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. 47, November 22, 2000, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

4-156.0095(2)(e)1.c. is changed to read:

c. Any PACE program under section 1894 of the Social Security Act.

4-156.012(4)(a)2. is changed to read:

2. An issuer that discontinues the availability of a policy form or certificate form pursuant to Rule 4-156.012~~(4)(a)1.~~ or section 627.410, Florida Statutes, shall not file for approval a new policy form or certificate form of the same type for the same standard Medicare supplement benefit plan as the discontinued form for a period of five (5) years after the issuer provides notice to the Department of the discontinuance. ~~The period of discontinuance may be reduced if the Department determines that a shorter period is appropriate.~~

The remainder of the rule reads as previously published.

#### DEPARTMENT OF CITRUS

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-14	Methods to Determine Compliance
RULE NO.:	RULE TITLE:
20-14.001	Methods to Determine Compliance

#### NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d), F.S., published in Vol. 26, No. 41, October 13, 2000, issue of the Florida Administrative Weekly:

20-14.001(1) through 20-14.001(34) No change.

(35) Sodium: As prescribed in "Sodium in Fruit and Fruit Products, Flame Spectrophotometric Method, AOAC Official Methods of Analysis," Chapter 37, Page 7 (1995) .

(36) Salmonella:

(a) As prescribed in FDA Bacteriological Analytical Manual, "Salmonella Culture Method for Pasteurized and Unpasteurized Orange Juice", Wallace H. Andrews, Geraldine A. June, Patricia S. Sherrod, Thomas S. Hammack, and R. Miguel Amaguana, 8th Edition, Revision A, 1998, Chapter 5, Revisions December, 1999.

(b) As prescribed in AOAC Official Methods of Analysis, 16th Ed. Section 17.9.13, AOAC Official Method 989.14, "Salmonella in Foods, Colorimetric Polyclonal Enzyme



Immunoassay,” Denis Hughes, Angela E. Dailianis, Louise Hill, Michael S. Curiale and Vidhya Gangar, Journal of AOAC International, Vol. 82, No. 3, Pages 634-647, 1999.

(e) As prescribed in AOAC Official Methods of Analysis, AOAC Official Method 2000.07, the “TECRA® Unique™ Test for Rapid Detection of Salmonella in Food: Collaborative Study”, Denise Hughes, Angela E. Dailianis, Louise Hill, Deborah A. McIntyre, Aimee Anderson, et. al., Vol. No. Pages

(37) E. coli:

(a) As prescribed in FDA Bacteriological Analytical Manual, Broth MPN Method “*Escherichia coli* and the Coliform Bacteria, Anthony D. Hitchins, Peter Feng, William D. Watkins, Scott R. Rippey, and Linda A. Chandler, 8th Ed., Chapter 4, 1995.

(b) As prescribed in AOAC Official Methods of Analysis, AOAC Official Method 991.14, “Dry Rehydratable Film for Enumeration of Total Coliforms and *Escherichia coli* in Foods: Collaborative Study”, Michael S. Curiale, Therese Sons, Dawn McIver, J. Sue McCallister, Barbara Halsey, Diane Roblee, and Terrance L. Fox, Journal of AOAC, Vol. 74, No. 4, 1991.

(c) As prescribed in AOAC Official Methods of Analysis, AOAC Official Method 996.09, “Visual Immunoprecipitate Assay (VIP) for Detection of Enterohemorrhagic *Escherichia coli* 0157:H7 in Selected Foods: Collaborative Study” Philip T. Feldsine, Maria T. Falbo-Nelson, Sharol L. Brunelle, and Robin L. Forgey, Journal of AOAC, Vol. 80, No. 3, 1997.

(38) Additional methods and analyses shall be those that achieve at least “First Action” status as an AOAC Official Method, or are introduced through expert testimony, opinion and other relevant evidence where the trier of fact determines that the testimony, evidence or opinion is otherwise admissible under Florida law.

(39) If one of the test methods in this section is used in an administrative or judicial enforcement proceeding, then, in addition to its rights to challenge the legal validity of the rule, the respondent or defendant may, in its defense, present competent substantial evidence relating to the accuracy or scientific validity of the test results, the test method, or both. Only if the respondent or defendant fails to present such evidence, shall such accuracy, scientific validity, or both, be presumed.

Specific Authority 601.10(1),(7), 601.11, 601.24, 601.25 FS. Law Implemented 601.02(5) FS. History—New 4-12-90, Amended 6-11-91, 3-20-94, 8-22-95, \_\_\_\_\_.

**DEPARTMENT OF CITRUS**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-49	Standards for Fresh Squeezed Citrus Juices
RULE NOS.:	RULE TITLES:
20-49.001	Purpose
20-49.002	Definitions
20-49.003	Fresh Squeezed Citrus Juices

20-49.004	Wholesale Producers – Testing
20-49.005	Wholesale Producers – Inspections
20-49.006	Small Producers – Testing
20-49.007	Small Producers – Inspections
20-49.008	Fresh Squeezed Orange Juice Marked with Florida Citrus Growers’ Certification Mark
20-49.009	Fresh Squeezed Grapefruit Juice Marked with Florida Citrus Growers’ Certification Mark

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d), F.S., published in Vol. 26, No. 41, October 13, 2000, issue of the Florida Administrative Weekly.

The effective date of proposed rules 20-49.001-20-49.009 will be March 15, 2001.

**DEPARTMENT OF CORRECTIONS**

RULE NOS.:	RULE TITLES:
33-506.203	Basic Training Program – Definitions
33-506.204	Basic Training Program Selection Process

**SECOND 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. 47, November 22, 2000, issue of the Florida Administrative Weekly, as amended by the notice of change published in Vol. 26, No. 50, December 15, 2000, issue of the Florida Administrative Weekly:

33-506.203 Basic Training Program – Definitions.

(1) through (10)(b) No change.

(c) Phase III – will consist of the offender's placement within a community residential facility to engage in gainful employment, pay restitution, participate in substance abuse programs, enroll in general education development or adult basic education classes as provided for in s. 958.145(6) and (8), F.S. applicable.

(11) No change.

(12) Youthful Offender, for purposes of being considered for basic training program participation pursuant to this rule, is defined as an inmate who was sentenced in accordance with s. 958.04, F.S., or who is designated a youthful offender by the department pursuant to 33-506.101(2), meeting criteria established in s. 958.045(8)(b), F.S., and whose ~~refers to any person who is found guilty of or who has tendered a plea of nolo contendere or guilty to a crime that is a felony and such crime was committed before the inmate’s 21st birthday. The inmate must not have been previously classified as a youthful offender nor found guilty of a capital or life felony.~~

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 958.04, 958.045 FS. History—New 2-26-89, Amended 1-25-96, 10-23-97, Formerly 33-27.003, Amended \_\_\_\_\_.

33-506.204 Basic Training Program Selection Process.

(1) through (f) No change.

~~(g) Has no current or prior conviction for a sexual offense, including adjudication withheld;~~

(h) through (j) renumbered (g) through (i) No change.

(2) through (3) No change.

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 946.40, 958.04, 958.045 FS. History—New 2-26-89, Amended 11-2-90, 1-25-96, 10-23-97, Formerly 33-27.004, Amended \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.:                      RULE TITLE:  
33-601.602                      Community Release Programs

**SECOND NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 37, September 8, 2000, issue of the Florida Administrative Weekly, as amended by the notice of change published in Vol. 26, No. 49, December 15, 2000, issue of the Florida Administrative Weekly:

33-601.602 Community Release Programs.

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

(e) When the inmate is ready for release a Transition Release Plan, Form ~~DC6-118D DC4-838C~~, shall be completed in order to assist the inmate in his or her release plans. Form ~~DC6-118D DC4-838C~~ is incorporated in (16) of this rule.

(3) through (16)(i) No change.

(j) ~~DC6-118D DC4-838C~~, Transition Release Plan, effective \_\_\_\_\_.

(k) through (l) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History—New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.:                      RULE TITLE:  
61G7-6.001                      Definitions

**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 published in Vol. 26, No. 33, August 18, 2000, issue of the Florida Administrative Weekly. Based on comments received from the Joint Administrative Procedures Committee, the Board has voted to change the rule as follows: (Substantial rewording of Rule 61G7-6.001 follows. See Florida Administrative Code for present text.)

61G7-6.001 Definitions.

To enable the Board and the Department to administer Part XI of Chapter 468, F.S., the Board hereby interprets the following terms as used in the definition of employee leasing as follows:

(1) “Actively involved” as used in s. 468.520(7), F.S., to determine whether an entity is an employee leasing company, the Board interprets actively involved to mean the actual exercise of duties on behalf of an employee leasing company. Any natural person who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of any employee leasing company, through direct or indirect control of 50 percent or more of the voting securities of an employee leasing company, is deemed actively involved.

(2) “Employment responsibilities” as used in s. 468.525(4), F.S., means all those responsibilities generally incumbent on an employer, including payment of wages and taxes and the right to hire, direct, control, discipline, and terminate employees.

(3) “Full Responsibility” as used herein to determine whether an employee leasing company’s contractual arrangements comply with the conditions as set forth in s. 468.525(4), F.S., means complete and total responsibility for the collection of and payment of all payroll taxes which are payable to the Internal Revenue Service and/or to the State of Florida for services performed by leased employees as leased employees.

(4) “Health benefits or health plan,” as used in s. 468.529, F.S., means provision of comprehensive major medical health benefits.

(5) “Intangible assets” as used herein to enable initial applicants to properly report their financial assets to meet the requirements for licensure, means assets that lack physical substance. The value of intangible assets is generally based on the value of the rights inherent in them or results from allocation of costs incurred to future periods, in which case they have no realizable or recoverable value outside of their ability to benefit future earnings in the normal course of operations. Intangible assets are normally subject to amortization. Examples of intangible assets include goodwill, copyrights, trademarks, patents, organization costs, deferred costs, client enrollment costs, and excess of assets acquired over purchase price.

(6) “Long-term ongoing nature” means a situation where a client company and an employee leasing company arranged for leased employees to do more than supplement the client company’s workforce in special work situations, such as employee absences, temporary skill shortages, seasonal workloads, and special assignments and projects. This definition in no way is meant to alter the concept of at-will employment.

(7) “Primarily responsible” as used in s. 468.529(1), F.S., means that the admitted carrier is liable for all claims incurred under the plan of insurance during its effective period,

regardless of any reimbursement or indemnification agreement between the licensed employee leasing company and the carrier. Any reimbursement or indemnification agreement between the employee leasing company and the admitted insurance carrier shall not limit or diminish the carrier's primary responsibility for its obligations under the health plan for the payment of claims incurred or the provision of benefits under the health plan.

(8) "Shared responsibility" as used in s. 468.525(4)(a), F.S., means that the client company exercises such right of direction and control over the leased employee as is necessary to conduct its business and without which the client would be unable to conduct its business, discharge any fiduciary responsibility which it may have, or comply with any applicable licensure, regulatory, or other responsibilities the client company may have.

(9) "Tangible accounting net worth" means net worth presented in accordance with generally accepted accounting principles as defined in Rule 61H1-20.007, F.A.C., incorporated herein by reference and effective \_\_\_\_\_ reduced by the aggregate amount of intangible assets.

(10) "Temporary" as used in 468.520(4), F.S., means a situation in which leased employees are not needed on a long-term, ongoing basis, but rather are only needed to support or supplement the client company's work force in special work situations, such as employee absences, temporary skill shortages, seasonal workloads, and special assignments and projects, for a period not to exceed one year.

Specific Authority 468.520, 468.522, 468.525 FS. Law Implemented 468.520, 468.522, 458.525(4), 468.529(1) FS. History--New 7-20-92, Formerly 21EE-6.001, Amended 9-14-93, 10-24-94, 7-18-95,\_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Employee Leasing Companies, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0767

**DEPARTMENT OF HEALTH**

**Board of Medicine**

<p>RULE NO.: 64B8-56.002</p>	<p>RULE TITLE: Equipment and Devices; Protocols for Laser and Light-based Devices</p>
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**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Medicine hereby gives notice of an additional public hearing on the above-referenced rule to be held on February 3, 2001, at 2:00 p.m., or as soon thereafter as can be heard, at the Wyndham Westshore Hotel, 4860 West Kennedy Boulevard, Tampa, Florida 33609. The rule was originally published in Vol. 26, No. 24, of the June 16, 2000, Florida Administrative Weekly. The additional public hearing is in response to a request for hearing following publication of the Second Notice of Change, which appeared in Vol. 26, No. 51, of the December 22, 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 32399-1753

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).

**Section IV  
Emergency Rules**

**NONE**

**Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection gives notice of its intent to issue a modification to a variance to Farmland Hydro, L.P., P. O. Box 960, Bartow, Florida 33831-0960, Polk County, pursuant to section 378.212, F.S., and rule 62C-16.0045, F.A.C.

On September 11, 1990, the Governor and Cabinet, sitting as the agency head of the Department of Natural Resources, approved an application for a variance, filed by IMC Fertilizer, Incorporated, (currently IMC Phosphates Company) and Farmland Industries (currently Farmland Hydro L.P.) to delay final reclamation and restoration of reclamation program IMC-NP-NPA(2), pursuant to Chapter 378, Part III, Florida Statutes (F.S.), and Chapter 62C-16, Florida Administrative Code (F.A.C.). On July 14, 1994, the reclamation and restoration program was amended and assigned application code IMC-NP-NPA(1D).

Farmland Hydro L.P., (Farmland) filed an application with the Department of Environmental Protection's (formerly Department of Natural Resources) Bureau of Mine Reclamation on December 17, 1999, seeking a modification to the approved variance of the reclamation program IMC-NP-NPA(1D) at the Noralyn/Phosphoria Mine in Polk County.

The variance modification sought by Farmland Hydro L.P., has three components. First, the modification proposes a change in land use designation to industrial where the gypsum stack expansion area is located within the NPA(1D) reclamation area. Second, the reclamation plan identified within the department's Consent Order No. 98-1935, will be incorporated

into the final reclamation of the variance area and, finally, the reclamation of the gypstack expansion and treatment pond network will be completed after the stack is deactivated. Approximately 354 acres associated with the gypstack expansion will be reclaimed under rule 62-673, F.A.C., and approximately 397.7 acres associated with the treatment pond network will be reclaimed under rule 62C-16, F.A.C.

The proposed gypsum stack expansion area within the IMC-NP-NPA(1D) reclamation area would be used throughout the life of the Farmland chemical plant complex and would delay final reclamation for approximately twenty-one (21) years. Therefore, a variance to rule 62C-16.0051(11)(b)4., F.A.C., which requires reclamation and restoration be complete within two (2) years after completion of mining operations, will be required for the timing of the gypsum stack expansion reclamation.

The application 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, 2051 East Dirac Drive, Tallahassee, Florida 32310.

Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the variance or even a denial of the application. Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the

proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a),(4), petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action;
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301. Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for

administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This intent to issue a variance modification constitutes an order of the Department. The applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

On October 6, 2000, the Department received a request for variance/waiver pursuant to Section 376.3071(12)(k)(5), F.S. (2000), from Miller Enterprises, Inc. requesting a permanent variance/waiver from certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition was assigned OGC case #00-1912. A Notice of Receipt of Petition for Variance/Waiver was published in the October 20, 2000, F.A.W. On December 15, 2000, the petition was granted for certain documentation that was required from RSDI Environmental, Inc. Copies may be received from the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Rebecca Grace.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on December 21, 2000, a petition from Mr. Robert C. Kratz, seeking a waiver of certain payment documentation and record-keeping requirements of 376.3071, Florida Statutes, and 62-773, Florida Administrative Code. The petition has been assigned OGC case number 00-2221 and is for C&D Service Station located at 1190 Northwest 72nd Avenue, Miami, Florida, FDEP Facility #138504093. Copies may be received from, and written comments submitted to: Rebecca Grace, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Comments must be received no later than 14 days from the date of publication of this notice.

#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Speech Language-Pathology and Audiology issued a Final Order in response to a Petition for Waiver and Variance filed on

November 16, 2000 by Danielle M. Sevier seeking a waiver of Rule 64B20-2.005(3), Florida Administrative Code. The Petition was first published in Vol. 26, No. 48 of the December 1, 2000 issue of the Florida Administrative Weekly. Petitioner requested the Board accept her November 8, 1997 passing score on the licensure exam beyond the three (3) year threshold required in the Rule. The Board voted to GRANT Petitioner's request since Petitioner established that it would create a substantial hardship to Petitioner if her request was not granted. The Order was issued and filed with the Clerk, December 29, 2000.

For a copy of the Final Order, contact: Sue Foster, Executive Director, Board of Speech Language-Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255.

## **Section VI Notices of Meetings, Workshops and Public Hearings**

### **DEPARTMENT OF STATE**

The **Department of State, Division of Cultural Affairs** announces the following public meetings to which all persons are invited.

COMMITTEE: Art Selection Committee

DATE AND TIME: Wednesday, February 7, 2001, 10:00 a.m.

PLACE: Florida Department of Transportation, Administration Building, Santa Fe Conference Room, 1636 Lake Jeffrey Road, Lake City, FL 32055, (904)961-7028

PURPOSE: To hold a Proposal meeting to review and discuss final proposals for Art in State Buildings Project No. DOT 213896, Lake City District Office, Columbia County, Florida

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, February 8, 2001, 1:30 p.m.

PLACE: Leon County Health Department, Southside Clinic, Auditorium, 870 Orange Avenue, West, Tallahassee, FL 32304-3800, (850)414-7845

PURPOSE: To hold a Proposal meeting to review and discuss final proposals for Art in State Buildings Project No. DOH 9620/9300, Leon County Health Department, Tallahassee, Florida

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, February 15, 2001, 3:30 p.m.

PLACE: 5th District Court of Appeals, Conference Room, 300 South Beach Street, Daytona Beach, FL 32114, (904)947-1500

PURPOSE: To hold an Orientation meeting to determine potential artwork sites for Art in State Buildings Project No. JB 9003/7000, 5th District Court of Appeals Addition, Daytona Beach (Volusia County), Florida

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling (850)488-5779 (TT).

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#### DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

**DATES AND TIME:** Wednesday, January 31, 2001; Thursday, February 1, 2001, 8:30 a.m. – 5:00 p.m.

**PLACE:** The Miami International Airport Hotel, Miami International Airport, Meeting Rooms F and G, N. W. 20th Street and LeJeune Road, Miami, Florida 33122

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda call: Carol Davis Feagin, (850)922-4539.

If you need an accommodation because of disability in order to participate, please call Carol Davis Feagin at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

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#### 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:** January 31, 2001, 5:00 p.m.

**PLACE:** Prime Osborne Convention Center, Room 203, 1000 Water Street, Jacksonville, FL

**PURPOSE:** Fire Fighters Standards and Training Advisory Council Sub-committee meeting on Officer Candidate School.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486.

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Forestry Arson Alert Association, Inc.** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, February 2, 2001, 10:30 a.m.

**PLACE:** Prime Osborne Convention Center, Fire Rescue East Conference, Jacksonville, Florida

**PURPOSE:** To consider the following agenda items: 1) Arson rewards; 2) Budget; 3) Prevention Items; 4) New Business.

A copy of the agenda may be obtained by writing: Mr. L. Earl Peterson, Division of Forestry, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)488-6111.

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The **Department of Agriculture and Consumer Services** announces a meeting of the Animal Industry Technical Council.

**DATE AND TIME:** February 22, 2001, 10:00 a.m.

**PLACE:** Florida Farm Bureau Federation, 5th Floor Boardroom, 5700 Southwest 34th Street, Gainesville, Florida 32608, (352)374-1542

**PURPOSE:** To discuss animal health issues of concern to the agricultural industry both intrastate and interstate and to provide a forum for the Department to keep agricultural industry groups abreast of state and national activities as they relate to animal health issues in Florida, and activities of other states and USDA, affecting Florida's agriculture animal industries.

A copy of the agenda can be obtained by contacting: Dr. Leroy Coffman, Florida Department of Agriculture and Consumer Services, 335 Mayo Building, Tallahassee, FL 32399-0800, (850)410-0900.

If special accommodations are needed to attend this meeting because of a disability, please contact the above mentioned as soon as possible.

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#### DEPARTMENT OF EDUCATION

The **State Board of Independent Colleges and Universities** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, February 1, 2001, 9:00 a.m.

**PLACE:** National-Louis University, 4950 West Kennedy Blvd., Suite 300, Tampa, FL

**PURPOSE:** Special Committee on Licensure Standards. To discuss possible updates for licensure standards. The Board welcomes participation from any interested members of the public.

Any person who desires a copy of the proceedings should arrange to tape the meetings. If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise the Board at least five calendar days before the meeting by contacting Mary Cook, (850)488-8695.

The **Polk County School Readiness Coalition**, Inc. announces the following meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 17, 2001, 8:30 a.m.

PLACE: Citrus and Chemical Bank, 600 N. Broadway Avenue, Bartow, FL

PURPOSE: Board of Directors meeting to consider and discuss business relating to contracting with the state Partnership for School Readiness.

For more information access the following website: [www.pcsb.k12.fl.us/information/coalition.htm](http://www.pcsb.k12.fl.us/information/coalition.htm)

The Florida **Division of Blind Services** and the **Rehabilitation Council for the Blind** announces the following meeting.

DATES AND TIMES: February 2, 2001, 8:30 a.m. – 4:30 p.m.; February 3, 2001, 8:30 a.m. – 12:00 Noon

PLACE: Embassy Suites Hotel, USF, 3705 Spectrum Blvd., Tampa, FL 33612, (813)977-7066

PURPOSE: Quarterly Meeting of the Council.

A copy of the agenda may be obtained by contacting: Phyllis Dill, Division of Blind Services, 2551 Executive Center Circle, West, Suite 200, Lafayette Bldg., Koger, Tallahassee, FL 32399, (850)488-1330 or through the Florida Telephone Relay System, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The Florida Community College Distance Learning Consortium of the **State Board of Community Colleges** announces the following public meeting to which all persons are invited to participate.

DATES AND TIMES: Thursday, February 8, 2001, 1:00 p.m. – 5:00 p.m.; Friday, February 9, 2001, 8:00 a.m. – 3:00 p.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Tallahassee, FL 32304-3895

PURPOSE: Regular Quarterly Business Meeting.

NOTE: If you need additional information or special services to participate in the meeting, please contact the Florida Community College Distance Learning Consortium, University Center, Building C, Suite C-1100, Tallahassee, FL 32306-2732, (850)645-4826.

## DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

### SEP CFF MEETING

DATE AND TIME: January 25, 2001, 10:30 a.m. – 2:00 p.m.

PLACE: Department of Management Services, Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1) Status of Policy Report
- 2) Briefing – Energy 2020 Commission: Status Report
- 3) Update on inventory and Resource Manual

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Alexander Mack, Community Program Administrator, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

## DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Professionalism Program announces the following meeting dates and times for the **Criminal Justice Standards and Training Commission** and Commission-related meetings. The Quarterly Criminal Justice Standards and Training Commission meetings. All parties are invited to attend.

Training Center Directors' Committee Meetings

DATE AND TIME: Tuesday, January 30, 2001, 4:00 p.m.

Training Center Directors' Plenary Meeting

DATE AND TIME: Wednesday, January 31, 2001, 8:30 a.m.

Probable Cause Determination Hearings

DATE AND TIME: Wednesday, January 31, 2001, 8:30 a.m.

Commission Workshop

DATE AND TIME: Wednesday, January 31, 2001, 2:00 p.m.

Criminal Justice Standards and Training Commission meeting business agenda

DATE AND TIME: Thursday, February 1, 2001, 8:30 a.m. – 1:00 p.m.

Officer Discipline Case Proceedings for Final Disposition

DATES AND TIMES: Thursday, February 1, 2001, 1:00 p.m. – Open; Friday, February 2, 2001, 8:30 a.m. – Open

PLACE: Hilton Jacksonville and Towers, 1201 Riverplace Boulevard, Jacksonville, Florida 32207. Telephone Number for Hotel Reservations, (904)398-8800

PURPOSE: To discuss standards and training for criminal justice officers, certification and decertification of criminal justice officers, final agency action on officer discipline cases, and certification and re-certification of Commission-certified criminal justice training schools. The Commission Workshop will include an Executive Planning Committee meeting and presentation of the new Defensive Tactics Curriculum.

COMMISSION MEETING AGENDAS: A copy of the February 2001, Commission Meeting agenda may be obtained by contacting Donna Hunt, (850)410-8615, and a copy of the Officer Discipline agenda may be obtained by contacting Brenda Presnell, (850)410-8648. If you wish to write the Commission for a copy of the above agendas, please write: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. If you wish to call or write for a copy of the Training Center Directors' Association agenda, please write or call Training Center Director Association Chairman Ed Mandt, (954)475-6788, Broward Community College, Criminal Justice Institute, 3501 Southwest Davie Road, Fort Lauderdale, FL 33314.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (850)410-8615, at least two (2) weeks prior to the meeting.

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## DEPARTMENT OF REVENUE

The Florida **Department of Revenue** announces a meeting of the Communication Services Tax Advisory Committee to the Executive Director to which all persons are invited.

DATE AND TIME: February 15, 2001, 8:00 a.m.

PLACE: Building C-1, Capital Center, 5050 West Tennessee Street, Tallahassee, Florida

PURPOSE: The purpose of this public meeting is for the Department of Revenue to advise the Committee about the Department's transition strategy, business processes, rulemaking and future legislative issues and obtain recommendations regarding the Communication Services Tax.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any public meeting conducted by the Department is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

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## DEPARTMENT OF TRANSPORTATION

NOTICE OF CANCELLATION – The Florida **Department of Transportation** announces the cancellation of the public meeting of the Transportation Outreach Program Advisory Council to which was scheduled as follows.

DATE AND TIME: January 25, 2001, 12:00 Noon

PLACE: Greater Orlando Aviation Authority, Orlando International Airport, One Airport Boulevard, Landside Terminal, Second Level Board Room, Orlando, Florida 32827

Notice of this meeting was published in the January 12, 2001, issue of the Florida Administrative Weekly.

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The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: February 6, 2001, 11:00 a.m. – 3:00 p.m.

PLACE: 4300 West Cypress Street, Suite 1000, Tampa, Florida 33607

PURPOSE: Discuss the Department of Transportation Performance Measures.

Information and a copy of the agenda may be obtained by contacting: Florida Transportation Commission, Room 176, 605 Suwannee Street, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting are asked to advise the Commission at least 48 hours before the meetings by contacting Cathy Goodman, (850)414-4105.

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Sarasota County and the **Department of Transportation**, District 1, in cooperation with the United States Coast Guard, announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, February 15, 2001, 7:00 p.m.

PLACE: Pine View School, 1 Python Path, Osprey, Florida

PURPOSE: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of proposed improvements to the Blackburn Point Bridge on County Road 789 in Sarasota County, Financial Project Identification Number: 200538-1-32-02.



Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call Antone Sherrard, (863)519-2304.

Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Bryan Williams, District Environmental Manager, Florida Department of Transportation, District 1, Post Office Box 1249, Bartow, Florida 33831.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

UNDOCKETED: Distributed Generation Workshop

DATE AND TIME: Tuesday, January 30, 2001, 9:30 a.m. – 5:00 p.m.

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

PURPOSE: To allow interested persons to make presentations concerning recent developments in the area of distributed resources. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the workshop.

A copy of the agenda for this workshop may be obtained by writing: Director, Division of Records and Reporting, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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

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The Florida **Energy 2020 Study Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 31, 2001, 9:30 a.m.

PLACE: Room 412, Knott Building, 111 W. St. Augustine Street, Tallahassee, Florida

PURPOSE: The Commission will hear presentations on restructuring Florida's electricity market and discuss information relevant to determining what Florida's electric energy needs will be over the next 20 years, and how best to supply those needs in an efficient, affordable and reliable manner that will ensure adequate electric reserves.

A copy of the agenda for this meeting may be obtained by writing: Executive Director, Florida Energy 2020 Study Commission, Office of the Governor, Room 225B, Knott Building, Tallahassee, Florida 32399-0001.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Executive Director, (850)413-7777, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired may contact the Florida Energy 2020 Study Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

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The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990874-TP – Request for arbitration concerning complaint of US LEC of Florida Inc. against BellSouth Telecommunications, Inc. regarding breach of terms of interconnection agreement and request for relief.

DATE AND TIME: February 5, 2001, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: February 6, 2001, 9:30 a.m.

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

PURPOSE: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting: Division of Records and Reporting, (850)413-6770 or writing to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard,

Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com> at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: February 6, 2001, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

PURPOSE: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\***

**EXECUTIVE OFFICE OF THE GOVERNOR**

NOTICE OF CHANGE – The **Executive Office of the Governor**, Office of Tourism, Trade and Economic Development announces a public meeting to which all persons are invited.

MEETING: The Governor’s Council of Economic Advisors

DATE AND TIME: Thursday, January 25, 2001, 9:00 a.m. – 12:00 Noon

PLACE: The Capitol, Plaza Level, PL-03 Conference Room, Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE DISCUSSED: The impact of local, national and global economic forces influencing the state.

For further information contact: Katherine Morrison, Office of Tourism, Trade and Economic Development, The Capitol, Suite 2001, Tallahassee, FL 32399-0001, (850)487-2568.

Any person requiring a special accommodation at this meeting because of a disability should contact Katherine Morrison, (850)487-2568, no later than two (2) days prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Executive Office of the Governor**, Select Task Force on Election Procedures, Standards and Technology announces its first meeting to which all interested parties are invited to attend.

DATE AND TIME: February 1, 2001, 9:00 a.m. – 5:00 p.m.

PLACE: City of Davie, Nova Southeastern University Health Professions Auditorium, 3200 South University Drive, Davie, FL 33328

PURPOSE: To review and to discuss the State of Florida’s election procedures, standards and technology.

A copy of the meeting agenda may be obtained by writing: Mark Pritchett, Executive Vice President, Collins Center for Public Policy, Inc., P. O. Box 1658, Tallahassee, FL 32302-1658.

**REGIONAL PLANNING COUNCILS**

The **Northeast Florida Regional Comprehensive and Project Planning Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Friday, January 26, 2001, 9:00 a.m.

PLACE: St. Johns County Commission Chambers, Jacksonville, FL

PURPOSE: Comprehensive and Project Planning Committee Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Comprehensive and Project Planning Committee** announces the following public meeting to which all persons are invited.

DATE AND TIME: Monday, January 29, 2001, 9:00 a.m.

PLACE: St. Johns County Commission Chambers, Jacksonville, FL

PURPOSE: Comprehensive and Project Planning Committee Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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**The Northeast Florida Regional Planning Council Personnel**, Program Planning and Budget Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2001, 9:00 a.m.

PLACE: World Golf Village, Jacksonville, FL

PURPOSE: To discuss pending personnel, program planning and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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**The Northeast Florida Regional Planning Council**, Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2001, 9:00 a.m.

PLACE: World Golf Village, Jacksonville, FL

PURPOSE: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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**The Northeast Florida Regional Planning Council**, Transportation Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2001, 9:00 a.m.

PLACE: World Golf Village, Jacksonville, FL

PURPOSE: To discuss pending transportation committee items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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**The Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2001, 10:00 a.m.

PLACE: World Golf Village, Jacksonville, FL

PURPOSE: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Ginny Montgomery, (904)363-6350, Extension 146, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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**The East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, February 21, 2001, 9:00 a.m., Finance Committee; 9:30 a.m., Executive Committee

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

PURPOSE: Regular meeting of the Executive and Finance Committees.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751.

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**The East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 21, 2001, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

PURPOSE: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751.

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The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, March 21, 2001, 9:00 a.m., Finance Committee; 9:30 a.m., Executive Committee

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

PURPOSE: Regular meeting of the Executive and Finance Committees.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751.

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The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 21, 2001, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

PURPOSE: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751.

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The **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting, to which all persons are invited.

DATE AND TIME: Wednesday, February 7, 2001, 9:30 a.m.

PLACE: Citrus and Chemical Bank, 3rd Floor, Conference Room, 600 North Broadway Avenue, Bartow, Florida

PURPOSE: Regular Monthly Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 8, 2001, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Agency on Bay Management Executive Steering and Subcommittee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 12, 2001, 8:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, FL 33702

PURPOSE: Executive/Budget Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 12, 2001, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, FL 33702

PURPOSE: Tampa Bay Regional Planning Council.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 26, 2001, 9:30 a.m. (Subject to cancellation – please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a

verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 5, 2001, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

PURPOSE: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Miami-Dade County; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting, 10:00 a.m., at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before 9:00 a.m. and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD) if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

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The **Treasure Coast Regional Planning Council** announces the following workshop to which all persons are invited.

DATE AND TIME: January 29, 2001, 6:00 p.m. – 8:00 p.m.

PLACE: Jupiter Farms Community Church, 12600 Indiantown Road, Jupiter, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a workshop on the WCI, Parcel 19 DRI.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

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The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Overall Economic Development Program Committee to which all persons are invited.

DATE AND TIME: February 8, 2001, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

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The **Treasure Coast Regional Planning Council** and the **Department of Community Affairs** announces a Regional Assessment Workshop to which all persons are invited.

DATE AND TIME: February 15, 2001, 8:30 a.m. – 12:30 p.m.

PLACE: Indian River Community College Technical Development and Training Center, 851 Johnson Avenue, Stuart, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To learn issues that local governments and the region are facing and how those issues can be addressed.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

**DEPARTMENT OF CORRECTIONS**

The **Florida Corrections Commission** announces the following public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, January 25, 2001, 9:00 a.m. – 3:00 p.m.

PLACE: Florida Parole Commission, Hearing Room C-307, 2611 Blair Stone Road, Tallahassee, Florida 32301

PURPOSE: The Commission will hold a meeting for the purpose of discussing issues to be included in the 2001 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 the staff at least 48 hours prior to the meeting in order to request any special assistance.

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a telephone conference of its Coordinating Committee to discuss general issues.

DATE AND TIME: Tuesday, January 16, 2001, 10:00 a.m., and subject to a continuance

PLACE: Call (850)487-2613 for instruction on participation

PURPOSE: The purpose of the meeting is to discuss issues to be on the agenda for the full Workers' Compensation Oversight Board meeting.

For further information about this telephone conference, contact: Carolyn Smith, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, (850)487-2613, two days prior to the date of the meeting.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a board meeting to which the public is invited.

DATE AND TIME: Thursday, February 1, 2001, 10:00 a.m.

PLACE: TBA

PURPOSE: To discuss issues of interest to the Board.

For a copy of the agenda or for further information about this meeting, contact: Carolyn Smith, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, (850)487-2613.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**WATER MANAGEMENT DISTRICTS**

The **St. Johns River Water Management District** announces the following Projects Committee.

DATE AND TIMES: Thursday, January 25, 2001, 1:00 p.m. – 2:00 p.m., Middle Basin Project Briefing, followed by an aerial tour of the Middle St. Johns River Basin. The Committee will also meet at 7:00 p.m. in the lobby at the Courtyard at Lake Lucerne to attend dinner

PLACE: Herndon Airport, 501 Herndon Avenue, Orlando Florida

PURPOSE: For information only.

For a copy of the itinerary write: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or call Sonia Kuecker, Business Resource Specialist IV, Department of Water Resources, (904)312-2330.

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 Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

NOTE: If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may

need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **St. Johns River Water Management District** announces the following public meeting to which all persons are invited.

MEETING: Governing Board

DATE AND TIME: Monday, January 31, 2001, 11:00 a.m.

PLACE: Holiday Inn, Board Room, 2620 West International Speedway Blvd., Daytona Beach, FL 32114

PURPOSE: Discussion of high level measures and budget planning process.

Anyone requiring a special accommodation to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting: Ann Freeman, (904)329-4101 or (904)329-4450 (TDD).

NOTE: If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearing(s), such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** (SWFMWD) announces the following public meetings to which all interested persons are invited.

**BASIN BOARD EDUCATION COMMITTEE MEETING**

DATE AND TIME: Wednesday, January 24, 2001, 9:30 a.m.

PLACE: SWFMWD, 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, January 30, 2001, 9:00 a.m.

PLACE: SWFMWD, 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, January 31, 2001, 9:00 a.m.

PLACE: SWFMWD, Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Meeting and Public Hearing.

Note: Following the meeting, Board members will be taken on an overflight to observe wellfields and drought conditions in Hillsborough, Pasco and Hernando Counties.

**WITHLACOOCHEE RIVER BASIN BOARD MEETING**

DATE AND TIME: Tuesday, February 6, 2001, 8:30 a.m.

PLACE: Lecanto Government Building, 3600 W. Sovereign Path, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

**COASTAL RIVER BASIN BOARD MEETING**

DATE AND TIME: Tuesday, February 6, 2001, 1:00 p.m.

PLACE: Lecanto Government Building, 3600 W. Sovereign Path, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

**HILLSBOROUGH RIVER BASIN BOARD MEETING**

DATE AND TIME: Wednesday, February 7, 2001, 1:00 p.m.

PLACE: Plant City, City Hall, 302 W. Reynolds Street, Plant City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

Note: Board members may meet for lunch in City Hall prior to the meeting.

**NORTHWEST HILLSBOROUGH BASIN BOARD**

DATE AND TIME: Thursday, February 8, 2001, 9:00 a.m.

PLACE: Austin Davis Memorial Library, 17808 Wayne Road, Odessa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

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), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

**GREEN INDUSTRY ADVISORY COMMITTEE**

DATE AND TIME: Thursday, February 1, 2001, 12:00 Noon

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

**AGRICULTURAL ADVISORY COMMITTEE**

DATE AND TIME: Tuesday, February 6, 2001, 5:30 p.m.

PLACE: City of Arcadia Parks and Recreation Department, Margaret Wey Bldg., 23 North Polk Avenue, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business. Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all interested parties are invited.

DATE AND TIME: January 26, 2001, 10:00 a.m. – 4:00 p.m.

PLACE: South Florida Water Management District, Headquarters, B-1 Building, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To discuss the Project Management Plans (PMPs) for the Lake Okeechobee and Western Hillsboro Aquifer Storage and Recovery (ASR) Pilot Projects.

NOTE: Due to extensive demolition and construction at the main complex for the next 18 months, parking will be severely impacted. Additional parking for the public will be available at the National Guard Armory just east of the main complex or at Lake Lytel Park, located west of the main complex.

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 of the meeting to make appropriate arrangements.

For more information, contact Peter Kwatkowski, SFWMD, Project Manager, (561)682-2547, Richard Nevulis, SFWMD, Project Manager, (561)682-6242 or Glenn Landers, USACE, Project Manager, (904)232-2125.

The **South Florida Water Management District** announces a public workshop/meeting which may be conducted by means of or in conjunction with communications technology to which all interested parties are invited.

DATE AND TIME: February 14, 2001, 9:00 a.m.

PLACE: District Headquarters, B-1 Building Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A. Regular Governing Board Workshop/Meeting to discuss and consider District business including regulatory and non-regulatory matters;

B. Conduct meeting of the Human Resources Committee;

C. Conduct meeting of the Audit Committee.

NOTE: Due to extensive demolition and construction at the main complex for the next 18 months, parking will be severely impacted. Additional parking for the public will be available at the National Guard Armory just east of the main complex or at Lake Lytel Park, located west of the main complex.

All of part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference in order to take action on items listed on the Thursday, February 15, 2001, meeting agenda, including regulatory and non-regulatory items.

DATE AND TIME: February 14, 2001, time to be determined

PLACE: To be determined

PURPOSE: Possible off-site dinner with Governing Board members after workshop/meeting. No discussion of Governing Board's business or activities shall occur between or among board members at this dinner site.

DATE AND TIME: February 15, 2001, 7:00 a.m.

PLACE: To be determined

PURPOSE: Breakfast workshop with Governing Board members and senior staff.

DATE AND TIME: February 15, 2001, 8:30 a.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Regular Governing Board meeting for consideration of regulatory and non-regulatory matters, including public meetings. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or may be acquired via the SFWMD Web Site at <http://www.sfwmd.gov/agenda.html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact 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 Darryl Bell, Governing Board Operations Director, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

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### COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a meeting of the Rural Capital Sub-Committee of the Finance, Auditing and Program Performance (FAPP) Committee to which all persons are invited.

DATE AND TIME: Friday, February 2, 2001, 10:00 a.m. – completion

PLACE: 2740 Centerview Drive, Rhyne Building, Suite 1-A, Tallahassee, Florida, (850)488-6036

PURPOSE: To review applications for the rural capital funds and prepare recommendations for the Finance, Audit and Program Performance Committee.

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 meeting of the Finance, Auditing and Program Performance (FAPP) Committee to which all persons are invited.

DATE AND TIME: Friday, February 9, 2001, 10:00 a.m. – completion

PLACE: 2740 Centerview Drive, Rhyne Building, Room 308, Tallahassee, Florida, (850)488-6036

PURPOSE: To approve minutes from the previous meeting, review Rural Capital Subcommittee recommendations, review the consultant contracts, review the financial report and follow-up on other matters pending before the committee.

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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### EXPRESSWAY AUTHORITIES

The **Tampa-Hillsborough County Expressway Authority** announces the Meeting Schedule for 2001. Regular meetings of the Authority are open to the public.

### Committee Meetings

DATES AND TIME: January 11, 2001; February 8, 2001; March 8, 2001; April 12, 2001; May 10, 2001; June 14, 2001; July 12, 2001; August 9, 2001; September 13, 2001; October 11, 2001; November 8, 2001; December 13, 2001, 2:00 p.m.

PLACE: Authorities Administrative Office, 412 E. Madison, Suite 800, Tampa, Florida

### Board Meetings

DATES AND TIME: January 22, 2001; February 26, 2001; March 26, 2001; April 23, 2001; May 21, 2001; June 25, 2001; July 23, 2001; August 27, 2001; September 24, 2001; October 22, 2001; November 26, 2001; December 17, 2001, 4:00 p.m.

PLACE: BOCC Board Room, 2nd Floor, County Center, 601 E. Kennedy Blvd., Tampa, Florida

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### REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following public meeting to which all interested parties are invited.

DATE AND TIME: Thursday, February 1, 2001, 10:00 a.m.

PLACE: Manatee Convention and Civic Center, One Haben Boulevard, Palmetto, FL

PURPOSE: The Peace River/Manasota Regional Water Supply Authority, in cooperation with the Southwest Florida Water Management District, will host a forum for local government officials for the purpose of reviewing pertinent elements of the District's draft "Water Supply Plan" and participating in the development of a consensus among local governments on future water supply planning and development in the region. In attendance at this meeting may be members of the Southwest Florida Water Management District's Governing Board and Basin Boards.

A copy of the agenda may be obtained by writing: Peace River Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

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The **Peace River/Manasota Regional Water Supply Authority** announces the following public meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, February 7, 2001, 10:00 a.m.

PLACE: Manatee County Administrative Center, 1112 Manatee Avenue, West, Bradenton, FL

PURPOSE: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based. Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

**SPACEPORT FLORIDA AUTHORITY**

The **Spaceport Florida Authority** announces a Board of Supervisors meeting to which the public is invited.

DATE AND TIME: January 22, 2001, 10:00 a.m. – 4:00 p.m.  
 PLACE: Canaveral Port Authority, Commission Meeting Room, 200 George E. King Boulevard, Port Canaveral, Florida 32920

PURPOSE: The Board will continue discussion on the status of ongoing projects, including Service Operations Center at Cape Canaveral Air Station (CCAS), Launch Complex 20 development, status of the Reusable Launch Vehicle (RLV) Facility at Kennedy Space Center (KSC), development, financing, planning and administrative issues, and to consider other matters related to the business of the Authority. The Board will also discuss criteria for selection of the position of Executive Director of the Spaceport Florida Authority.

For more information, contact Patricia Sweetman, (321)730-5301, Ext. 1210.

To obtain a copy of the agenda, write: Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Spaceport Florida Authority at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Space Research Institute** announces a Board of Directors meeting to which the public is invited.

DATE AND TIME: January 23, 2001, 11:00 a.m. – 5:00 p.m.  
 PLACE: NASA Education Building, Kennedy Space Center Visitors Center, Conference Room 2001, Cape Canaveral, FL  
 PURPOSE: The Board will continue discussion on the status of ongoing projects, including development, financing, planning and administrative issues, and to consider other matters related to the business of the Institute.

For more information, contact: Melissa Glover, (321)452-3418. To obtain a copy of the agenda, e-mail address: melissa@spaceportflorida.com, mailing address: FSRI, Kennedy Space Center, Florida 32899.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Florida Space Research Institute at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Board of Directors with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to secure a verbatim record of the proceedings, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Commercial Space Financing Corporation** announces a Board of Director’s meeting and teleconference to which the public is invited.

DATE AND TIME: January 22, 2001, 2:00 p.m. – 4:00 p.m.  
 PLACE: Florida Commercial Space Financing Corporation, 100 Spaceport Way, Cape Canaveral, Florida 32920

PURPOSE: General Board Business Meeting, ratification of agreements, financings, budgets, procedures, annual report and to consider other proposed matters related to the business of the Corporation.

For more information, contact Mr. Jim Leary or Ms. Judy Blanchard, (321)730-5301, Ext. 1144. The Board of Director’s meeting will be held at the office of Florida Commercial Space Financing Corporation.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

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, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

The Space Industry Committee of the **Spaceport Management Council** announces a Space Industry Committee meeting to which the public is invited.

DATE AND TIME: January 24, 2001, 12:30 p.m. – 4:30 p.m.  
 PLACE: Coleman Aerospace Company, 5950 Lakehurst Drive, Orlando, Florida 32819

**PURPOSE:** Section 331.367, Florida Statutes, calls for creation of a Space Industry Committee of the Spaceport Management Council to represent Florida space companies on issues designated within the statute. The meeting on January 24, 2001 is for the purpose of formally organizing the Committee, including voting on a slate of officers and by-laws. Florida space companies are encouraged to participate and join. Once organized, the Committee will discuss projects, initiatives, future development, financing, planning and administrative issues and consider other matters related to the business of the Committee and the Spaceport Management Council.

For more information, contact Frank Krens, (407)352-3700. To obtain a copy of the agenda, write: Frank Krens, Coleman Aerospace, 5950 Lakehurst Drive, Orlando, Florida 32819.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Coleman Aerospace at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Space Industry Committee with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is based.

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#### DEPARTMENT OF ELDER AFFAIRS

The **Statewide Public Guardianship Office** announces a public meeting to which all persons were invited.

**DATE AND TIME:** Tuesday, January 16, 2001, 10:00 a.m.

**PLACE:** MHF 104, University of South Florida Campus, 13301 Bruce B. Downs Blvd., Tampa, FL 33612

**PURPOSE:** Meeting of the Guardianship Curriculum Committee pursuant to Section 744.7021(2)(f), Florida Statutes.

A copy of the agenda may be obtained by contacting: Gloria Mitchell, (813)974-1649.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting of the task force for the regular Disproportionate Share Program to which all persons are invited.

**DATE AND TIME:** January 31, 2001, 10:30 a.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

**PURPOSE:** In accordance with House Bill 2145, General Appropriations Act for FY 2000-2001, Specific Appropriation 196, the task force for the regular Disproportionate Share Program will be conducting a public meeting. The purpose of

the task force is to study and make recommendations regarding the formula for the regular Disproportionate Share Program and alternative financing options.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The agenda has not been set. Contact Edwin Stephens, (850)413-8067 or Suncom 293-8067, with any questions or to obtain an agenda when it is set.

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The **Agency for Health Care Administration** announces a meeting of the Florida Statewide Organ and Tissue Procurement and Transplantation Advisory Board meeting to which all persons are invited.

**DATE AND TIME:** February 2, 2001, 10:00 a.m.

**PLACE:** Hurston Building, 400 West Robinson Street, Conference Room A, Orlando, FL 32801

**PURPOSE:** The purpose of the meeting is to discuss revision of the bylaws to permit proxy voting; a presentation will be made by Regeneration Technologies regarding BioCleanse; possible revisions to Chapter 59A-1, Florida Administrative Code; possible revisions to Chapter 873, Florida Statutes; 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, 2727 Mahan Drive, Tallahassee, FL 32308 or by phone call Jo Ann Linch, (850)487-2717.

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#### DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

**DATE AND TIME:** Monday, January 29, 2001, 2:00 p.m.

**PLACE:** Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149. The meet-me telephone number is (850)921-2470 or Suncom 291-2470

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Azizi Coleman, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext. 1032.

**VERBATIM RECORD OF MEETING:** If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1032, at least five working days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday, January 31, 2001, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149 (The meet-me telephone number is (850)921-2470 or Suncom 291-2470)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Azizi Coleman, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext.1032.

**VERBATIM RECORD OF MEETING:** If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext.1032, at least five working days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Monday, February 5, 2001, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149 (The meet-me telephone number is (850)921-2470 or Suncom 291-2470)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Azizi Coleman, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext. 1032.

**VERBATIM RECORD OF MEETING:** If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1032, at least five calendar days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday, February 7, 2001, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149. The meet-me telephone number is (850)921-2470 or Suncom 291-2470

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Azizi Coleman, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext.1032.

**VERBATIM RECORD OF MEETING:** If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext.1032, at least five working days prior to the meeting.

The **SMART Schools Clearinghouse** announces a regular meeting of the SMART Schools Clearinghouse to which all interested persons are invited.

DATE AND TIME: January 30, 2001, 10:00 a.m.

PLACE: Department of Management Services, Capital Circle Office Center, 4050 Esplanade Way, Suite 101, Tallahassee, FL 32399-0950

**PURPOSE:** Regular Meeting.

A copy of the agenda may be obtained by contacting: SMART Schools Clearinghouse, Office of the Executive Director, 4050 Esplanade Way, Suite 250, Tallahassee, FL 32399-0950, (850)921-8699, Suncom 291-8699.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Office of the Executive Director at the above telephone or address at least five (5) calendar days prior to the meeting. If you are hearing- or speech-impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Clearinghouse 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 be made, which record includes the testimony and evidence upon which the appeal is to be based.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

**NOTICE OF CHANGE** – Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, of a change regarding a workshop to be conducted for the development of multi-condominium and financial reporting rules. The original publication for a January 15, 2001 meeting was contained in Vol. 26, No. 52, December 29, 2000, Florida Administrative Weekly. The time for this meeting is changed as follows.

**DATE AND TIME:** February 5, 2001, 9:00 a.m.

**PLACE:** Conference Rooms, Fuller Warren Building, 202 Blount Street, Tallahassee, Florida

**PURPOSE:** The workshop is for the purpose of gathering input from interested parties regarding the development of multi-condominium and financial reporting rules. All persons are invited to participate. This meeting will be held only if requested and not deemed unnecessary by the agency head.

**AGENCY CONTACT PERSON:** Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, (850)488-1631.

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. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

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The **Barbers' Board** announces a Telephone Conference Call open to the public and all persons are invited to participate.

**DATE AND TIME:** Monday, January 29, 2001, 2:00 p.m.

**PLACE:** Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0769 via Telephone Conference. To Connect Dial (850)921-5320 or Suncom 291-5320

**PURPOSE:** To take action on Rule Regarding Assessment Fee. A copy of the agenda may be obtained by writing: Florida Barbers' Board, 1940 North Monroe Street, Suite #60, Tallahassee, Florida 32399-0790.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

**DATE AND TIMES:** January 31, 2001, 9:00 a.m. and 11:00 a.m. or soon thereafter

**PLACE:** Department of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, FL 32301, (850)922-2708

**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: John Matthews, Lead Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe St., Ste. 60, Tallahassee, FL 32399-2202 or by phone, (850)922-2708.

**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.

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The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official probable cause panel meeting to which portions or all will be closed to the public.

**DATE AND TIME:** February 13, 2001, 1:00 p.m.

**PLACE:** Department of Business and Professional Regulation, Board Meeting Room, 1940 North Monroe Street, Tallahassee, FL 32399-0767

**PURPOSE:** Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Stacey Merchant, (850)921-7868.

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 Stacey Merchant, (850)921-7868. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official committee and general business meetings to which all persons are invited.

DATE AND TIME: February 14, 2001, 8:30 a.m. or shortly thereafter

PLACE: Department of Business and Professional Regulation, Board Meeting Room, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

PURPOSE: Committee and General Business Meetings of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Stacey Merchant, (850)921-7868.

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 Stacey Merchant, (850)921-7868. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Landscape Architecture** announces the following meeting to which all parties are invited to attend.

DATE AND TIME: February 2, 2001, 9:00 a.m.

PLACE: Orlando/Altamonte Springs Hilton, 350 South Northlake Boulevard, Altamonte Springs, Florida

PURPOSE: Continuing Education Rule Development and Workshop immediately followed by General Board and Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Landscape Architecture, 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)488-0937, 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Mandatory Continuing Education Committee to which all persons are invited.

DATE AND TIME: Thursday, February 8, 2001, 8:30 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32301

PURPOSE: Development of proposed recommendations to the Board on mandatory continuing education requirements.

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 Natalie Lowe, (850)521-0500.

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: Thursday, February 8, 2001, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32304

**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 Natalie Lowe, (850)521-0500.

The **Department of Business and Professional Regulation** announces the following meetings to be conducted by the **Building Code Administrators and Inspectors Board** (Board) to which all persons are invited to attend:

**DATES AND TIMES:** February 8, 2001, 9:00 a.m.; February 9, 2001, 8:00 a.m.

**PLACE:** Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL 32812, (407)856-0100, Fax (407)438-2199

**PURPOSE:** To conduct an official meeting of the Building Code Administrators and Inspectors Board (Board).

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)921-6500, at least forty eight (48) hours prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence, Building Code Administrators and Inspectors Board using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

**DATE AND TIME:** February 20, 2000, 1:30 p.m. or the soonest thereafter. Portions of the probable cause proceedings are not open to the public.

**PLACE:** Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800, between the hours of 9:00 a.m. – 4:00 p.m., at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

**DATE and TIME:** February 21, 2000, 8:30 a.m.

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

**PURPOSE:** Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, Recovery Fund Claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session. Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, P. O. Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The **Department of Environmental Protection** (DEP) announces a public meeting of the TMDL Allocation Technical Advisory Committee (TAC) to which all persons are invited.

**DATE AND TIME:** January 29, 2001, 9:00 a.m. – 4:30 p.m.

**PLACE:** DEP Twin Towers Office Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

**PURPOSE:** The purpose of the Allocation TAC is to assist in the preparation of a report, pursuant to s. 403.067(6), Florida Statutes, describing how to allocate load reductions to contributing source(s) once Total Maximum Daily Loads (TMDLs) have been determined for parameters of concern.

The meeting will provide an opportunity to make final comments on the draft report. Some TAC members will participate via teleconference.

A copy of the agenda for the meeting and the phone number to call for the teleconference may be obtained by contacting: Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, (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 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 (DEP)** announces the following public meetings, to which all persons are invited, to introduce the Department's watershed management approach and discuss watershed management activities in the Ocklawaha River Basin, Santa Fe/Waccasassa River Basins, Everglades West Coast Basin, and Tampa Bay Basin:

MEETING: Ocklawaha River and Santa Fe/Waccasassa River Basins (joint meeting)

DATE AND TIMES: January 30, 2001, 1:30 p.m. and 6:00 p.m.

PLACE: Gainesville City Commission Auditorium, 200 East University Avenue, Gainesville, Florida

MEETING: Ocklawaha River Basin

DATE AND TIMES: January 31, 2001, 2:00 p.m. and 6:30 p.m.

PLACE: Lake-Sumter Community College, Magnolia Room, Everett A. Kelly Convocation Center, 9501 US Highway 441, Leesburg, Florida

MEETING: Everglades West Coast Basin

DATE AND TIMES: February 2, 2001, 2:00 p.m. and 6:30 p.m.

PLACE: Florida Gulf Coast University, 10501 FGCU Boulevard, South, Academic Building II, Lecture Hall, Fort Myers, Florida

MEETING: Tampa Bay Basin

DATE AND TIMES: February 6, 2001, 2:00 p.m. and 6:30 p.m.

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: The purpose of each meeting is to introduce the Department's watershed management approach and describe how it will be applied to the basin to fulfill the Department's responsibilities under the Florida Watershed Restoration Act, Section 403.067(6), Florida Statutes. The Gainesville, Florida meeting will provide background information and

opportunities for working with public and private interests in addressing water quality problems in both the Ocklawaha River and Santa Fe/Waccasassa River basins. The Leesburg, Florida meeting will provide background information and opportunities for working with public and private interests in addressing water quality problems in the Ocklawaha River basin. The Fort Myers meeting will provide background information and opportunities for working with public and private interests in addressing water quality problems in the Everglades West Coast basin. The St. Petersburg meeting will provide background information and opportunities for working with public and private interests in addressing water quality problems in the Tampa Bay basin. Afternoon sessions will emphasize coordination with local agencies, while evening sessions will emphasize coordination with the public.

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).

A copy of the agenda for each of the meetings may be obtained by contacting the appropriate basin coordinator as listed below at the Department of Environmental Protection, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400. Ocklawaha River basin coordinator: Mary Paulic, (850)921-9932, email mary.paulic@dep.state.fl.us; Santa Fe/Waccasassa River basins coordinator: John Abendroth, (850)921-2357, email john.abendroth@dep.state.fl.us; Everglades West Coast basin coordinator: Pat Fricano, (850)921-2369, email pat.fricano@dep.state.fl.us; Tampa Bay basin coordinator: Tom Singleton, (850)921-9926, email thomas.singleton@dep.state.fl.us

The Division of Water Resource Management of the **Department of Environmental Protection** announces a meeting of the Nonmandatory Land Reclamation Committee to which all interested parties are invited.

DATE AND TIME: January 31, 2001, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Bartow Office, Board Room, 170 Century Blvd., Highway 60, Bartow, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to present Reclamation Applications for fiscal year 2001-2002 funding to the committee for consideration.

For further information or to obtain a copy of the agenda, contact: Barbara Owens, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217.



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).

The **Department of Environmental Protection**, Clean Boating Partnership announces its first quarterly meeting for 2001 to which all persons are invited.

DATE AND TIME: Thursday, February 1, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: London Room, Renaissance Orlando Hotel, Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review, discuss and further develop policy and implementation strategy recommendations for the Department's Clean Marina Program. Specific emphasis will be on Boatyard best management practices and recognition guidelines for boatyards.

A copy of the agenda may be obtained by contacting: Jan R. De Laney, (850)488-5757, Extension 178, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

In accordance with the Americans With Disabilities Act, if you need a special accommodation to attend you should contact our office immediately, (850)488-5757, Extension 178 or call 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), via Florida Relay Service.

The **Department of Environmental Protection** announces the public hearing described below.

DATES AND TIME: March 6-8, 2001, 9:30 a.m. (Though the hearing is scheduled for three days, it may be concluded as early as the first day.)

PLACE: School Administration Center, Superintendent's Conference Room, 1915 South Floral Avenue, Bartow, Florida

PURPOSE: Administrative Law Judge W. F. Quattlebaum will take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the proposed Florida Power Corporation Hines Power Block 2 project, pursuant to the Florida Electrical Power Plant Siting Act, ss. 403.501-.518, Florida Statutes. Judge Quattlebaum will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board, based on the hearing. Pursuant to §403.508(4), F.S., any person wishing to become a party should file a Motion to Intervene with W. F. Quattlebaum, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to the hearing. When appropriate, any person may be given an opportunity to present oral or written

communications to the Administrative Law Judge. If the Administrative Law Judge proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

For additional information concerning the hearing, please contact: Buck Oven, (850)487-0472 or at the Department of Environmental Protection, 2600 Blair Stone Road, M.S. #48, Tallahassee, Florida 32399-2400.

## DEPARTMENT OF HEALTH

The **Department of Health** and the **Agency for Health Care Administration** announces a meeting to which all persons are invited.

DATE AND TIMES: January 26, 2001, the Regulation, Education/Best Practice and the Quality Measurement/Data Collection Subcommittees will meet beginning at 7:00 a.m. – 10:00 a.m.; The Commission, 10:00 a.m. – 5:00 p.m. or soon thereafter

PLACE: Capital Circle Office Complex, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399, (850)245-4224

PURPOSE: Florida Commission on Excellence in Health Care Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C00, Tallahassee, Florida 32399-3255, visit our web-site at [www.doh.state.fl.us](http://www.doh.state.fl.us) or by calling (850)245-4224.

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 (850)245-4224. 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 Department with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Department of Health** announces a meeting of The KidCare Coordinating Council to which all persons are invited

DATE AND TIME: Friday, February 2, 2001, 1:00 p.m. – 4:30 p.m.

PLACE: Capitol Health Plan, 1491 Governor's Square Boulevard, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The KidCare Coordinating Council, an advisory body appointed by the Secretary of the Florida Department of Health, will meet to discuss KidCare, Florida's child health insurance program. The Council is charged with offering guidance to the Department

and to the Secretary as well as other state government groups about possible changes and adjustments to the KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change or Congressional action.

A copy of the agenda may be obtained from: Francine Millinor, The Chiles Center, (850)487-6277, fmillino@coml.med.usf.edu.

The **Board of Chiropractic Medicine**, Probable Cause Panel will hold a duly noticed conference call meeting to which all persons are invited to attend.

DATE AND TIME: Monday, January 29, 2001, 12:00 Noon

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL, Meet Me Number (850)921-6455

PURPOSE: For cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, 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: Sherra W. Causey, Board of Chiropractic Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Physical Therapy Practice** announces a conference call meeting to which all persons are invited.

DATE AND TIME: February 22, 2001, 8:30 a.m. or soon thereafter

PLACE: Nonsuncom (850)487-8856, Suncom 277-8856

PURPOSE: Full Board Quorum Call.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Tallahassee, FL 32399-3255 or by calling (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 **Department of Health, Board of Psychology**, Credentials Committee announces a conference call of the committee to which all persons are invited.

DATE AND TIME: February 16, 2001, 8:00 a.m. or soon thereafter

PLACE: Nonsuncom (850)487-8856, Suncom 277-8856

PURPOSE: For the consideration and review of applications for examination and licensure.

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 **Department of Health, Board of Psychology** announces a conference call of the board to which all persons are invited.

DATE AND TIME: February 20, 2001, 8:00 a.m. or soon thereafter

PLACE: Nonsuncom (850)487-8856, Suncom 277-8856

PURPOSE: Quorum meeting.

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 **Department of Health, Board of Psychology**, Probable Cause Panel announces a conference call to which all persons are invited.

DATE AND TIME: February 27, 2001, 8:00 a.m. or soon thereafter

PURPOSE: Reconsideration of cases previously heard by the Probable Cause Panel.

PLACE: The meet me number may be obtained by contacting Betsey Hines, Regulatory Supervisor, Medical Therapies/Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255, (850)245-4372

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 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.

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Family Services** announces the District 8, Desoto County Community Alliance will meet on the following dates in 2001.

DATES AND TIMES: January 25, 2001, 11:00 a.m.; February 5, 2001, 1:30 p.m.; March 5, 2001, 1:30 p.m.

PLACE: Arcadia Service Center, 805 North Mills Road, Arcadia, Florida

PURPOSE: Monthly Community Alliance Meetings.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Community-Based Care Unit, 2nd Floor, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting. All persons are invited.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Community-Based Care Unit, (941)338-1343.

The Florida **Department of Children and Family Services** announces the District 8, Local Advocacy Council, Mental Health will meet on the following dates.

DATE AND TIME: February 5, 2001; June 4, 2001, 10:00 a.m.

PLACE: Riverside Behavioral Center, 733 E. Olympia Avenue, Punta Gorda, FL

DATE AND TIME: March 5, 2001, 10:00 a.m.

PLACE: Regional Service Center, Room 140, 2295 Victoria Avenue, Fort Myers, FL

DATE AND TIME: April 2, 2001, 10:00 a.m.

PLACE: David Lawrence Center for Behavioral Health, Horseshoe Drive, Naples, FL

DATE AND TIME: May 7, 2001, 10:00 a.m.

PLACE: Ruth Cooper Center for Behavioral Health, 2789 Ortiz Avenue, Bldg. F, Fort Myers, FL

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Consumer Relations Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

Certain portions of the meetings are not subject to open meetings requirement per 402.165(8)(c), Florida Statutes and 402.166(8)(c), Florida Statutes.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Consumer Relations Unit, (941)338-1436 or 1(800)342-0825. Florida Relay Service, 1(800)955-8770 (Voice) 1(800)955-8771 (TDD).

The Florida **Department of Children and Family Services** announces the District 8, Local Advocacy Council, Developmental Disabilities will meet on the following dates.

DATES AND TIME: February 15, 2001; March 15, 2001; April 19, 2001; June 21, 2001, 10:00 a.m.

PLACE: Gulf Coast Center, 5820 Buckingham Road, Fort Myers, FL

DATE AND TIME: May 17, 2001, 10:00 a.m.

PLACE: Regional Service Center, Room 110, 2295 Victoria Avenue, Fort Myers, FL

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Consumer Relations Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

Certain portions of the meetings are not subject to open meetings requirement per 402.165(8)(c), Florida Statutes and 402.166(8)(c), Florida Statutes.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Consumer Relations Unit, (941)338-1436 or 1(800)342-0825. Florida Relay Service, 1(800)955-8770 (Voice) 1(800)955-8771 (TDD).

The Florida **Department of Children and Family Services** announces the Manasota Local Advocacy Council will meet on the following dates.

DATE AND TIME: February 20, 2001, 10:00 a.m.

PLACE: Children’s Haven, 4405 DeSoto Road, Sarasota, FL

DATE AND TIME: March 20, 2001, 10:00 a.m.

PLACE: G. Pierce Wood Memorial Hospital, Redwood Building, 5847 S. E. Highway 31, Arcadia, FL

DATE AND TIME: April 17, 2001, 10:00 a.m.

PLACE: Venice Service Center, 897 East Venice Avenue, Venice, FL

DATE AND TIME: May 15, 2001, 10:00 a.m.

PLACE: Arcadia Service Center, 805 North Mills Avenue, Arcadia, FL

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Consumer Relations Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

Certain portions of the meetings are not subject to open meetings requirement per 402.165(8)(c), Florida Statutes and 402.166(8)(c), Florida Statutes.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Consumer Relations Unit, (941)338-1436 or 1(800)342-0825. Florida Relay Service, 1(800)955-8770 (Voice) 1(800)955-8771 (TDD).

The Florida **Department of Children and Family Services** announces the District 8, Local Advocacy Council, Multi-Program will meet on the following dates.

DATE AND TIME: February 27, 2001, 10:00 a.m.

PLACE: Clewiston Service Center, 215 South Francisco Street, Clewiston, FL

DATE AND TIME: March 27, 2001, 10:00 a.m.

PLACE: Community and Career Service Center, 19500 Toledo Blade Blvd., Port Charlotte, FL

DATE AND TIME: April 24, 2001, 10:00 a.m.

PLACE: Immokalee Service Center, 401 Colorado Avenue, Immokalee, FL

DATE AND TIME: June 26, 2001, 10:00 a.m.

PLACE: North Fort Myers Service Center, 935 Pondella Road, North Fort Myers, FL

PURPOSE: Regular committee meeting.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Consumer Relations Unit, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

Certain portions of the meetings are not subject to open meetings requirement per 402.165(8)(c), Florida Statutes and 402.166(8)(c), Florida Statutes.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Consumer Relations Unit, (941)338-1436 or 1(800)342-0825. Florida Relay Service, 1(800)955-8770 (Voice) 1(800)955-8771 (TDD).

The **Department of Children and Family Services**, District 7, Local Advocacy Council (LAC) of Brevard County announces the meetings scheduled for 2001. These meetings are open to the public.

DATES AND TIME: January 24, 2001; February 28, 2001; March 28, 2001; April 25, 2001; May 23, 2001; June 27, 2001; July 25, 2001; August 22, 2001; September 26, 2001; October 24, 2001, 4:00 p.m.

PLACE: Monroe Service Center, 705 Blake Avenue, Cocoa, Florida 32922 (Room locations to be announced)

For further information, call (904)245-0400, Ext. 111.

Pursuant to 402.166, F.S., portions of each meeting will be closed to the public and shall be exempt from the provisions of Chapter 119, F.S. due to confidential information.

The **Department of Children and Family Services**, District 7, Local Advocacy Council (LAC) of Orange, Osceola and Seminole Counties announces the meetings scheduled for 2001. These meetings are open to the public.

DATES AND TIME: February 12, 2001; March 12, 2001; April 9, 2001; May 14, 2001; June 11, 2001; July 9, 2001; August 13, 2001; September 10, 2001; October 8, 2001; November 19, 2001; December 10, 2001, 4:00 p.m.

PLACE: 400 West Robinson Street, Suite S-1129, Orlando, Florida 32801 (Room location to be announced)

For further information, call (407)245-0400, Ext. 111.

Pursuant to 402.166, F.S., portions of each meeting will be closed to the public and shall be exempt from the provisions of Chapter 119, F.S. due to confidential information.

**FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces a public meeting of the Board of Directors to which all interested parties are invited.

Fiscal Committee; Guarantee Committee; Professional Services Selection Committee; Board Meeting

DATE AND TIME: January 19, 2001, 9:00 a.m.

PLACE: Hyatt, Sarasota Bay, 1000 Boulevard of the Arts, Sarasota, FL 34236, (941)953-1234

PURPOSE: 1. Consider, review and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.

2. Consider, review and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.

3. Consider, review and take action on matters brought to the Professional Selection Committee and to consider recommendations made by the Professional Services Selection Committee to the Board.

4. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues which have satisfied the requirements for funding.

5. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.

6. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.

7. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.

8. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.

9. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.

10. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.

11. Consideration of all necessary actions with regard to the Multifamily Bond Program.

12. Consideration of approval of underwriters for inclusion on approved master list and teams.

13. Consideration of all necessary actions with regard to the HOME Rental Program.

14. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.

15. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.

16. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.

17. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.

18. Consideration of all necessary actions with regard to the Home Ownership Programs.

19. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.

20. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders.

21. Consideration of workouts or modifications for existing projects funded by the Corporation.

22. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.

23. Consideration of funding additional reserves for the Guarantee Fund.

24. Consideration of audit issues.

25. Evaluation of Professional and Consultant performance.

26. Such other matters as may be included on the Agenda for the December 8, 2000 Board Meeting.

A copy of the agenda may be obtained by contacting: Deanne Coughlin, Board Administrative Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Debbie L. Moran, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he 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 be made, which record includes the testimony and evidence upon which the appeal is to be based.

**FLORIDA TELECOMMUNICATION RELAY**

The **Florida Telecommunication Relay, Inc.** announces a regular meeting of the Board of Directors.

DATE AND TIME: Monday, January 22, 2001, 1:30 p.m.

PLACE: 1311A Paul Russell Road, Tallahassee, Florida

PURPOSE: Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by phoning (850)656-1414 or 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.

**JUSTICE ADMINISTRATIVE COMMISSION**

NOTICE OF CANCELLATION – The **Justice Administrative Commission** announces the CANCELLATION of the Regular Commission Meeting which was advertised in the January 12, 2001 issue of the Florida Administrative Weekly.

CANCELLED DATE AND TIME: January 23, 2001, 2:00 p.m.

**FLORIDA COMPREHENSIVE HEALTH ASSOCIATION**

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting change to the following:

DATE AND TIME: Wednesday, January 24, 2001, 11:00 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.

**CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION**

The **Criminal Justice Standards and Training Commission**, Region VI, Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 25, 2001, 10:00 a.m.  
 PLACE: Citrus County Sheriff Office, 1 South Park Avenue, Inverness, Florida

PURPOSE: To establish 2001-2002 operating budget, discussion of two year degree proposal and funds status update.

A copy of the agenda may be obtained by writing: Central Florida Community College, Attn.: Julie A. Balkus, 3001 S. W. College Road, Ocala, Florida 34478-1388.

The Region VII, **Training Council** announces a public meeting to which all interested person are invited.

DATE AND TIME: February 8, 2001, 10:00 a.m.  
 PLACE: Seminole Community College, Room A 202, 100 Weldon Blvd., Sanford, FL 32773, (407)328-2316

PURPOSE: Quarterly Meeting.

**FLORIDA'S COMMISSION ON RESPONSIBLE FATHERHOOD**

The **Florida's Commission on Responsible Fatherhood** announces the following meeting to which all interested parties are invited to attend.

DATES AND TIMES: January 29, 2001, 10:00 a.m. – 5:00 p.m.; January 30, 2001, 8:00 a.m. – 12:00 Noon

PLACE: Hilton Ft. Lauderdale/Sunrise, Gold Coast Room, 3003 North University Drive, Sunrise, FL 33322, (954)748-7000

PURPOSE: Florida's Commission on Responsible Fatherhood will be having a public meeting and will take testimony on all issues concerning responsible fatherhood. Public Testimony will begin, 6:00 p.m. and will conclude, 7:00 p.m., January 29, 2001.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Anne Carpenter, Florida's Commission on Responsible Fatherhood, (850)488-4952, at least five calendar days prior to the meeting.

**FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION**

The **Florida Medical Malpractice Joint Underwriting Association** announces a Claims Committee meeting to which all persons are invited.

DATE AND TIME: January 30, 2001, 4:00 p.m.  
 PLACE: Omni Colonnade Hotel, Coral Gables, FL

PURPOSE: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier and such other business properly brought before the Committee.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a Board of Governors meeting to which all persons are invited.

DATE AND TIME: January 31, 2001, 9:00 a.m.  
 PLACE: Omni Colonnade Hotel, Coral Gables, FL

PURPOSE: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager and such other business properly brought before the Board.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

**COMMISSION ON TOURISM**

The Florida **Commission on Tourism** announces public meetings of the Finance Committee, Nature/Heritage Committee, Multi-Cultural Subcommittee, Partner Development Committee, Visitor Services Advisory Subcommittee, Marketing Committee, Board of Directors and the Florida Commission on Tourism as follows:

PLACE: University Center Club, Building B, Doak Campbell Stadium, Tallahassee, FL, (850)644-2528

MEETING: Visitor Services Advisory Subcommittee

DATE AND TIME: Wednesday, March 21, 2001, 8:00 a.m. – 9:45 a.m.

PURPOSE: The subcommittee will hear updates on the Florida Welcome Centers and other business as necessary.

MEETING: Nature/Heritage Committee

DATE AND TIME: Wednesday, March 21, 2001, 9:00 a.m. – 11:45 a.m.

PURPOSE: The subcommittee will review task force endeavors, hear regional updates and other business as necessary.

MEETING: Finance Committee

DATE AND TIME: Wednesday, March 21, 2001, 10:00 a.m. – 11:45 a.m.

PURPOSE: The committee will review quarterly budgets and financial statements.

MEETING: Multi-cultural Subcommittee

DATE AND TIME: Wednesday, March 21, 2001, 10:00 a.m. – 11:45 a.m.

PURPOSE: The Subcommittee will review old business and discuss other business as necessary.

MEETING: Marketing Committee

DATE AND TIME: Wednesday, March 21, 2001, 12:00 Noon – 2:45 p.m.

PURPOSE: The Subcommittee will review the proposed marketing plan and discuss other business as necessary.

MEETING: Partner Development Committee

DATE AND TIME: Wednesday, March 21, 2001, 3:00 p.m. – 5:00 p.m.

PURPOSE: The discussion will focus on strategies for recruiting new Partners and developing additional Partner benefits.

MEETING: Board of Directors Meeting

DATE AND TIME: Thursday, March 22, 2001, 9:30 a.m. – adjourned

PURPOSE: The Board of Directors will discuss committee reports, on-going and developing issues, and other matters.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition for a Declaratory Statement from Lightrade, Inc. The petition requires as to whether its proposed use of a network of central switches or pooling points is exempt from the requirement of certification as a telecommunications company pursuant to Sections 364.02(12)(a) and (b), Florida Statutes. DOCKET NO. 001672-TP.

**DEPARTMENT OF CORRECTIONS**

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 33-602.201, Appendix One, Florida Administrative Code, to clarify the exception relating to the possession of locks by inmates.

The Department denied Inmate Osterback’s Petition to Initiate Rulemaking. The current Rule requires no clarification as no confusion over interpretation over the provision actually exists. Non-conforming locks sold by department canteens after the effective date of the property rule amendment may be possessed by inmates and institutions may elect, at their own expense, to replace non-conforming locks with a lock which conforms to the current rule.

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 January 8, 2001 from Carl Edward Harris, Jr. Petitioner is seeking amendment of Rule 33-507.201, Florida Administrative Code, to require the Department to delete language making participation in substance abuse treatment programs mandatory and to include language that participation will not be denied inmates based upon the amount of time remaining to be served on their sentence.

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.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

AMENDED NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Fitzpatrick Enterprises, Inc., Petitioner.

The Petitioner requests an interpretation as to:

1. Whether the product, Cosmic Jelly, and all similar products manufactured and sold by the Fitzpatrick Enterprises, Inc., and all ethyl alcohol intended for use or used by the said applicant in the manufacture of such Cosmic Jelly products, are exempt from regulation by the State of Florida, under the laws relating to Alcoholic Beverages and Tobacco, Florida Statutes Title XXXIV, Chapters 561, 562, 563, 564, 565, 567 and 568.

2. Whether manufacturers of alcohol are entitled to sell, ship, deliver, or otherwise transfer possession of alcohol in bulk or otherwise to the applicant for use by the Fitzpatrick Enterprises, Inc., in manufacturing the product, Cosmic Jelly, and all similar products manufactured by the Fitzpatrick Enterprises, Inc.

3. Whether freight and goods carriers of all descriptions are entitled to convey alcohol in bulk or otherwise, from manufacturers thereof, wheresoever situated, and deliver same to Fitzpatrick Enterprises, Inc., at the premises where the product, Cosmic Jelly, and all similar products manufactured by Fitzpatrick Enterprises, Inc., are manufactured.

A copy of the Petition for Declaratory Statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to Ralf Michels, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Suite 60, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Medicine has DENIED a request for a declaratory statement on December 8, 2000, in response to the Petition for Declaratory Statement received from Michael Dunn, D.C., on or about November 8, 2000. The Final Order was given the number DOH-01-0054-DS-MQA.

Petitioner requested a declaratory statement from the Board in regards to the behavior of a "videographer" who entered Petitioner's office. The Board found that Petitioner was seeking a statement with regard to the conduct of another person.

A copy of the Petition and Order may be obtained by writing: Joe R. Baker, Jr., Board of Chiropractic Medicine, Department of Health, 4052 Bald Cypress Way, BIN #C07, Tallahassee, Florida 32399-3259.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

William G. Germany and Bill Germany, Inc. vs. Department of Environmental Protection; Case No.: 95-4118RP; Rule No.: 3F-8.005; Dismissed

Airport Limousine Service, Inc.; Yellow Cab Company of Orlando, Inc.; and City Cab Company of Orlando, Inc. vs. Department of Insurance and Treasurer; Case No.: 94-0341RP; Rule No.: 4-175.011; Dismissed

American Insurance Association vs. Department of Insurance and Treasurer; Case No.: 94-3475RP; Rule No.: 4J-2.002; Dismissed

Town of Greenville vs. Department of Community Affairs; Case No.: 95-0344RP; Rule No.: 9B-43.005; Voluntary Dismissal

Board of Medicine vs. David M. Hanson; Case No.: 94-0136RP; Rule No.: 10A-5; Dismissed

Florida Homebuilders Association, Inc., and Florida Association of Realtors vs. Department of Health and Rehabilitative Services; Case No.: 94-5009RP; Rule No.: 10D-6; Voluntary Dismissal

Florida Homebuilders Association, Inc. vs. Department of Health and Rehabilitative Services; Case No.: 96-1033RP; Rule No.: 10D-6; Voluntary Dismissal



Adventist Health System Sunbelt, Inc. D/B/A East Pasco Medical Center vs. Department of Health and Rehabilitative Services; Case No.: 94-3175RP; Rule No.: 10J-8.014; Dismissed

Florida League of Hospitals, Inc. vs. Department of Health and Rehabilitative Services; Case No.: 94-3195RP; Rule No.: 10J-8.014; Dismissed

John D. Marino vs. Board of Optometry; Case No.: 94-2098RU; Rule Nos.: 12-26.009, 46-3.002, 46-3.008, 46-3.025, 46-3.027-.029, 46-3.031-.032, 46-3.034-.035, 46-3.037-.038, 46-4.001-.002, 46-4.0025, 46-4.004-.008, 46-4.0081, 46-4.0085, 46-4.013-.017; 46-23.001-.003, 46-24.007, 46-36.002, 46-37.006, 46-39.002, 46-39.0035, 46-39.005-.012, 46-42.007, 46-43.005, 62-4.090, 62-210.300, 62-213.430, 62-528; Voluntary Dismissal

Florida Association of Blood Banks, Inc. vs. Department of Revenue; Case No.: 94-5608RP; Rule No.: 12A-1.001; Voluntary Dismissal

Northwest Florida Blood Center, Inc.; Citrus Regional Blood Center, Inc.; et al. vs. Department of Revenue; Case No.: 94-5607RP; Rule No.: 12A-1.003(3); Withdrawn

American Cancer Society, Florida Division, Inc. vs. Department of Revenue; Case No.: 94-5606RP; Rule No.: 12A-1.001(3)(g); Voluntary Dismissal

Mayo Foundation for Medical Education and Research, Inc. vs. Department of Revenue; Case No.: 94-1881RP; Rule No.: 12A-1.070; Withdrawn

State Farm Mutual Automobile Insurance Company vs. Department of Revenue; Case No.: 97-0633RP; Rule No.: 12B-8.016(3)(a)6.f.; Dismissed

William Markham (Broward County Property Appraiser) vs. Department of Revenue; Case No.: 95-1339RP; Rule No.: 12D-8.0062; Dismissed

Broward County Citizens Safety Council, Inc., D/B/A National Safety Council, South Florida Chapter vs. Department of Highway Safety and Motor Vehicles; Case No.: 95-6198RP; Rule No.: 15A-10; Dismissed

Metro Traffic Safety Institute, Inc. vs. Department of Highway Safety and Motor Vehicles; Case No.: 95-6197RP; Rule No.: 15A-10; Dismissed

Florida Association of D.U.I. Programs, Inc. vs. Department of Highway Safety and Motor Vehicles; Case No.: 95-6199RP; Rule Nos.: 15A-10.005(1), 15A-10.027(8), 15A-10.034(4); Dismissed

The Association of International Automobile Manufacturers, Inc. vs. Department of Highway Safety and Motor Vehicles; Case No.: 94-5178RP; Rule No.: 15C-7.005; Voluntary Dismissal

The American Automobile Manufacturers Association, Inc. vs. Department of Highway Safety and Motor Vehicles; Case No.: 94-5177RP; Rule No.: 15C-7.005; Voluntary Dismissal

Florida Steel Corporation vs. Department of Environmental Protection; Case No.: 94-2714RP; Rule Nos.: 17-296.200(97), 17-296.600, 17-296.601, 17-296.604; Voluntary Dismissal

St. Joe Paper Company and Florida East Coast Industries, Inc. vs. Suwannee River Water Management District, St. Johns River Water Management District, South Florida Water Management District, and Department of Environmental Protection; Case No.: 94-2936RP; Rule Nos.: 17-312, 17-330, 17-341, 40B-1, 40B-4, 40B-400, 40C-1, 40C-4, 40C-6, 40C-40, 40C-42 through 44, 40C-400, 40E-1, 40E-4, 40E-40, 40E-41, 40E-400; Dismissed

Florida Phosphate Council, Inc. vs. Suwannee River Water Management District, St. Johns River Water Management District, South Florida Water Management District, and Department of Environmental Protection; Case No.: 94-2935RP; Rule Nos.: 17-312, 17-330, 17-341, 40B-1, 40B-4, 40B-400, 40C-1, 40C-4, 40C-6, 40C-40, 40C-42 through 44, 40C-400, 40E-1, 40E-4, 40E-40, 40E-41, 40E-400; Dismissed

Sun City Center Group; Walden Lake, Inc.; and Walden Woods Business Center, Ltd. vs. Department of Environmental Protection; Case No.: 94-2929RP; Rule Nos.: 17-330.100(1),(2),(3), 17-330.200(3)(a),(b),(c),(e); Withdrawn

Florida Electric Power Coordinating Group vs. Department of Environmental Protection; Case No.: 94-3194RP; Rule No.: 17-331; Dismissed

Sun City Center Corporation; Walden Lake, Inc.; and Walden Woods Business Center, Ltd. vs. Department of Environmental Protection and Southwest Florida Water Management District; Case No.: 94-3381RP; Rule Nos.: 17-343.050, 40D-1.602; Dismissed

New River Solid Waste Association vs. Department of Environmental Protection; Case No.: 94-1249RP; Rule No.: 17-701; Voluntary Dismissal

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GBS Groves, Inc., and Citrus Grower Associates, Inc. vs. Department of Citrus; Case No.: 94-3176RP; Rule No.: 20-64.024; Dismissed upon Withdrawal

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Westchester General Hospital, Inc. vs. Agency for Health Care Administration; Case No.: 95-5867RP; Rule Nos.: 28-5.201, 59-1.021; Dismissed

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Palm Beach County vs. Loxahatchee River Environmental Control District; Case No.: 94-0766RP; Rule No.: 31-16; Voluntary Dismissal

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South Indian River Water Control District vs. Loxahatchee River Environmental Control District and Department of Environmental Protection; Case No.: 94-0765RP; Rule No.: 31-16; Voluntary Dismissal

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Northern Palm Beach County Water Control District vs. Loxahatchee River Environmental Control District; Case No.: 94-0718RP; Rule No.: 31-16; Voluntary Dismissal

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Florida Justice Institute, Inc.; American Civil Liberties Union Foundation of Florida, Inc.; et al. vs. Department of Corrections; Case No.: 96-1974RP; Rule No.: 33-5.001; Dismissed

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Miami Herald Publishing Company, Inc., Post-Newsweek Stations Florida, Inc. D/B/A WPLG Channel 10 vs. Department of Corrections; Case No.: 96-1950RP; Rule Nos.: 33-5.001, 33-5.0014, 33-15.001-.004; Dismissed

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American Civil Liberties Union Foundation of Florida, Inc.; Florida Justice Institute, Inc.; et al. vs. Department of Corrections; Case No.: 96-1943RP; Rule Nos.: 33-5.002-.014; Dismissed

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Florida Institutional Legal Services, Inc. vs. Department of Corrections; Case No.: 96-1949RP; Rule No.: 33-5.011; Voluntary Dismissal

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Advocacy Center for Persons with Disabilities, Inc.; Joan Pahl; Gail Clarise Goring; Phillip "Thunder" Flathers; and Danial Z. Raines vs. Department of Labor and Employment Security, Division of Vocational Rehabilitation; Case No.: 97-3865RP; Rule Nos.: 38J-1.002-.007; Dismissed upon Withdrawal

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Samuel P. Bell, III and Anne Moorman-Reeves vs. St. Johns River Water Management District; Case No.: 97-0871RP; Rule Nos.: 40C-41.011, 40C-41.023, 40C-41.033, 40C-41.043, 40C-41.051, 40C-41.063; Invalid

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Consolidated-Tomoka Land Company; Indigo Development Group, Inc.; et al. vs. St. Johns River Water Management District; Case No.: 97-0870RP; Rule No.: 40C-41.011, 40C-41.023, 40C-41.033, 40C-41.043, 40C-41.051, 40C-41.063; Invalid

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Desoto County, Florida and Hardee County, Florida vs. Southwest Florida Water Management District; Case No.: 94-7200; Rule No.: 40D-2; Voluntary Dismissal

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Florida Citrus Mutual vs. Southwest Florida Water Management District; Case No.: 94-7201; Rule Nos.: 40D-2, 40D-8; Voluntary Dismissal

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Manatee Fruit Co. vs. Southwest Florida Water Management District; Case No.: 94-7202RP; Rule No.: 40D-2; Voluntary Dismissal

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GBS Groves, Inc., and Citrus Growers Association, Inc. vs. Southwest Florida Water Management District; Case No.: 94-7199; Rule Nos.: 40D-2, 40D-8; Voluntary Dismissal

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Southern States Utilities, Inc. vs. Southwest Florida Water Management District; Case No.: 94-7198RP; Rule No.: 40D-2; Voluntary Dismissal

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Manatee Fruit Company, Inc. vs. Southwest Florida Water Management District; Case No.: 94-7197RP; Rule No.: 40D-2; Voluntary Dismissal

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Polk County vs. Southwest Florida Water Management District; Case No.: 94-7196RP; Rule Nos.: 40D-2, 40D-8; Dismissed

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Charlotte County, Florida vs. Southwest Florida Water Management District; Case No.: 94-7195RP; Rule No.: 40D-2; Dismissed

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Dimare Homestead, Inc. vs. Southwest Florida Water Management District; Case No.: 94-7194RP; Rule No.: 40D-2; Dismissed

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Florida Farm Bureau Federation, Florida Nurserymen and Growers Assoc., Inc., et al. vs. Southwest Florida Water Management District; Case No.: 94-7192RP; Rule Nos.: 40D-2, 40D-8.628; Dismissed

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Bowen Brothers, Inc.; and Rolling Meadow Ranch, Inc. vs. Southwest Florida Water Management District; Case No.: 94-7190RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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GBS Groves, Inc., and Citrus Grower Associates, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5766RP; Rule Nos.: 40D-2, 40D-8; Dismissed

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Polk County vs. Southwest Florida Water Management District; Case No.: 94-5765RP; Rule Nos.: 40D-2.091, 40D-2.601, 40D-2.621, 40D-2.628, 40D-2.801; Voluntary Dismissal

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Dimare Homestead, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5763RP; Rule No.: 40D-2; Voluntary Dismissal

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Environmental Confederation of Southwest Florida, Inc. and Gary Beardsley vs. Southwest Florida Water Management District; Case No.: 94-5762RP; Rule Nos.: 40D-2, 40D-8; Voluntary Dismissal

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Manatee County vs. Southwest Florida Water Management District; Case No.: 94-5761RP; Rule No.: 40D-2; Voluntary Dismissal

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Manatee Fruit Company, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5760RP; Rule No.: 40D-2; Voluntary Dismissal

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City of St. Petersburg vs. Southwest Florida Water Management District; Case No.: 94-5759RP; Rule No.: 40D-2; Voluntary Dismissal

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Florida Phosphate Council, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5758RP; Rule Nos.: 40D-2, 40D-8; Voluntary Dismissal

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Florida Citrus Mutual vs. Southwest Florida Water Management District; Case No.: 94-5757RP; Rule Nos.: 40D-2, 40D-8; Dismissed

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Hillsborough County Farm Bureau vs. Southwest Florida Water Management District; Case No.: 94-5756RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Florida Strawberry Growers Association vs. Southwest Florida Water Management District; Case No.: 94-5755RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Florida Fruit and Vegetable Association vs. Southwest Florida Water Management District; Case No.: 94-5754RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Rolling Meadow Ranch, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5753RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Bowen Brothers, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5752RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Florida Tomato Exchange vs. Southwest Florida Water Management District; Case No.: 94-5751RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Gulf Citrus Growers Association, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5750RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Polk County Farm Bureau vs. Southwest Florida Water Management District; Case No.: 94-5749RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Florida Tropical Fish Farm Association vs. Southwest Florida Water Management District; Case No.: 94-5748RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Manatee County Farm Bureau vs. Southwest Florida Water Management District; Case No.: 94-5747RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Florida Citrus Production Managers Association vs. Southwest Florida Water Management District; Case No.: 94-5746RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Florida Nurserymen and Growers Association, Inc. vs. Southwest Florida Water Management District; Case No.: 94-5745RP; Rule No.: 40D-2, 40D-8.628; Voluntary Dismissal

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Florida Farm Bureau Federation vs. Southwest Florida Water Management District; Case No.: 94-5744RP; Rule Nos.: 40D-2, 40D-8.628; Voluntary Dismissal

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Pinellas County vs. Southwest Florida Water Management District; Case No.: 94-5743RP; Rule No.: 40D-2; Dismissed

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Sun City Center Corporation; Walden Lake, Inc.; and Walden Woods Business Center, Ltd. vs. Southwest Florida Water Management District; Case No.: 94-2719RP; Rule Nos.: 40D-4.041, 40D-4.042, 40D-4.051, 40D-4.091, 40D-4.301, 40D-4.381; Withdrawal

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The Sierra Club, Inc. vs. Southwest Florida Water Management District; Case No.: 94-2721RP; Rule Nos.: 40D-4.091, 40D-4.301; Withdrawal

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Environmental Confederation of Southwest Florida, Inc. and Gary Beardsley vs. Southwest Florida Water Management District; Case No.: 94-7193RP; Rule No.: 40D-8.041; Dismissed

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Desoto County and Hardee County vs. Southwest Florida Water Management District; Case No.: 95-2136RP; Rule No.: 40D-8.628; Dismissed

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GBS Groves, Inc. and Citrus Grower Associates, Inc. vs. Southwest Florida Water Management District; Case No.: 95-2135RP; Rule No.: 40D-8.628; Dismissed

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Polk County vs. Southwest Florida Water Management District; Case No.: 95-2117RP; Rule No.: 40D-8.628; Dismissed

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Environmental Confederation of Southwest Florida, Inc. and Gary Beardsley vs. Southwest Florida Water Management District; Case No.: 95-2095RP; Rule No.: 40D-8.628; Dismissed

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Environmental Confederation of Southwest Florida, Inc. and Gary Beardsley vs. Southwest Florida Water Management District; Case No.: 95-0713RP; Rule No.: 40D-8.628(1); Dismissed

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Gerald M. Ward vs. South Florida Water Management District; Case No.: 94-2930RP; Rule Nos.: 40E-1, 40E-4, 40E-41, 40E-400; Dismissed

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VOH Acquisitions, Inc., A/K/A Key's Gate, Sun City Center Corporation and BSM Marina, Inc. vs. South Florida Water Management District and Department of Environmental Protection; Case No.: 94-2933RP; Rule Nos.: 40E-1, 40E-4, 40E-40, 40E-41, 40E-400; Withdrawal

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Marine Industries Association of Palm Beach County, Inc.; J. H. Spague Enterprises, Inc.; et al. vs. South Florida Water Management District; Case No.: 94-2934RP; Rule Nos.: 40E-1, 40E-4, 40E-400; Withdrawal

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Brevard County Shell Fishermens Chapter of Organized Fishermen of FL.; et al. vs. Marine Fisheries Commission; Case No.: 94-0344RP; Rule Nos.: 46-17.001-.003, 46-17.0031, 46-17.005, 46-17.007; Voluntary Dismissal

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Mark Moore and David Langston vs. Marine Fisheries Commission; Case No.: 96-4173RP; Rule No.: 46-39.0047; Voluntary Dismissal

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Associated Home Health Industries of Florida, Inc. vs. Department of Elder Affairs; Case No.: 94-5489RP; Rule No.: 58A-1; Voluntary Dismissal

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Sebastian Hospital, Inc. D/B/A Sebastian Hospital vs. Agency for Health Care Administration; Case No.: 95-0634RP; Rule No.: 59A-3.202; Dismissed

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Florida Radiological Society, Inc. and Kurt W. Mori vs. Agency for Health Care Administration; Case No.: 95-2875RP; Rule Nos.: 59A-5.001-.019; Voluntary Dismissal

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Mount Sinai Medical Center of Greater Miami, Inc. D/B/A Mount Sinai Medical Center vs. Agency for Health Care Administration; Case No.: 95-2950RP; Rule No.: 59A-5.008; Dismissed

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Florida Society of Anesthesiologists, Inc. vs. Agency for Health Care Administration; Case No.: 95-2949RP; Rule No.: 59A-5.009; Voluntary Dismissal

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Linda Jones vs. Agency for Health Care Administration; Case No.: 95-4939RP; Rule Nos.: 59A-7.034, 59A-7.035; Dismissed

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PCA Health Plans of Florida, Inc. and PCA Family Health Plans, Inc. vs. Agency for Health Care Administration; Case No.: 95-4601RP; Rule Nos.: 59B-10.050-.057; Voluntary Dismissal

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Quality Home Health Care Corporation vs. Agency for Health Care Administration; Case No.: 97-0471RP; Rule No.: 59C-1.031; Voluntary Dismissal

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Health Care and Retirement Corporation of America vs. Agency for Health Care Administration; Case No.: 97-0470RP; Rule No.: 59C-1.031; Voluntary Dismissal

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National Healthcare, L.P. D/B/A NHC Homecare vs. Agency for Health Care Administration; Case No.: 97-0469RP; Rule No.: 59C-1.031; Voluntary Dismissal

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Association of Community Hospitals and Health Systems of Florida, Inc. vs. Agency for Health Care Administration; Case No.: 97-0922RP; Rule No.: 59C-1.036; Dismissed

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Arbor Health Care Company vs. Agency for Health Care Administration; Case No.: 97-0919RP; Rule No.: 59C-1.036; Voluntary Dismissal

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Florida Hospital Association, Inc. vs. Agency for Health Care Administration; Case No.: 96-4927RP; Rule No.: 59C-1.036; Voluntary Dismissal

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Florida League of Hospitals, Inc. vs. Agency for Health Care Administration; Case No.: 96-4926RP; Rule No.: 59C-1.036; Voluntary Dismissal

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National Healthcare, L.P. vs. Agency for Health Care Administration; Case No.: 96-4925RP; Rule No.: 59C-1.036; Voluntary Dismissal

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South Broward Hospital District D/B/A Memorial Regional Hospital, Et Al. vs. Agency for Health Care Administration; Case No.: 96-4924RP; Rule No.: 59C-1.036; Voluntary Dismissal

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Hillsborough County Hospital Authority D/B/A Tampa General Hospital vs. Agency for Health Care Administration; Case No.: 96-4922RP; Rule No.: 59C-1.036; Voluntary Dismissal

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Arbor Health Care Company vs. Agency for Health Care Administration; Case No.: 96-4921RP; Rule No.: 59C-1.036; Voluntary Dismissal

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Association of Voluntary Hospitals of Florida, Inc. vs. Agency for Health Care Administration; Case No.: 96-4920RP; Rule No.: 59C-1.036; Voluntary Dismissal

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North Broward Hospital District D/B/A North Broward Medical Center vs. Agency for Health Care Administration; Case No.: 96-4919RP; Rule No.: 59C-1.036; Voluntary Dismissal

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Manor Care of Boynton Beach, Inc.; and Manor Healthcare Corporation vs. Agency for Health Care Administration; Case No.: 96-4923RP; Rule No.: 59C-1.036(2)(i); Voluntary Dismissal

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Heartland Rural Health Network, Inc. vs. Agency for Health Care Administration; Case No.: 94-5319RP; Rule No.: 59F-1.005(2),(3),(4); Voluntary Dismissal

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Florida Hospices, Inc. vs. Agency for Health Care Administration; Case No.: 94-3380RP; Rule No.: 59G-4.140; Voluntary Dismissal

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University Hospital, Ltd. D/B/A University Hospital vs. Agency for Health Care Administration; Case No.: 95-5868RP; Rule Nos.: 59G-4.150, 59G-6.020; Dismissed

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Lumex, Inc., and B and P Medical, Inc. vs. Agency for Health Care Administration; Case No.: 94-3596RP; Rule No.: 59G-4.200; Dismissed

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First American Home Care of Florida, Inc. vs. Agency for Health Care Administration; Case No.: 97-0913RP; Rule No.: 59G-5.020; Voluntary Dismissal

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Central Park Lodges, Inc., IHS of Lester, Inc., Rikad Properties, Inc. et al. vs. Agency for Health Care Administration; Case No.: 94-6460RP; Rule No.: 59G-6.010; Voluntary Dismissal

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National Healthcare, L.P. vs. Agency for Health Care Administration; Case No.: 95-3689RP; Rule No.: 59G-6.010; Dismissed

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Mediplex Rehabilitation of Bradenton vs. Agency for Health Care Administration; Case No.: 96-3399RP; Rule No.: 59G-6.010; Voluntary Dismissal

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Shands Teaching Hospital and Clinics, Inc. vs. Agency for Health Care Administration; Case No.: 96-3403RP; Rule No.: 59G-7.056; Voluntary Dismissal

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PCA Family Health Plans, Inc. vs. Agency for Health Care Administration; Case No.: 95-5034RP; Rule No.: 59G-8.100; Voluntary Dismissal

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The Florida Chiropractic Association and the Florida State Massage Therapy Association vs. Board of Acupuncture; Case No.: 96-0188RP; Rule No.: 59M-3.001; Voluntary Dismissal

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Florida Dietetic Association, Inc. vs. Board of Acupuncture; Case No.: 96-0187RP; Rule No.: 59M-3.001; Voluntary Dismissal

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Florida Physical Therapy Association, Inc. vs. Board of Acupuncture; Case No.: 96-0186RP; Rule No.: 59M-3.001; Voluntary Dismissal

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Florida Coalition of Professional Laboratory Organizations, Inc., et al. vs. Department of Health, Clinical Laboratory Personnel; Case No.: 96-4336RP; Rule Nos.: 59O-2, 59O-3, 59O-5, 59O-7, 59O-9, 59O-10; Dismissed

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Florida League of Hospitals, Inc. vs. Board of Clinical Laboratory Personnel; Case No.: 94-5970RP; Rule Nos.: 59O-2.002(7), 59O-5.006, 59O-9.002(4), 59O-9.004(7), 59O-13.006; Dismissed

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Florida Perfusion Society and Florida Hospital Association vs. Board of Clinical Laboratory Personnel; Case No.: 94-5968RP; Rule Nos.: 59O-2.002, 59O-3.003, 59O-5.006, 59O-9.002, 59O-9.004, 59O-10.004, 59O-13.006; Invalid

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Florida Society of Pathologists and Louis S. McCann, Jr., M.D. vs. Board of Clinical Laboratory Personnel; Case No.: 94-5969RP; Rule No.: 59O-5.001(1)(b),(2)(a)2.(b); Dismissed

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Florida Association of Blood Banks vs. Department of Health, Clinical Laboratory Personnel; Case No.: 96-4335RP; Rule Nos.: 59O-5.002-.005, 59O-10.005; Dismissed

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Lorna W. Woodell vs. Mental Health Counselors; Case No.: 96-3817RP; Rule No.: 59P-31.006; Dismissed

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Connie E. Boggs vs. Mental Health Counselors; Case No.: 96-3816RP; Rule No.: 59P-31.006; Withdrawn

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Florida Nurses Association (FNA), Florida Chapter of the American College of Nurse Midwives vs. Board of Medicine; Case No.: 94-5010RP; Rule No.: 59R-9.012; Voluntary Dismissal

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Lenscrafters, Inc. and Sanjiv Matta vs. Board of Opticianry and Odette Gayaso and Professional Opticians of Florida, Inc.; Case No.: 97-1098RP; Rule No.: 59U-16.002; Dismissed

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Florida Optometric Association, Inc., and Peter D. Liane vs. Board of Optometry; Case No.: 94-5179RP; Rule No.: 59V-3.007; Voluntary Dismissal

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Frank M. Comer vs. Council on Medical Physicists; Case No.: 96-4859RP; Rule Nos.: 59AA-2.001-.003, 59AA-3.001, 59AA-10.001; Voluntary Dismissal

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Lenscrafters, Inc. vs. Board of Opticianry; Case No.: 96-2959RP; Rule No.: 59EE-1.001; Withdrawal

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Florida Optometric Association and Edward K. Walker vs. Board of Opticianry; Case No.: 96-2958RP; Rule No.: 59EE-1.001; Withdrawal

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Pinellas County; Environmental Confederation of Southwest Florida, Inc.; Desoto County; Hardee County; Polk County; GBS Groves, Inc.; and Citrus Grower Associates, Inc. vs. Southwest Florida Water Management District; Case No.: 94-7191RP; Rule No.: 60Q-2.004; Dismissed

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Florida Physical Therapy Association vs. Department of Business and Professional Regulation; Case No.: 96-1115RP; Rule No.: 61-25.004; Withdrawn

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Florida Campground Association, Inc., D/B/A Florida Association of RV Parks and Campgrounds vs. Florida Land Sales, Condominiums, and Mobile Homes; Case No.: 94-3101RP; Rule No.: 61B-29.001; Voluntary Dismissal

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Aspen-Breezy Project, Ltd.; Aspen-Breezy Hill Properties, Inc.; and Aspen-Bonita Lake Resort vs. Florida Land Sales, Condominiums, and Mobile Homes; Case No.: 94-3099RP; Rule No.: 61B-29.001(5); Voluntary Dismissal

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Florida Manufactured Housing Association, Inc. vs. Florida Land Sales, Condominiums, and Mobile Homes; Case No.: 94-3100RP; Rule Nos.: 61B-29, 61B-32; Voluntary Dismissal

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Florida Manufactured Housing Association, Inc. vs. Florida Land Sales, Condominiums, and Mobile Homes; Case No.: 94-4649RP; Rule Nos.: 61B-30.004, 61B-31.001(3),(5); Voluntary Dismissal

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Florida Manufactured Housing Association, Inc. vs. Florida Land Sales, Condominiums, and Mobile Homes; Case No.: 94-5769RP; Rule No.: 61B-31.001(3),(5); Voluntary Dismissal

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Florida Manufactured Housing Association, Inc. vs. Florida Land Sales, Condominiums, and Mobile Homes; Case No.: 95-0712RP; Rule No.: 61B-32.002(1); Voluntary Dismissal

Calder Race course, Inc.; Tropical Park, Inc.; and Gulfstream Racing Association, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 96-0343RP; Rule Nos.: 61D-2.001-.005, 61D-2.008, 61D-2.013-.015, 61D-2.020, 61D-3.001-.004, 61D-5.001, 61D-5.003, 61D-5.007, 61D-6.003-.005, 61D-6.004-.005, 61D-6.008-.009, 61D-7.0021, 61D-7.020-.024, 61D-8.001-.002, 61D-8.005, 61D-9.001; Dismissed

David Burton vs. Board of Dentistry; Case No.: 94-0831RP; Rule No.: 61F5-17.015; Dismissed

Florida Electric Power Coordinating Group, Inc. vs. Department of Environmental Protection; Case No.: 96-0043RP; Rule Nos.: 62-160, 62-204.800, 62-210.200(17),(76), 62-212.400(6), 62-212.410, 62-212.500(1)(b)2., 62-212.510, 62-213.420; Voluntary Dismissal

Florida Electric Power Coordinating Group, Inc. vs. Department of Environmental Protection; Case No.: 96-0301RP; Rule Nos.: 62-210.300(3), 62-210.900(1),(5), 62-213.430(6); Voluntary Dismissal

Florida Electric Power Coordinating Group vs. Board of Trustees of the Internal Improvement Trust Fund; Case No.: 95-3840RP; Rule Nos.: 62-312, 62-343, 62B-49; Voluntary Withdrawal

Florida Pulp and Paper Association and Stone Container Corporation vs. Department of Environmental Protection; Case No.: 96-0354RP; Rule Nos.: 62-520.100, 62-522.100, 62-550.200, 62-551.200, 62-620.100, 62-620.325, 62-620.330, 62-620.335, 62-620.400, 62-620.410, 62-620.412, 62-620.420, 62-620.425, 62-620.435, 62-620.440, 62-620.445, 62-620.450, 62-620.455, 62-620.460, 62-620.510, 62-620.511, 62-620., 62-620.512, 62-620.515, 62-620.550, 62-620.610, 62-620.620, 62-620.800, 62-620.810, 62-620.820, 62-650.120, 62-660.300, 62-701.720; Dismissed

Harry B. Carson and Brenda M. Carson vs. Department of Environmental Protection; Case No.: 96-0300RP; Rule No.: 62-728; Voluntary Dismissal

Florida Electric Power Coordinating Group vs. Department of Environmental Protection; Case No.: 95-4706RP; Rule No.: 62-740; Voluntary Dismissal

Environmental Corporation of America, Inc. vs. Department of Environmental Protection; Case No.: 96-4666RP; Rule No.: 62-773.350(9),(10); Voluntary Dismissal

TPS Technologies, Inc. vs. Department of Environmental Protection; Case No.: 96-2063RP; Rule Nos.: 62-775.100, 62-775.400, 62-775.410; Voluntary Dismissal

Arthur S. Karp, John Caraberis, Bonnie Bond, Isaiah Wolfman, Carole Bledsoe, Ramon Posel, et al. vs. Department of Environmental Protection; Case No.: 96-2482RP; Rule Nos.: 62B-33.002, 62B-33.005, 62B-33.0051; Voluntary Dismissal

Collier County vs. Department of Environmental Protection; Case No.: 96-5660RP; Rule No.: 62N-22.023; Voluntary Dismissal

Donna A. Jennings vs. Marriage and Family Therapists; Case No.: 97-4930RP; Rule No.: 64B4-7.002; Voluntary Dismissal

**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE TO PROFESSIONAL CONSULTANTS**

This notice is being published in accordance with the guidelines set forth in the World Trade Organization Government Procurement Agreement. University Athletic Association, Inc. of the University of Florida, a private corporation in the State of Florida, hereby notifies all interested parties that the contract for the following project has been awarded within the past 72 days:

Project No.: UAA-04

Project Name: Press Box Tower Addition and renovation at Ben Hill Griffin Stadium

Type of Service: Construction Management

Date of Award: January 5, 2001

Name and Address of successful firm: Turner-PPI, a Joint Venture, 2201 Lucien Way, Suite 201, Maitland, Florida 32751.

#### REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 01L-96, BOR 131-306, Diamond Village Building 306 Renovation, estimated budget: \$700,000-\$850,000, to be opened February 6, 2001, 1:30 p.m. (local time), in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The interior spaces are vacant and are scheduled for major partial demolition followed by the complete reconstruction with new materials. A complete new mechanical split system is included. Portions of the existing electrical and plumbing fixtures with trim and all electrical fixtures will be supplied by the Owner and installed by the Contractor. All material and labor required to complete the work are to be included in the Contractor's base bid. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, (352)392-1331. A Mandatory Pre-bid Meeting will be held January 26, 2001, 10:00 a.m., in Diamond Village Commons Building, S. W. 13th Street (one block south of Museum Road), Gainesville, FL.

All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing, (352)392-1331, Ext. 306.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

#### REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 01L-97, BOR-131, Diamond Village Primary Power Upgrade, estimated budget: \$475,000-\$560,000, to be opened February 8, 2001, 1:30 p.m. (local time), in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Provide primary power upgrade to Diamond Village Student Housing Area. Tie-into existing 23kV system at intersection of Newell Drive and Museum Road. Extend new feeders to Diamond Village and new switchgear. From switchgear, provide primary feeders to new pad-mount transformers for new service to student housing apartments. Provide secondary manhole, conduit and wire. Actual building hook-up will be separate project. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, (352)392-1331. A Mandatory Pre-bid Meeting will be held January 29, 2001,

10:00 a.m., in Diamond Village Commons Building, S. W. 13th Street (one block south of Museum Road), Gainesville, FL.

All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing, (352)392-1331, Ext. 306.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

#### NOTICE TO CONSTRUCTION MANAGERS

Florida Atlantic 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-691, Hibel Museum of Art, MacArthur Campus, Jupiter, FL

This project consists of site development and construction of an 11,942 GSF two-story structure to house the Hibel Museum of Art, and classroom and office space for use by the University. The estimated construction cost is \$1,571,000.00.

The contract for Construction Management services will consist of two phases. Phase one is pre-construction services, for which the Construction Manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, 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, will be implemented. In phase two of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of 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 interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping, administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; 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 must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents "Construction Manager Qualifications Supplement" forms and the Project Fact Sheet may be obtained by contacting: Lynn Perrillo, Facilities Planning, Florida Atlantic University, 777 Glades Road, Building T-10, Boca Raton, Florida 33431, (561)297-3141, Fax (561)297-2260.

Five (5) bound copies of the required proposal data shall be submitted to: Lynn Perillo, Facilities Planning, Florida Atlantic University, 777 Glades Road, Building T-10, Boca Raton, Florida 33431.

Submittals must be received in the Facilities Planning Office, at the above address, by 5:00 p.m. (local time), Friday, February 16, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

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## DEPARTMENT OF REVENUE

### REQUEST FOR INFORMATION TAX COMPLIANCE AUDITS

The Florida Department of Revenue (Department) anticipates continuing to expand its audit coverage of Florida taxpayers by contracting with Certified Public Accountants for tax compliance audits. The enabling law for this program is s. 213.28, F.S.

There has been a significant revision in the time frame for the performance of contracted work. The basic time frame for past program years has been the Department provided the audit assignments in approximately mid-September, X1. Because of statutory provisions affording the taxpayers certain rights for scheduling audits, the contract CPA's normally started performing the majority of assigned audits in mid-November,

X1. The fiscal year ended on June 30, X2, however, the Department, through certification forward of unspent funds, was able to pay CPA's for services performed through approximately October 31, X2. That time frame has been revised. A new state policy prohibits the Department from paying contract CPA's for services rendered subsequent to June 30, X2. The Department can pay billings received subsequent to that date, but only to the extent the services were rendered prior to it.

The Department has responded to this new program constraint by revising the time frame for ranking, signing of contracts and delivery of audit assignments to contract CPA's. We anticipate for the program addressed in this R.F.I. the dates for those activities will be approximately: ranking, April 16, 2001 – April 18, 2001; signing of contracts, April 20, 2001 – April 27, 2001; delivery of audit assignments, July 15, 2001.

Accordingly, 2001/2002 contract CPA's will be able to start the majority of audit assignments approximately two months earlier than previous program years. Also, the contract CPA's will be able to utilize their staff on the contract during the summer and early fall months. Another potential advantage is the contract CPA's will have approximately seven consecutive months to complete their assigned audits prior to the anticipated break for tax season.

This Request For Information provides all necessary guidelines for developing a fee proposal and a contract application. Fee proposals are required by the enabling statute.

Relevant facts for firms to evaluate in making the business decision on whether to apply include:

1. Applications from new firms to the program are welcome. The history of the program indicates approximately four first time firms secure contracts each program year.

2. Performance of the contract will require travel. Travel expenses will be reimbursed within the limits imposed by s. 112.061, F.S. It is recommended that firms review s. 112.061, F.S., prior to applying. It is anticipated that audit assignments for contracts will include both in state and limited out of state audits. To the extent allowed by the available assignment inventory, audits will be assigned within contractor's immediate geographical area, except for out of state assignments. This allows the State of Florida to minimize travel expenses. Audits will be assigned after individual contracts are signed.

3. Subcontracting the work will not be an option.

4. Each contract for the fiscal year ending June 30, 2002 will be either for \$25,000 or \$100,000. The Department anticipates there will be approximately 15 \$25,000 and 15 \$100,000 contracts, contingent on funding. Applicants must elect one amount or the other by stating an election on page one of the filed application. Applicants must select one contract size, and their decision is irrevocable for fiscal year ending June 30, 2002.

5. There will be an imposed audit hours budget for each assigned audit. This budget will be determined solely at the judgement of the Department. It will be based on the Department's history in performing similar audits.

6. Professional fees will be based on a single blended hourly rate multiplied by the actual professional staff hours incurred, up to the hours budgeted for each individual audit. The single blended hourly rate for a subject firm will be based on that firm's submitted fee proposal. Do not submit fees for individual team members or a range of fees.

7. Florida tax law, Department audit procedures and audit software training will be required for firms receiving a contract. The tax law course will consist of a self-study course and a one day instructor-led course. The self-study and tax law instructor-led course is the preparation for the Sales and Use Tax examination. There will also be a one day instructor-led course on Department audit procedures. All team members listed on the contract application must attend the subject two days of instructor-led training. Also, team members are required to take the self-study course for Sales and Use Tax and pass the examination. It is further anticipated that the instructor-led training courses will be offered at several central locations in Florida.

There will also be a required audit software instructor-led course. Only one team representative must attend the three day audit software course. The required audit software is now in a Windows environment and all firms that have not attended WINFMT course will be required to send one representative to the new software training course. All costs related to training will be borne by the contract firm.

Failure to complete the training courses and pass the examination on a timely basis is grounds for the Department to void the subject contract.

8. Completion of either the Qualified Practitioner or Practitioner training requirements for the Certified Audit Program, s. 213.285, F.S., qualifies individuals to work on the contract, without the Contract Audit Sales and Use Tax self-study and related examination requirement. They would still be required to complete the one day instructor-led audit procedures course.

9. If awarded a contract, the firm must be willing to certify that they will not perform accounting, auditing, management consulting, system design or tax services for any taxpayer or person that is a subsidiary, parent, sister or other affiliate of the taxpayer on which a tax compliance audit or special audit project has been conducted pursuant to a contract with the Department, for a period of thirty-six consecutive calendar months from the date the Department's assessment of tax due, denial of refund, issuance of a refund, or a "no change" becomes final.

10. The contract will require that audit site supervision be provided by a senior-level employee who is a permanent member of the contract firm's staff. Senior-level is defined as

having at least three years of full-time public accounting experience. Public accounting experience is defined as performing tax, audit, management consulting or accounting work. Clerical and office administration work does not qualify. The contract firm is responsible for the professional quality of all contract work performed.

11. It is anticipated that the assignments will be Sales and Use Tax compliance audits. It is possible the Department may utilize purchased hours from selected contracts to perform special projects. If that proves the case, the involved decisions will be made subsequent to the ranking and contract execution processes. The selected individual firms would have the option to accept or decline the special project work.

If you have an interest in contracting with the Department for tax compliance audits, please mail an application by the deadline established in this R.F.I. with the information requested below. The ranking process will be based exclusively on information submitted in the applicant's response, except for applicants who previously had s. 213.28, F.S., contracts. For those firms Performance Evaluations and Efficiency Calculations will be considered. Information received via telephone will not be considered in the ranking process. Due to the interest in the program and a limited staff, **THE DEPARTMENT REQUESTS THAT INQUIRIES BE KEPT TO A MINIMUM.**

There is no required application form to be completed. Applicants may provide information on the requested topics in any concise written format. Applications are limited to 10 pages or less. Attachments required by this R.F.I. do not count toward the 10 pages. Eight complete copies of the information and supporting documents must be furnished. This is an express requirement. The Department reserves the right to confirm the information submitted.

Applicants must furnish information on the following topics:

1. **ELECTION.** The firm's contract size election, either \$25,000 or \$100,000;

2. **TEAM INFORMATION.** The information provided must include the name and social security numbers of the engagement partner and the professional staff members who would work on the audits. Work is defined as performing hands-on audit work, providing on-site supervision and performing the review of the work papers.

(a) The names and Florida license numbers of each team member. Also, the Florida license number of the practice unit, if applicable.

(b) Firm's telephone number, fax number, mailing, location and e-mail addresses and Federal identification number or social security number.

(c) The results of any Board of Accountancy disciplinary actions within the last three calendar years.

(d) Any complaints against the applicant filed either with Consumer Affairs, Department of Agriculture or a Better Business Bureau, within the last three calendar years.

(e) The geographical location of the applicant's main office (headquarters) and any branch offices.

#### RANKING CRITERIA INFORMATION.

Please clearly identify in your application the firm member(s) who would work on the awarded contract. An awarded contract will require the participation of the named individuals. A firm receiving a contract will be allowed reasonable equivalent substitutions in justifiable, unavoidable circumstances.

Where applicable, please present the requested ranking criteria information both for the individual team members and in cumulative total for the team. For example, for the Advanced Degrees in Taxation criteria, John Smith-1 Advanced Degree in Taxation, Ron West-0 and Sally Jones-1, with a cumulative team total of 2 Advanced Degrees in Taxation.

A summary of information, by team member, in table format is requested.

#### CRITERIA

1. Experience in Florida tax law. Defined as working directly with Florida tax law, rules and interpretative decisions. Please categorize experience as either "audit" – performing tax compliance audits for the Department; or "preparation" – preparing Florida tax returns or representing clients in protests. Please include years and months of experience for each team member. For firms with previous contracts, firm members included on the current application who worked on the previous contract receive 1 year audit experience for each contract. This criteria will be weighted 15 percent in the weighted ranking equation;

2. Knowledge of Florida tax law for Florida Sales and Use Tax. Defined as academic knowledge of the application, concepts and issues concerning Florida Sales and Use Tax. It is the combined knowledge (i.e., courses attended and successfully passed) of the firm members named in the application. The methods by which the applicant may have gained this knowledge are:

(a) Attended and, where applicable, successfully passed a course which is designed specifically to teach audit applications for the Florida revenue law.

(b) Successfully completed a Department course in the Florida revenue laws (each of the Department's Contract Audit program and Certified Audit program courses meet this criteria). Weighted 5 percent;

3. Experience in Federal tax law. Same definitions as 1., except for Federal experience. Weighted 5 percent;

4. On-Site Peer Review. If applicable, the most recent on-site quality review report or peer review report, Letter of Comments, if any, and Letter of Response, if any. If inapplicable to your firm, there is no subtraction of points. Do not provide off-site quality review reports. Weighted 5 percent;

5. Advanced Degrees in Taxation. Any graduate or doctoral degrees in taxation possessed by the named team members. Advanced business, accounting, or law degrees with a stated major in taxation qualify. Weighted 5 percent;

6. Certified Minority Business Enterprise. Whether or not the applicant has formally applied for and been granted a Certified Minority Business Enterprise certification with the State of Florida pursuant to s. 287.0943, F.S., at the date of the filed application. The Department of Revenue is not involved in the minority business certification process. Please see s. 287.0943, F.S., for information. Weighted 10 percent;

7. Other. Any other relevant experience or skills, including computer capabilities. Weighted 5 percent;

8. Fee Proposal. A fee proposal based on a single, blended hourly rate. All available information relevant to developing the fee proposal is in this Request for Information. To ensure fairness in the application process, no additional information can be provided in response to inquiries. Weighted 25 percent.

The remaining 25 percent of the weighted equation, adding to 100 percent, addresses the performance of firms who have had s. 213.28, F.S., contracts in the past.

Only applications filed within 30 calendar days of the date of publication of this Request for Information in the Florida Administrative Weekly will be included in the applicants ranking process for Fiscal Year 2001/2002. To be timely, an application in response to this Request For Information must be postmarked by the US Postal Service or hand delivered within 30 calendar days of the issue date of the Florida Administrative Weekly in which the Request For Information is published. Responses postmarked up to the 30th day will be accepted. Facsimile information will not be accepted. Incomplete applications will not be ranked.

If the number of applicants requires it, the Department reserves the right to use statistical sampling to select the applications to be ranked. It is anticipated the ranking process will be completed 60 days from the application deadline.

Once the ranking process is complete, the contract process will begin. Applicants will be contacted in ranked order and will be given an opportunity to enter into a contract. Applicants not receiving an opportunity will be informed by letter by August 1, 2001. Please do not telephone prior to that date.

Applications are to be mailed to: Ron Webster, C.P.A., Contract Manager, Department of Revenue, Contract Audit program and Certified Audit program, Compliance Support Process, Southwood Complex, 3rd Floor, P. O. Box 5139, Tallahassee, Florida 32314-5139. For overnight mail, the address is 4070 Esplanade Way, Southwood, 3rd Floor,

Tallahassee, Florida 32311. It is suggested that the contract applications be mailed with a method of tracking for the sender.

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## REGIONAL PLANNING COUNCILS

### Request for Letters of Interest and Qualifications

The Northeast Florida Regional Planning Council is seeking qualifications or firms interested in coordinating transportation services for the transportation disadvantaged in Baker County, Florida. The selected coordinator will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Rule 41-2 of the Florida Administrative Code (F.A.C.).

The Community Transportation Coordinator is defined by Chapter 427, F.S. as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, F.S. as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities or other life sustaining activities or children who are handicapped or high-risk or at-risk as defined in s. 411.202."

Interested providers are required to provide the following as proof of qualifications: a list of coordination experience; a list of scheduling and routing software used by your organization; a list of vehicles to be used (if applicable); a current financial statement, a current medicaid provider number and an organizational chart.

Selection of potential providers will be based on a ranking of their expertise, overall capabilities, recent experience in similar programs and proposed methods of achieving cost-effective services. Potential providers should submit three (3) copies of their expression of interest and qualifications in a sealed envelope, to: Northeast Florida Regional Planning Council, Attention: Mr. Brian D. Teeple, AICP, Executive Director, 9143 Philips Highway, Suite 350, Jacksonville, Florida 32258. Letters must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR BAKER COUNTY COMMUNITY TRANSPORTATION COORDINATOR." Letters of interest and qualifications must be received by 5:00 p.m., February 20, 2001.

Questions should be addressed to: Mr. Stephen L. Jones, AICP, Senior Regional Planner, (904)363-6350, Ext. 115. Faxed and e-mailed responses WILL NOT be accepted. Letters received

after the deadline will be returned unopened with the notation, "This letter of interest was received after the delivery time designated for receipt and opening in the legal notice." Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator.

The Northeast Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

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### Request for Letters of Interest and Qualifications

The Northeast Florida Regional Planning Council is seeking qualifications or firms interested in coordinating transportation services for the transportation disadvantaged in Clay County, Florida. The selected coordinator will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Rule 41-2 of the Florida Administrative Code (F.A.C.).

The Community Transportation Coordinator is defined by Chapter 427, F.S. as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, F.S. as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities or other life sustaining activities or children who are handicapped or high-risk or at-risk as defined in s. 411.202."

Interested providers are required to provide the following as proof of qualifications: a list of coordination experience; a list of scheduling and routing software used by your organization; a list of vehicles to be used (if applicable); a current financial statement, a current medicaid provider number, and an organizational chart.

Selection of potential providers will be based on a ranking of their expertise, overall capabilities, recent experience in similar programs and proposed methods of achieving cost-effective services. Potential providers should submit three (3) copies of their expression of interest and qualifications in a sealed envelope, to: Northeast Florida Regional Planning Council, Attention: Mr. Brian D. Teeple, AICP, Executive Director, 9143 Philips Highway, Suite 350, Jacksonville, Florida 32258. Letters must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR CLAY COUNTY COMMUNITY

TRANSPORTATION COORDINATOR.” Letters of interest and qualifications must be received by 5:00 p.m., February 20, 2001.

Questions should be addressed to: Mr. Stephen L. Jones, AICP, Senior Regional Planner, (904)363-6350, Ext. 115. Faxed and e-mailed responses WILL NOT be accepted. Letters received after the deadline will be returned unopened with the notation, “This letter of interest was received after the delivery time designated for receipt and opening in the legal notice.” Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator.

The Northeast Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

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#### Request for Letters of Interest and Qualifications

The Northeast Florida Regional Planning Council is seeking qualifications or firms interested in coordinating transportation services for the transportation disadvantaged in Putnam County, Florida. The selected coordinator will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Rule 41-2 of the Florida Administrative Code (F.A.C.).

The Community Transportation Coordinator is defined by Chapter 427, F.S. as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, F.S. as “those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities or other life sustaining activities or children who are handicapped or high-risk or at-risk as defined in s. 411.202.”

Interested providers are required to provide the following as proof of qualifications: a list of coordination experience; a list of scheduling and routing software used by your organization; a list of vehicles to be used (if applicable); a current financial statement, a current medicaid provider number and an organizational chart.

Selection of potential providers will be based on a ranking of their expertise, overall capabilities, recent experience in similar programs and proposed methods of achieving cost-effective services. Potential providers should submit three (3) copies of their expression of interest and qualifications in a sealed

envelope, to: Northeast Florida Regional Planning Council, Attention: Mr. Brian D. Teeple, AICP, Executive Director, 9143 Philips Highway, Suite 350, Jacksonville, Florida 32258. Letters must be marked, “LETTER OF INTEREST AND QUALIFICATIONS FOR PUTNAM COUNTY COMMUNITY TRANSPORTATION COORDINATOR.” Letters of interest and qualifications must be received by 5:00 p.m., February 20, 2001.

Questions should be addressed to: Mr. Stephen L. Jones, AICP, Senior Regional Planner, (904)363-6350, Ext. 115. Faxed and e-mailed responses WILL NOT be accepted. Letters received after the deadline will be returned unopened with the notation, “This letter of interest was received after the delivery time designated for receipt and opening in the legal notice.” Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator.

The Northeast Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

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#### Request for Letters of Interest and Qualifications

The Northeast Florida Regional Planning Council is seeking qualifications or firms interested in coordinating transportation services for the transportation disadvantaged in St. Johns County, Florida. The selected coordinator will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Rule 41-2 of the Florida Administrative Code (F.A.C.).

The Community Transportation Coordinator is defined by Chapter 427, F.S. as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, F.S. as “those persons who because of physical or mental disability, income status or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities or other life sustaining activities or children who are handicapped or high-risk or at-risk as defined in s. 411.202.”

Interested providers are required to provide the following as proof of qualifications: a list of coordination experience; a list of scheduling and routing software used by your organization; a list of vehicles to be used (if applicable); a current financial statement, a current medicaid provider number and an organizational chart.

Selection of potential providers will be based on a ranking of their expertise, overall capabilities, recent experience in similar programs and proposed methods of achieving cost-effective services. Potential providers should submit three (3) copies of their expression of interest and qualifications in a sealed envelope, to: Northeast Florida Regional Planning Council, Attention: Mr. Brian D. Teeple, AICP, Executive Director, 9143 Philips Highway, Suite 350, Jacksonville, Florida 32258. Letters must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR ST. JOHNS COUNTY COMMUNITY TRANSPORTATION COORDINATOR." Letters of interest and qualifications must be received by 5:00 p.m., February 20, 2001.

Questions should be addressed to: Mr. Stephen L. Jones, AICP, Senior Regional Planner, (904)363-6350, Ext. 115. Faxed and e-mailed responses WILL NOT be accepted. Letters received after the deadline will be returned unopened with the notation, "This letter of interest was received after the delivery time designated for receipt and opening in the legal notice." Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator.

The Northeast Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

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## REGIONAL TRANSPORTATION AUTHORITIES

### ON BEHALF OF THE SOUTH FLORIDA REGIONAL TRANSPORTATION ORGANIZATION REQUEST FOR PROPOSAL NO. 00-607

#### SOUTH FLORIDA TRANSIT ANALYSIS STUDY

Tri-County Commuter Rail Authority (TCRA), 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. TCRA is issuing this RFP on behalf of the South Florida Regional Transportation Organization (RTO), an organization working toward a seamless regional surface transportation system in the area, which is represented by Palm Beach County, Broward County, Miami-Dade County, the three counties' respective Metropolitan Planning Organizations, TCRA, local business organizations and the State of Florida Department of Transportation.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a qualified Consultant to (a) conduct a comprehensive review of each transit mode in the South Florida area (Palm Beach, Broward and Miami-Dade Counties) and its relationship to other modes; (b) evaluate the capacity of the current transit modes to meet regional projected needs; (c) identify cost-effective regionally significant transit enhancements that may be implemented within the next ten years (2010); and (d) identify long-term (2011 and later), regionally significant transit corridor projects that are critical

to the economic competitiveness and future mobility of South Florida. The estimated length of time to complete the study is 18 months.

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 January 22, 2001.

RECEIPT OF SEALED PROPOSALS: All proposals must be received in a sealed envelope no later than 5:00 p.m., February 22, 2001 at the TCRA office in Pompano Beach.

TCRA 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: TCRA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination. TCRA's DBE program goal is 12% of total contract expenditures.

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## DEPARTMENT OF CORRECTIONS

### ADVERTISEMENTS FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR UNDERGROUND UTILITIES CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, BUREAU OF FACILITIES SERVICES.

CONSTRUCTION OF: Region IV, Sewer System and Manhole Rehabilitation

PROJECT NO: YL

PROJECT SITE: Dade and Everglades Correctional Institutions, Opa Locka Community Correctional Center and South Florida Reception Center in Dade County, Florida

PREQUALIFICATION: All bidders must submit evidence that they are qualified to perform the work in accordance with Section B, Paragraph B-2 of the Specifications.

BID DATE AND TIME: February 13, 2001, 1:00 p.m. (Local Time)

PLACE: South Florida Reception Center, 14000 N. W. 41st Street, Miami, Florida 33178

Any person with a qualified disability requiring special accommodations at the pre-bid conference and/or bid/proposal opening shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services, 1(800)955-8771 (TDD).

**PROPOSALS:** Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

**ARCHITECT/ENGINEER:** LBFH, Inc., 3550 S. W. Corporate Parkway, Palm City, Florida 34990, Attn.: Lawrence Lardieri, P. E., (561)286-3883

**DRAWINGS/SPECIFICATIONS:** Sets of Drawings and Specifications may be purchased for \$55.00 per set. Partial sets may not be purchased. Payment made to "[a/e]"

**PRE-BID CONFERENCE:** A non-mandatory pre-bid conference will be held on January 25, 2001, 1:00 p.m. (Local Time), at the Administration Building Conference Room, South Florida Reception Center.

**CONTRACT AWARD:** The recommendation for contract award will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

## **WATER MANAGEMENT DISTRICTS**

### **INVITATION TO BID**

#### **CEDAR KEY STORMWATER SYSTEM IMPROVEMENTS**

Sealed bids will be received by the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060 for:

**PROJECT TITLE:** Cedar Key Stormwater System Improvements

**PROJECT NUMBER:** RFB 00/01-019RM

**PROJECT SCOPE:** The project involves cleaning existing drainage structures, replacing drainage pipe, culverts, manholes and inlets, installing stormceptors and trenchdrains and related work. Estimated cost is \$250,000-\$500,000.

**BID DOCUMENTS:** Any individual or firm desiring to bid on this project may obtain a copy of the Plans, Specifications and Request for Bid by contacting:

Sandra Keiser, Administrative Assistant  
Suwannee River Water Management District  
9225 County Road 49  
Live Oak, Florida 32060

(904)362-1001 or 1(800)226-1066, Florida only

**BID DATE AND TIME:** Sealed bids will be received until 4:00 p.m., Friday, February 9, 2001, at the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. Clearly label all bids, "Cedar Key Stormwater System Improvements, RFB 00/01-019RM". Faxed bids will not be accepted.

**BID REQUIREMENTS:** Bids must be submitted in full accordance with the requirements of the drawings, specifications and bid documents. All contractors that are interested in bidding are required to attend a mandatory pre-bid

conference to be held on February 1, 2001, 2:00 p.m., at the Cedar Key Historical Society Museum Annex, 609 2nd Street, Cedar Key, Florida. Failure to attend the pre-bid conference will result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. Bidders are encouraged to inspect the work sites prior to the pre-bid conference.

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

### **REQUEST FOR STATEMENT OF QUALIFICATIONS**

**RFSOQBDRS 02-00/01**

Sealed responses will be received by the Department of Environmental Protection (DEP), Alfred B. Maclay State Gardens, 3540 Thomasville Road, Tallahassee, Florida 32308, until the time, day and date shown below:

Proposal Due Date: 3:30 p.m., Monday, February 19, 2001

This Request for Statement of Qualifications (RFSOQ) is for Architectural services, certified in the State of Florida to produce a plan for development and interpretation of the Judah P. Benjamin Confederate Memorial at Gamble Plantation Historic Site and its components.

All responses to the Request for Statement of Qualifications (RFSOQ) are welcome. The RFSOQ is an effort to make an open and fair competition with questions that identify our needs.

Any person with a qualified disability shall not be denied equal access and effective communication regarding any solicitation documents or the attendance at any related meeting or solicitation response opening. If accommodations are needed because of a disability, please contact the Contracts Section, (850)488-5372.

Solicitation packages may be obtained at the above address by calling telephone number (850)488-5372. Please specify the solicitation package by the DEP Solicitation Number provided above. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all proposals.

## **DEPARTMENT OF JUVENILE JUSTICE**

The Florida Department of Juvenile Justice and the Juvenile Justice and Delinquency Prevention State Advisory Board (JJDP) announce the availability of Request for Proposals for Title II, Title V and Challenge Grant funding on January 19, 2001. Title II funds will be used to fund programs that are based on data that measure risk factors predictive of problem behaviors that lead to non-delinquent status offending and subsequent serious, violent, and chronic offending. Title V funds will be used to reduce delinquency and youth violence by supporting communities in providing their children, families, neighborhoods and institutions with the knowledge, skills and opportunities necessary to foster a healthy and nurturing environment and encourage the growth and development of productive and responsible citizens. Challenge

Grants: Challenge Activity E funds will be used to sustain the Challenge Grant research project and fund delinquency prevention and early intervention program for girls of elementary and middle school age. Challenge Activity H funds will be used to support local comprehensive strategy components that focus on the risk factors: early initiation of problem behavior and low commitment to school. The total amount of funds available is \$5.8 million. Grant applicants should submit proposals not exceeding \$100,000.

A copy of the RFP and grant application is available on website: www.djj.state.fl.us./jjdp. Or fax a request to: JJDP Program (850)414-9405 or email to: Roslyn.Norris@djj.state.fl.us. Deadline for requesting application package is February 2, 2001. The deadline for submitting proposals is March 23, 2001. Contact Person: Roslyn Norris, (850)414-2236.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**INVITATION TO BID**

Competitive sealed bids will be received in the Department of Children and Family Services, District III, Tacachale Purchasing Office, 1621 N. E. Waldo Road, Gainesville, Florida 32609 until 2:00 p.m., February 21, 2001 for the following:

**STEP VAN**

Interested bidders may obtain bid forms and specifications by writing or calling the Tacachale Purchasing Office at the above address, telephone (352)955-5537. The Department reserves the right to reject any or all bids.

DCF 2000-6RN

**NOTICE TO ROOFING CONTRACTORS**

**INVITATION TO BID**

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 00240260

PROJECT: REROOFING OF BUILDING 1029  
FLORIDA STATE HOSPITAL  
CHATTAHOOCHEE, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations. The Instructions to Bidders "Bidder Qualification Requirements and Procedures" are included in the specifications under Article B-2.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A performance bond and labor and material payment bond are required.

DATE AND TIME: Sealed bids will be received at the architect's office on February 6, 2001, until 2:00 p.m. (local time), at which time they will be publicly opened and read aloud.

MANDATORY PRE-BID INSPECTION: We will conduct a mandatory prebid inspection with the architect at the project site on Thursday, January 25, 2001, 10:00 a.m. for all interested contractors.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions and with a copy of the contractor's license. The contract documents may be examined and obtained from the Architect/Engineer:

MANAUSA, LEWIS AND DODSON, ARCHITECTS  
2074 RAYMOND DIEHL ROAD  
TALLAHASSEE, FLORIDA 32308  
TELEPHONE (850)385-9200

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 2:00 p.m. (local time), February 7, 2001, at the architect's office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in s. 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures", the contract will be awarded to the qualified, responsive low bidder by the Owner.

**JACKSONVILLE TRANSPORTATION AUTHORITY**

WONDERWOOD CONNECTOR – CONTRACT 2  
GIRVIN ROAD TO SANDCASTLE LANE

Bid No. CP-0041-01

**NOTICE TO CONTRACTORS**

Sealed bids will be received by the City of Jacksonville, Florida, Purchasing Division, Suite 330, City Hall, St. James Building, 117 West Duval Street, Jacksonville, Florida 32202, until 2:00 p.m. (prevailing local time), Wednesday, February 14, 2001 for Wonderwood Connector, Contract 2. This is a Federal Aid Program project (FL34-007-R, FL34-005-R). Pursuant to the Fair Labor Standards Act, the Minimum Wage Rates for this project shall be \$5.15 per hour.

At that time bids will be publicly opened, read and recorded in the Third Floor Conference Room, City Hall, St. James Building. Posting of bids will occur on Friday, February 16, 2001 at the Jacksonville Transportation Authority, 100 North Myrtle Avenue, Jacksonville, Florida 32203.



Scope of Work: This work consists of constructing a four lane urban facility, from Girvin Road to Sand Castle Lane. The project length is 3.37 kilometers. This project has a classification of Major Bridges of conventional construction which are over water opening of 1000 feet or more. There is one bridge 1092.75 meters long with 19.8 meters of vertical clearance over the Intracoastal Waterway and another bridge 426.8 meters long with 9.14 meters of vertical clearance over Greenfield Creek. The bridges are prestressed modified bulb tee beams. The roadway work includes, but is not limited to, the following: clearing and grubbing, earthwork, stabilization, limerock base, stormwater drainage facilities, concrete curb and gutter, concrete sidewalk, lighting, signing and pavement marking, signalization and storm water retention facilities. Utility work consists of a 508 mm water line, a 508 mm force main and a 203 mm reuse line.

Prequalification Requirements: The Contractor must be prequalified under Rule 14-22, Florida Administrative Code, by the FDOT Contracts Administration Office, by the letting date in the following types of work: Work Class: 1) Major Bridge; g) Bridges of conventional construction which are over a waterway opening of 1000 feet or more. NOTE: A Contractor must be prequalified in accordance with Rule Chapter 14-22 on the date of the letting in order to submit a bid in excess of \$250,000.00. However, any bid in excess of \$250,000.00, submitted by a contractor which is not prequalified in accordance with Rule Chapter 14-22 on the date of the letting, shall be declared "IRREGULAR" and will be REJECTED. Other work may be performed by Subcontractors, subject to the approval of the Authority's representative. Construction surveillance will be provided by the Jacksonville Transportation Authority. Construction shall be completed within 730 calendar days of the date of the Notice to Proceed (NTP) letter.

Additional Requirements: The person responsible in charge of the post-tensioning operation shall have a minimum of three years of full time experience in post-tensioning. Documentation of this experience shall be submitted to the engineer for approval.

The bidder is expected to examine carefully the site of the proposed work and the proposal, plans, specifications and Contract Forms before submitting a bid package.

Plans and specifications will be available Thursday, January 11, 2001, after 3:00 p.m., and can be obtained: Reynolds, Smith and Hills, Inc., 4651 Salisbury Road, Jacksonville, Florida 32256, (904)279-2293, Fax (904)279-2491. The price (non-refundable) per set of documents, including plans and specifications, is \$200.00, checks made payable to Jacksonville Transportation Authority (JTA). Plans may be inspected at the JTA office 100 North Myrtle Avenue, Jacksonville, Florida.

A bid bond must accompany each bid and must be in an amount five percent (5%) of the total bid price, in accordance with the bid documents.

The JTA has an agency-wide goal of 12% of Disadvantaged Business Enterprise activity. In accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the regulations of the Department of Commerce (15 C.F.R., Part 8) issued pursuant to such Act, hereby notifies all bidders that JTA will affirmatively insure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation. Further, the JTA will not discriminate against bidders on the basis of race, color, gender, religion, national origin, age, disability or marital status in consideration for an award.

Pursuant to Section 337.11, Florida Statutes, any person adversely affected by a bid solicitation shall file both a notice of protest and bond within 72 hours of the receipt of the bid documents and shall file a formal written protest within ten days after filing the notice of protest. The formal written protest shall state with particularity the facts and law upon which the protest is based. Any person who files a notice of protest as to a bid solicitation pursuant to this rule shall post with the JTA, at the time of filing the notice of protest, a bond payable to the JTA in the following amounts: For an action protesting a bid solicitation that requires qualification of bidders, the Bond shall be \$5,000. For an action protesting a bid solicitation for which bidders are not required to be prequalified by the JTA to be eligible to bid, the bond shall be \$2,500. The required notice of protest, bond and formal protest must each be timely filed with the City of Jacksonville, City Purchasing Department, 117 W. Duval Street, Suite 335, Jacksonville, Florida 32202. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

In order for the JTA to have the information required to determine a bidder's current capacity, it is necessary that the bidder submit on the day of the bidding, a Certification of Current Capacity that shall be executed under oath and be accompanied and supported by a Status of Contracts on Hand Report. Failure to submit these documents may result in a determination that all bids submitted by the Contractor for the bidding is non-responsive or irregular and not to be considered. The Suspension and Debarment Certification and Certification Regarding Lobbying shall be included in all bids submitted. "By signing and submitting these certifications the Contractor will certify that no principal (which includes officers, directors or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency or that no one has been retained to lobby for the contractors interest in this project."

A prebid meeting will be held at the offices of Jacksonville Transportation Authority, 100 North Myrtle Avenue, Jacksonville, Florida 32203, Thursday, January 25, 2001, 10:00 a.m.

The Jacksonville Transportation Authority reserves the right to reject any or all bids.

Miles N. Francis, Jr.  
 Executive Director  
 Jacksonville Transportation Authority  
 Jacksonville, Florida

**JACKSON COUNTY BOARD OF COUNTY COMMISSIONERS**

**REQUEST FOR PROPOSALS (RFP)**

Request for proposals for a county wide visioning project. Jackson County, Florida is requesting consultant assistance in the planning and implementation of a county wide visioning project. To apply: To request an RFP packet, contact: Rick Pettis, Director, Department of Community Development, 4487 Lafayette Street, Marianna, Florida 32448, (850)482-9637 or email: cddir@digitalexp.com. The submittal deadline is 4:30 p.m., January 30, 2001.

**CITY OF DAYTONA BEACH**

**NOTICE TO CONTRACTORS/CONSULTANTS**

The City of Daytona Beach is soliciting LETTERS OF INTEREST/PROPOSALS from CONTRACTORS/CONSULTANTS for the following design-build project:

PROJECT NAME: U.S. 92 Pedestrian Overpass Bridge, Volusia County, Florida

CITY CONTRACT NUMBER: 2001-09

EDTF PROJECT NUMBER: 99/0064A

PROJECT DESCRIPTION: Construction and design of a concrete and truss style pedestrian overpass with concrete deck and ramps with decorative components. Project location is on SR 600 (US 92) in the vicinity of West Road. The project will consist of a modified Pratt truss style bridge having a concrete deck. The bridge will span over SR 600 (US 92) approximately 209', will contain a clear width of approximately 20' and will meet minimum vertical clearance of 17'-6" over all roads. Ramps will be constructed on both sides of SR 600 and will be concrete with handrails. The bridge enclosure will have a predetermined shape and be fully enclosed with vinyl coated chain link fence caging. Also included in the work will be the relocation of a portion of a service road on International Speedway Corporation property and plaza improvements at the base of the proposed ramps. Professional Design Consultant services will include preparation of complete construction plans in accordance with Florida Department of Transportation (FDOT) standards. Construction work will include bridge,

roadway and drainage construction, utility coordination, decorative concrete work, landscaping, lighting and maintenance of traffic.

PREQUALIFICATION REQUIREMENTS: The contractor team member must be pre-qualified under Rule 14-22, Florida Administrative Code, by the FDOT Contracts Administration Office, by the due date for letters of interest, in the following types of work:

- Work Class 01.e – Major Bridges (which include steel truss construction)
- 03 – Grading (clearing, grubbing, excavation and embankment)
- 30b – Fencing
- 30d – Grassing, Seeding, and Sodding
- 30f – Bridge Painting

Team members involved in professional services, as identified in Chapter 287.055, Florida Statutes and in the City of Daytona Beach Design-Build Ordinance No. 00-352, must be pre-qualified under Rule 14-75, Florida Administrative Code, by the FDOT Contractual Services Office, by the due date for letters of interest, in the following types of work:

- 3.1 Minor Highway Design
- 4.2 Major Bridge Design
- 8.2 Design Surveys
- 9.1 Soil Exploration
- 9.2 Geotechnical Exploration Testing
- 9.4 Foundation Studies

MBE PARTICIPATION GOAL: Successful team shall comply with Chapter 13-1/2, Article II of the Code of The City of Daytona Beach, Florida, "Minority and Women Owned Business Enterprises (Ordinance 94-123) and the related "Minority and Women Owned Business Enterprises Policy and Procedures" (Resolution 94-124).

BONDING: The short listed firms will be required to provide a 5% bid bond for each bid in excess of \$150,000.00. A 100% performance bond will be required from the firm selected.

RESPONSE PROCEDURE: Pre-qualified firms interested in being considered for the project should submit one (1) original and ten (10) copies of a letter of interest, not to exceed ten (10) pages in length, including the following information:

1. Project Name/City Contract Number/EDTF Project Number
2. Firm's name, address, phone number and contact person
3. Names of companies proposed as team members and key personnel with titles and/or classifications (do not include resumes)
4. Statement regarding Contractor, and Professional Services Consultant(s) pre-qualifications in the work classes and work groups advertised
5. Indication of how MBE goals would be met
6. Other information relative to the team's qualifications, availability of resources, and related experience for this project

**SELECTION PROCEDURE:** To determine the relative ability of each firm to perform the required services, the City shall consider as a minimum the following criteria: pre-qualification information; past performance with the City and Florida Department of Transportation; proposed staff experience; team history and experience with design-build process; related experience of truss manufacturer(s) proposed for use; and availability of current resources to expedite a stringent project schedule having a completion date of February 1, 2002. At least three firms shall be short listed from the responses to this solicitation. The short listed firms will be provided with Additional Proposal Requirements and a Design and Construction Criteria package (DCP) further identifying the items that will be requested for providing a technical and price proposal for the project. The award of the project will be based on an adjusted score formulated to include price, proposed completion schedule and technical proposal considerations.

**RESPONSE DUE DATE:** Monday January 30, 2001, 2:00 p.m. Responses should be addressed to:

The City of Daytona Beach  
 Public Works Department, Engineering Division  
 P. O. Box 2451  
 Daytona Beach, Florida 32115-2451

Attn.: David C. Ponitz, P. E., Deputy City Engineer

**QUESTIONS REGARDING PROJECT, CALL PROJECT MANAGER:** David Ponitz, (904)258-3181

**SHORT LIST NOTIFICATION:** Subsequent to selection and approval by The City, all respondents to this solicitation will be notified in writing regarding the selection of the short-listed Contractor/Consultant teams. Short-listing of teams is expected to occur in early February 2001.

**OTHER DATES (TENTATIVE):**

Additional Proposal Requirements & DCP	2/06/01
Pre-Proposal Meeting	2/17/01
Technical/Bid Proposals Due	3/22/01
Notice to Proceed	5/01/01

The City of Daytona Beach shall reserve the right to reject all proposals and waive minor proposal irregularities.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

**NOTICE TO DESIGN – BUILD FIRMS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Design-Build firms desiring to render Design-Build Services for the following project at Tampa International Airport, Tampa, Florida:

**REPLACE LANDSIDE CHILLERS AND INSTALL AN ADDITIONAL COOLING TOWER AND RELATED WORK**  
 Services to be furnished shall include, but not be limited to, all engineering and construction activities to design and construct a retrofit of the Landside Chiller Plant. The Project will include a study of the existing chiller plant, the removal of three (3) existing chillers, installation of two (2) new chillers at a size determined by the study, installation of an additional cooling tower also sized as determined by the study, and related work. Qualified Design-Build firms desiring consideration for this Project must give written notification in the form of a Letter of Interest to:

Al Illustrato  
 Director of Maintenance  
 Hillsborough County Aviation Authority  
 Post Office Box 22287  
 Tampa, Florida 33622

Interested parties may inquire as to project description, details, and required data submission to: Al Illustrato, Director of Maintenance, (813)870-8741. ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR QUALIFICATIONS IS REQUIRED AT THIS TIME. Subsequent to receiving Letters of Interest, a Request for Qualifications will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Qualification Conference will be held on Tuesday, February 20, 2001, 2:00 p.m. (Local Time), at the Board Room, Hillsborough County Aviation Authority, Landside Terminal Building, Third Floor, Blue Side, Tampa International Airport, Tampa, FL.

Replies to this Notice must be received at or before 5:00 p.m. (Local Time), Tuesday, February 6, 2001.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**  
 By:           /s/Louis E. Miller            
 Louis E. Miller, Executive Director

**NOTICE TO DESIGN-BUILD FIRMS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Design-Build firms desiring to render Design-Build Services for the following project at Tampa International Airport, Tampa, Florida:

**DESIGN AND CONSTRUCTION OF NEW FEDERAL EXPRESS AIR CARGO FACILITY AND RELATED WORK**  
 Services to be furnished shall include, but not be limited to, all architectural design and all engineering related to structural, mechanical, plumbing, fire protection, electrical, electronic and information technology systems; architectural/engineering services during construction; construction by a qualified contractor; and related surveys and testing. Professional services will also be required by a registered landscape

architect specializing in exterior landscape design. A more detailed Scope of Services will be included in the formal Request for Qualifications.

Qualified Design-Build firms 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 descriptions, details and required data submission to: William J. Connors, Jr., Senior Director of Planning and Design, (813)870-8704. ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR QUALIFICATIONS IS REQUIRED AT THIS TIME. Subsequent to receiving Letters of Interest, a Request for Qualifications will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Qualification Conference will be held Wednesday, February 28, 2001, 10:00 a.m. (Local Time), in the Hillsborough County Aviation Authority Board Room, Landside Terminal Building, Third Floor, Blue Side, Tampa International Airport, Tampa, FL. Details of this conference will be included in the Request for Qualifications.

Replies to this Notice must be received at or before 5:00 p.m. (Local Time), Friday, February 9, 2001.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ Louis E. Miller  
 Louis E. Miller, Executive Director

**WEST CENTRAL FLORIDA AREA AGENCY ON AGING**

**REQUEST FOR PROPOSAL  
 (WCFAAA RFP #126)**

The West Central Florida Area Agency on Aging requests proposals for 2001 Older Americans Act Title III social services in three (3) counties of Planning and Service Area (PSA) VI. This RFP includes Title III Older American Act funding for the following three social services: a) Adult Day Care (\$88,614) and Housing Improvement (\$10,125) in Manatee county; b) Homemaker (\$189,286) and Housing Improvement (\$16,847) services in Polk county; and c) Housing Improvement (\$137,030) services in Hillsborough county. Proposals are due no later than 12:00 Noon (EDT), February 23, 2001, and should be sent: West Central Florida Area Agency on Aging, Inc., 5911 Breckenridge Parkway, Suite B, Tampa, FL 33610-4240. Request for Proposal documents may be obtained at the above address on or after January 19, 2001 or by calling (813)740-3888.

Date of contract period: April 1, 2001 through December 31, 2001. The deadline for Written Notice of Intent to submit a proposal must be received at the above address by February 14, 2001, 4:00 p.m.

The contact person is Thomas R. Weekes, Grants Manager, 5911 Breckenridge Parkway, Suite B, Tampa, FL 33610-4240, (813)740-3888, Extension 240.

Requestor reserves the right to reject any and all proposals.

**FLORIDA'S COMMISSION OF RESPONSIBLE FATHERHOOD**

Request for Proposals

In collaboration with the Department of Health, Florida's Commission on Responsible Fatherhood is calling for requests for proposals (RFP) for programs serving fathers of children 0 to 5 years. The Commission will award a 3-year contract to two grant recipients with a maximum amount of \$100,000 per year and a 3-year maximum of \$300,000. Contracts will be executed from July 1, 2001 to June 30, 2004.

For more information and to obtain a copy of the RFP, visit the Commission's Web site at <http://www.fcorf.org> or contact Anne Carpenter, (850)488-4952 or [acarpenter@ounce.org](mailto:acarpenter@ounce.org).

**Section XII  
 Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

**NOTICE OF FILINGS**

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notice. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in 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., February 9, 2001):

**CORRECTION APPLICATION  
 TO ACQUIRE CONTROL**

Financial Institution to be Acquired: Tri-County Bank, Trenton, Florida, by Proposed Purchaser, ABC Bancorp, Moultrie, Georgia, published in the January 12, 2001, Florida Administrative Weekly, should have read:

APPLICATION TO MERGE

Constituent Institutions: Tri-County Bank, Trenton, Florida and Tri-County Merger Sub., Inc., Trenton, Florida  
 Resulting Institution: Tri-County Bank, Trenton, Florida  
 Received: December 28, 2000

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that General Motors Corporation, intends to allow the relocation of Dew Cadillac, Inc., as a dealership for the sale of General Motor products, from its present location at 224 Third Street, South, St. Petersburg, Florida 33701, to a proposed location at 10884 Park Boulevard, St. Petersburg (Pinellas County), Florida 33701, on or after January 8, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Dew Cadillac, Inc. are: dealer operator and principal investor(s): Richard R. Dimmitt, 224 Third Street, South, St. Petersburg, Florida 33701.

The notice indicates an intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Douglas J. Chandler, Dealer Contractual Group, General Motors Corporation, 100 Renaissance Center, Mail Code 482-A07-C66, Detroit, MI 48265-1000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Nissan North America, Inc., intends to allow the relocation of Plantation Sales, Inc. d/b/a Plantation Nissan/Volvo, as a dealership for the sale of Nissan motor vehicles, from its present location at 747 N. State Road 7, Plantation, Florida 33317, to a proposed location at a site located at the southeast corner of Weston Road and South Post Road, in the Town of Davie which is best described as: Parcel A, according to the Plat of Pointe West Center as recorded in Plat Book 168, at Page 15 of the Public Records of Broward County, Florida, on or after February 1, 2001. The name and address of the dealer operator(s) and principal investor(s) of Plantation Sales, Inc. d/b/a Plantation Nissan/Volvo are: dealer operator: Michael E. Hooley, 1352 Seminole Drive, Ft. Lauderdale, Florida and Patricia A. Hooley, 5250 N. E. 29th Avenue, Ft. Lauderdale, Florida; principal investor(s): Michael E. Hooley, 1352 Seminole Drive, Ft. Lauderdale, Florida; Patricia Hooley, 5250 N. E. 29th Avenue, Ft. Lauderdale, Florida; Michael Hooley, Jr., 400 Bontana, Ft. Lauderdale, Florida.

The notice indicates an intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Susan Walsh, Market Representation Manager, Southeast Region, Nissan North America, Inc., P. O. Box 23017, Jacksonville, Florida 32241-3017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, DaimlerChrysler Motors Corporation, intends to allow the establishment of T.T. of Nob Hill, Inc., as a dealership for the sale of Dodge motor vehicles, at a location described as the Southeast corner of Nob Hill Road and Commercial Boulevard, Sunrise (Broward County), Florida, as is more particularly described in the legal description as follows: Tract "C" Sunrise Prospect Plaza, according to the Plat thereof, as recorded in Plat Book 154, Page 25 of the Public Records of Broward County, Florida. Said lands situate, lying and being in Broward County, Florida. Subject to all easements, reservations and right of way of record on or after March 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of T.T. of Nob Hill, Inc. are: dealer operator: Mr. Cory Fairbanks, Automotive Management Services, Inc., 515 East Las Olas Boulevard, Suite 900, Ft. Lauderdale, Florida 33301; principal investor(s): Mr. Terry Taylor, Automotive Management Services, Inc., 515 East Las Olas Boulevard, Suite 900, Ft. Lauderdale, Florida 33301.

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. J. S. Hannan, Jr., Zone Manager, DaimlerChrysler Motors Corporation, Orlando Zone Office, 8000 South Orange Blossom Trail, Orlando, Florida 32809.

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**

On January 8, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Michelle Warmack

Mays, license number LPN 1107171. MAYS' last known address is: 1000 Invnhoe Road, Tallahassee, FL 32312 and 1923 Chowkeebin Nene, Tallahassee, FL 32301. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**CERTIFICATE OF NEED**

**RECEIPT OF EXPEDITED APPLICATIONS**

The Agency for Health Care Administration received the following Certificate of Need applications for expedited review:

County: Orange Service District: 7  
Facility/Project: Winter Park Memorial Hospital  
Applicant: Adventist Health System/Sunbelt, Inc.  
Project Description: Convert 15 adult psychiatric beds to acute care beds  
AHCA Purchase Order Number S5900I0310.

**CERTIFICATE OF NEED**

**NOTICE OF WITHDRAWAL**

The Agency for Health Care Administration hereby notices withdrawal from review of the following Certificate of Need applications:

County: Duval Service District: 4  
CON #: 9402 Decision Date: 1/9/2001 Decision: W  
Facility/Project: Shands Jacksonville Medical Center  
Applicant: Shands Jacksonville Medical Center  
Project Description: Add 27 HBSNU beds through delicensure of 27 beds at 580 W. 8th St. (f/k/a Methodist MC)  
County: Duval Service District: 4  
CON #: 9404 Decision Date: 1/4/2001 Decision: W  
Facility/Project: The Terrace Care Center of North Florida, Inc.

Applicant: The Terrace Care Center of North Florida, Inc.  
Project Description: To construct up to a 108-bed community nursing home

County: Volusia Service District: 4  
CON #: 9405 Decision Date: 12/13/2000 Decision: W  
Facility/Project: Petersen Health Care, Inc.  
Applicant: Petersen Health Care, Inc.  
Project Description: To construct up to a 120-bed community nursing home through delicensure if up to 65 beds at Beverly Healthcare South Daytona & add 55 new beds

County: Volusia Service District: 4  
CON #: 9407 Decision Date: 1/4/2001 Decision: W  
Facility/Project: The Huntington, LLP  
Applicant: The Huntington, LLP

Project Description: To construct up to a 60-bed community nursing home  
 County: Collier Service District: 8  
 CON #: 9410 Decision Date: 1/4/2001 Decision: W  
 Facility/Project: Terracina, LLC  
 Applicant: Terracina, LLC

Project Description: To add 38 community nursing home beds  
 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 S5900I0310.

**CERTIFICATE OF NEED  
 EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Pinellas District: 5  
 ID #: 0000256 Issue Date: 1/9/2001  
 Facility/Project: St. Petersburg General Hospital  
 Applicant: Galen of Florida, Inc.  
 Project Description: Establish a diagnostic cardiac catheterization lab  
 Proposed Project Cost: \$719,800 Equipment Cost:  
 AHCA Purchase Order Number S5900I0310.

**DEPARTMENT OF MANAGEMENT SERVICES**

**ANNUAL NOTICE OF INTENT**

This notice is being published in accordance with the guidelines set forth in the World Trade Organization (WTO) government Procurement Agreement. The State of Florida, Division of State Purchasing, hereby notifies all potential bidders of the possibility that the Division will establish contracts for the commodities/services shown below during the calendar year 2001.

<u>CONTRACT TITLE</u>	<u>MONTH BIDS/NEGOTIATION/ PROPOSAL DUE</u>
1. AIRCRAFT TRANSPORTATION SCHEDULED	JULY
2. ENVELOPES, KRAFT & WHITE	AUGUST
3. FILTERS: AUTO & MARINE	JULY
4. LIQUEFIED PETROLEUM GAS	MAY
5. PHARMACEUTICALS, STATEWIDE	JUNE
6. COMPUTERS: CLIENT SERVER SYSTEMS	APRIL

7. COMPUTERS: MIDRANGE & MAINFRAME	SEPTEMBER
8. AUTOMOBILES & LIGHT TRUCKS	SEPTEMBER
9. BOAT MOTORS & ACCESSORIES	JULY
10. CONSTRUCTION/INDUSTRIAL EQUIP. & FORKLIFTS	APRIL
11. TIRES & TUBES	FEBRUARY
12. TRACTORS, MOVERS & CUTTERS	MARCH
13. TRUCKS: MEDIUM & HEAVY	MAY
14. PROTECTIVE VEST (BODY ARMOR)	JANUARY
15. INFLUENZA VIRUS VACCINE	FEBRUARY
16. STOCK COMPUTER FORMS, CARBON INTERLEAVED & CARBONLESS	JULY
17. AMMUNITION, TARGETS, HANDCUFFS & PEPPER GAS	JULY
18. BATTERIES, DRY CELL & RECHARGEABLE	JANUARY
19. FLOOR MAINTENANCE MACHINES, COMMERCIAL	JUNE
20. GLASS SPHERES	MARCH
21. TRAFFIC CONTROLLERS & DETECTORS	JULY
22. INSURANCE: INLAND MARINE MISCELLANEOUS PROPERTY	AUGUST
23. INSURANCE: INLAND MARINE ELECTRONIC DATA PROCESSING	JUNE
24. COMPUTER SOFTWARE: ACS DESKTOP	NEGOTIATION
25. COMPUTER SOFTWARE: ADOBE	NEGOTIATION
26. COMPUTER SOFTWARE: COREL	NEGOTIATION
27. COMPUTER SOFTWARE: MAINFRAME	NEGOTIATION
28. COMPUTER SOFTWARE: CAPTIVA	NEGOTIATION
29. COMPUTER SOFTWARE: DIGITAL COMMERCE	NEGOTIATION
30. COMPUTER SOFTWARE: NOVELL LICENSES & MAINT.	NEGOTIATION

31. COMPUTER SOFTWARE: NEGOTIATION XMARC		55. DISPOSABLE PLASTIC CAN LINERS	FEBRUARY
32. COMPUTER SOFTWARE: SYMANTEC	NEGOTIATION	56. VIDEO TELECONFERENCING & BRIDGING EQUIPMENT	MARCH
33. CONSULTING SERVICES-IT	ON GOING	57. UTILITY AUDITING SERVICES	MAY
34. BATTERIES, AUTOMOTIVE: REMOVAL OF RECYCABLE BATTERIES & PROCUREMENT OF BATTERIES WITH RECYCLED CONTENT	MAY	58. PLANNING & BUDGETING CONSULTING SERVICES	FEBRUARY
35. AUDIO VISUAL EQUIPMENT/ EDUCATIONAL	JANUARY	59. PROFESSIONAL CONSULTING SERVICES FOR MANAGEMENT SKILLS	FEBRUARY
36. LASER PRINTER CARTRIDGES, NEW & REMANUFACTURED	AUGUST	60. FACSIMILE MACHINES	JUNE
37. LEGAL RESARCH SERVICES, COMPUTER ASSISTED	JULY	61. TELECOMMUNICATIONS CALLING CARDS	APRIL
38. UPHOLSTERY FABRIC	JULY	62. ELECTRONIC LIBRARY INFORMATION SERVICES	APRIL
39. MINI BLINDS & WINDOW COVERINGS	MAY	63. DRUG SCREENING TEST KITS	MAY
40. VIDEO EQUIPMENT: PROFESSIONAL & CONSUMER	APRIL	64. EMPLOYMENT SERVICES	MARCH
41. APPLIANCES, HOUSEHOLD & SMALL COMMERCIAL	FEBRUARY	65. LIBRARY MATERIALS	JANUARY
42. LAWN EQUIPMENT	NOVEMBER	66. PAVEMENT MARKING MATERIAL	APRIL
43. TELECOMMUNICATIONS CALLING CARDS	APRIL	67. SIGN MATERIAL, RELECTIVE SHEETING	JUNE
44. TELEPHONE EQUIPMENT: CELLULAR MOBILE EQUIP. & SERVICE	DECEMBER	68. RECLAIMING MERCURY & OTHER MATERIAL FROM SPENT FLOURESCENT & HID	AUGUST
45. AIR CONDITIONERS WINDOW/WALL MOUNT	MARCH		
46. CEREALS	APRIL		
47. COOKIES & CRACKERS	SEPTEMBER		
48. DIETARY SUPPLEMENTS & VEG. PROTEIN DINNERS	JUNE		
49. FOODS: SPECIALTY	MARCH		
50. PAPER SHREDDERS	FEBRUARY		
51. WIPES, DISPOSABLE	AUGUST		
52. VEHICLES, UTILITY, ATV & MOTORCYCLES	DECEMBER		
53. LOGGIN RECORDERS	MARCH		
54. LAMPS, LARGE, PHOTO & STTV	SEPTEMBER		

The date shown is the approximate month in which the state anticipates receiving bids. Please note that the months shown are for informational purposes only and the state reserves the right to: change the month; solicit at additional times; or decline to solicit without need for prior notice.

Bidders interested in being placed on the Division of State Purchasing's bidder list should submit a letter indicating their interest to:

Department of Management Services  
Division of State Purchasing  
Vendor Section  
4050 Esplanade Way  
Tallahassee, Florida 32399-0950

The letter need only indicate a desire to receive a copy of the Business Registration Application to be placed on the bidders list.

All vendors that have completed the application process should receive a notification of intent to bid for competitive bid contracts for commodities/services issued by the Division of State Purchasing.



NOTICE OF AWARD

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
252-005	11-15-00	Attachmate P. O. Box 90026 Bellevue, WA 98009-9026	\$1,000,000	N/A	Negotiation
252-015	11-15-00	Veritas 3461 Paces Ferry Rd. Tallahassee, FL 32308	\$1,000,000	N/A	Negotiation
252-021	12-22-00	Interwoven 3025 Windward Plaza Ste. 300 Alpharetta, GA 30005	\$1,000,000	N/A	Negotiation
252-029	12-29-00	SAP Public Sector & Ed The Ronald Reagan Bldg. International Trade Ctr. 1300 Pennsylvania Ave., N. W. Ste. 500 North Tower, Grey Bldg. Washington, DC 20004	\$1,000,000	N/A	Negotiation
252-020	10-31-00	Information Builders Two Penn Plaza New York, NY 10121-2898	\$1,000,000	N/A	Negotiation
252-016	12-15-00	Compuware 16409-A Northcross Dr. Huntersville, NC 28078	\$1,000,000	N/A	Negotiation
973-001	05-15-00	PKV Management Consulting P. O. Box 2273 Tallahassee, FL 32316-2273  MEVATEC Corporation 1525 Perimeter Parkway, Ste. 500 Huntsville, AL 35806  Competitive Government Strategies, Inc. 101 W. Ohio St., Ste. 1350 Indianapolis, IN 46204	\$1,000,000	N/A	Negotiation
285-440	12-11-00	Graybar Electric Co., Inc. 110 Century Park Drive Tallahassee, FL 33204	\$2.5 Million	11-8-00	ITB
645-260	10-15-00	Unisource Worldwide 4151 Woodcock Dr. Jacksonville, FL 32207	\$1,168,804	06-29-00	Bid

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Xpedx, An International Paper P. O. Box 37889 Jacksonville, FL 32236-7889			
600-340	11-12-00	Business Equipment Solutions 3120 North Davis Hwy. Pensacola, FL 32503	\$5 Million	10-20-00	ITB
		Canon USA 2110 Washington Blvd., Ste. 150 Arlington, VA 22204			
		Danka Office Imaging Company 11201 Danka Circle, North St. Petersburg, FL 33716			
		IKON Office Solutions 4150 John Young Pkwy. Orlando, FL 32804			
		Konica Business Technologies 500 Day Hill Road Windsor, CT 06095			
		Lanier Worldwide, Inc. 4790 140th Ave., N. Clearwater, FL 33762			
		Minolta Corporation 1601 Forbes Blvd., Ste. 140 Lanham, MD 20706			
		Nuratec America, Inc. 6400 International Pkwy., Ste. 1500 Plano, TX 75093			
		Pitney Bowes, Inc. 6297 W. Linebaugh Ave. Tampa, FL 33625			
		Riso 300 Rosewood Dr., Ste. 210 Danvers, MA 01923			
600-340	11-12-00	Savin Corporation 3333 Ludlow St. Stamford, CT 06904	\$5 Million	10-20-00	ITB

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Sharp Electronics Corporation Sharp Plaza Box R Mahwah, NJ 07430			
		Xerox Corporation 2252 Kilearn Ctr. Blvd. Tallahassee, FL 32308			
070-001 Bid	10-03-00	Bill Heard Chevrolet, Inc.  601 E. Alexander St. Plant City, FL 33566	\$38,657,000 est	08-17-00	Competitive
		Butler Chrysler, Dodge Jeep 1555 Salem Rd. Beauford, SC 29902			
		Caruso Chrysler Plymouth Jeep P. O. Box 16129 Jacksonville, FL 32245			
		Champion Chevrolet, Inc. 3127 W. Tennessee St. Tallahassee, FL 32304			
		Don Reid Ford, Inc. P. O. Box 940005 Maitland, FL 32751			
		Duval Honda 5203 Waterside Drive Jacksonville, FL 32238			
		Duval Motor Company 1616 Cassat Ave. Jacksonville, FL 32210			
		Garber Chevrolet Geo, Inc. P. O. Box 945 Green Cove Springs, FL 32043			
070-001	10-03-00	Jack Caruso's Regency Dodge 10979 Atlantic Blvd. Jacksonville, FL 32225	\$38,657,000 est	08-17-00	Competitive Bid

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Kaiser Pontiac GMC Truck, Inc. 1590 South Boulevard P. O. Box 2813 DeLand, FL 32723-2813			
		Maroone Chevrolet, LLC 8600 Pines Blvd. Pembroke Pines, FL 33024			
		Maroone Dodge, LLC 21151 N. W. 2nd Ave. Miami, FL 33169			
		Orville Beckford Ford/Mercury 6400 Highway 90 Milton, FL 32570			
974-033	11-22-00	Paul Farmer Systems Services 1213 Munson Blvd. Tallahassee, FL 32310	\$500,000	N/A	Negotiation
974-035	12-04-00	Sungard Recovery Services, Inc. 200 W. College Ave., Ste 206 Tallahassee, FL 32301	\$500,000	N/A	Negotiation
974-036	12-04-00	Everest Solution, LLC 3300 Monroe Ave., Ste 321 Rochester, NY 14618	\$500,000	N/A	Negotiation
974-032	11-20-00	StrataSys Group, LLC 10700 N. Kendall Dr., Fourth Floor Miami, FL 33176	\$500,000	N/A	Negotiation
974-041	12-11-00	The Boardwalk Group 412 North Boardwalk Jacksonville, FL 32250	\$500,000	N/A	Negotiation
974-030	10-31-00	KSJ & Associates, Inc. 5203 Leesburg Pike, Ste. 901 Falls Church, VI 22041	\$500,000	N/A	Negotiation
974-031	11-09-00	Pomeroy Computer Resource, Inc. 3740 South Street Johns Bluff Road, Ste. 19 Jacksonville, FL 32224	\$500,000	N/A	Negotiation

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COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
974-034	11-16-00	Enterprise Technologies 300 South Orange Ave., Ste 1500 Orlando, FL 32801	\$500,000	N/A	Negotiation
974-037	11-28-00	Imarcs Group Com 902 North Gadsden Street Tallahassee, FL 32303	\$500,000	N/A	Negotiation
974-029	10-25-00	Getronics 5755 Hoover Blvd. Tampa, FL 33634	\$500,000	N/A	Negotiation
974-028	10-20-00	Provider Tech, Inc. 904 East Henry Ave., Ste. B Tampa, FL 33604	\$500,000	N/A	Negotiation
285-440	12-11-00	Graybar Electric Co., Inc. 110 Century Park Drive Tallahassee, FL 32304	\$2.5 Million	N/A	ITB

\* This number was calculated as the total estimated sales through the term of the contract divided by the number of contractors

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF INTENT TO ISSUE PROPOSED  
MODIFICATION OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify Power Plant Certification Conditions issued pursuant to the Florida Electrical Power Plant Siting Act, § 403.501, et seq., Florida Statutes. A Proposed Final Order has been prepared in accordance with Rule 62-17.211(4) concerning:

- Dade County Resource Recovery Facility
- Modification of Conditions of Certification
- Power Plant Siting Application No. PA77-08D
- OGC Case No. 99-0697
- Dade County, Florida

The Department has reviewed a request by Montenay Power Corp. to modify the conditions of certification for the Dade County Resource Recovery Facility power plant to allow conformance of the conditions to an amendment to Prevention of Significant Deterioration (PSD) permit number PSD-FL-006A; to allow the use of natural gas as a supplemental fuel; to allow the disposal of used oil from on-site sources in the combustion units; and to allow use of standard thermocouples for measuring the baghouse inlet temperature measurements.

A copy of the proposed modification order is available: Hamilton S. Oven, P. E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, MS #48, Tallahassee, Florida 32399-2400, (850)487-0472.

**POINT OF ENTRY**

Pursuant to § 403.516, F.S., and Rule 62-17.211(5), F.A.C., all parties to the certification proceeding have 45 days from the issuance of notice by mail to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification.

Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000.

If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to § 403.516(1)(c), F.S., the applicant or the Department may file a petition for modification seeking approval for those portions of the request for modification to which written objections were timely filed.

Mediation is not available in this proceeding.

**DEPARTMENT OF HEALTH**

On January 9, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Susan Lynn Hudson, RN, license number RN 3319712. HUDSON's last known address is: 6153 Southwest 8th Lane, Gainesville, Florida 32607. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On January 9, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Cydney Porter, L.P.N., license number PN 7077541. PORTER'S last known address is: 1301 North Palm Drive, Plant City, FL 33566. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On November 16, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Elizabeth Kespohl, R.N., license number RN 1702472. KESPOHL'S'S last known addresses is: 1927 Penman Rd., Neptune Beach, FL 32250. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this

summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On January 9, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Jeffrey Edwards, RN, license number RN 1898342. EDWARDS' last known address is: Post Office Box 10385, Daytona Beach, FL 32120. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On January 9, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Donald R. Arneson, license number PS 0014412. ARNESON'S last known address is: 2831 Northeast 12th Street, Pompano Beach, Florida 33062.

This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**VISIT FLORIDA**

VISIT FLORIDA, 661 E. Jefferson Street, Tallahassee, Florida 32301, is accepting applications for Nature and Heritage Tourism Regional Image Development Grant Program, a Special Cycle for FY 2000-2001. Application packages may be obtained by writing VISIT FLORIDA at the address listed

above; attention Nature and Heritage Tourism Regional Image Development Grant Program; by faxing a request to "Nature and Heritage Tourism Regional Image Development Grant Program", (850)224-2938; by calling Phoebe Williams, (850)488-5607, Ext. 369 or by e-mailing a request to pwilliams@flausa.com. VISIT FLORIDA reserves the right to reject any or all applications.

Application due date and time is Friday, February 9, 2001, 5:00 p.m. All applications received after 5:00 p.m., Friday, February 9, 2001, will be returned to the applicant.

Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN January 2, 2001  
 and January 5, 2001**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF INSURANCE**

4-211.007	1/2/01	1/22/01	26/40	
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**DEPARTMENT OF EDUCATION**

**State Board of Nonpublic Career Education**

6F-1.001	1/2/01	1/22/01	26/45	
6F-2.001	1/2/01	1/22/01	26/45	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
6F-2.0015	1/2/01	1/22/01	26/45	
6F-2.0016	1/2/01	1/22/01	26/45	
6F-2.0017	1/2/01	1/22/01	26/45	
6F-2.002	1/2/01	1/22/01	26/45	
6F-2.0024	1/2/01	1/22/01	26/45	
6F-2.0026	1/2/01	1/22/01	26/45	
6F-2.003	1/2/01	1/22/01	26/45	
6F-2.004	1/2/01	1/22/01	26/45	
6F-3.001	1/2/01	1/22/01	26/45	
6F-3.002	1/2/01	1/22/01	26/45	
6F-4.001	1/2/01	1/22/01	26/45	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF REVENUE**

12-11.003	1/2/01	1/22/01	26/42	
12-11.006	1/2/01	1/22/01	26/42	

**Corporate, Estate and Intangible Tax**

12C-3.0015	1/2/01	1/22/01	26/39	26/47
12C-3.0035	1/2/01	1/22/01	26/39	
12C-3.0045	1/2/01	1/22/01	26/39	
12C-3.0055	1/2/01	1/22/01	26/39	
12C-3.008	1/2/01	1/22/01	26/39	26/49
12C-3.012	1/2/01	1/22/01	26/39	26/47
12C-3.013	1/2/01	1/22/01	26/39	

**DEPARTMENT OF CORRECTIONS**

33-602.101	1/5/01	1/25/01	26/47	
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**DEPARTMENT OF HEALTH**

**Board of Dentistry**

64B5-12.020	1/3/01	1/23/01	26/35	26/47
64B5-17.009	1/3/01	1/23/01	26/41	26/47

**Board of Nursing**

64B9-3.001	1/2/01	1/22/01	26/36	
64B9-3.0015	1/2/01	1/22/01	26/36	
64B9-3.003	1/2/01	1/22/01	26/36	
64B9-3.009	1/2/01	1/22/01	26/36	

**Division of Disease Control**

64D-3.011	1/2/01	1/22/01	26/44	
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Section XIV  
List of Rules Affected

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	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-40.225	26/50		
w - Signifies Withdrawal of Proposed Rule(s)				3D-50.070	26/44		26/51
c - Rule Challenge Filed				3D-50.075	26/44		26/51
v - Rule Declared Valid				3D-60.070	26/44		26/51
x - Rule Declared Invalid				3D-70.060	26/44		26/51
d - Rule Challenge Dismissed				3D-80.050	26/44		26/51
dw - Dismissed Upon Withdrawal				3D-85.300	26/40		26/47
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	3D-160.031	26/44		26/51
				3D-180.050	26/50		
				3D-180.060	26/50		
				3E-600.009	26/50		
				3F-5.0015	21/2c		26/49d
				3F-5.0016	21/2c		26/49d
					26/21	26/41	26/49
				3F-5.002	26/41		26/49
				3F-5.0021	26/41		26/49
				3F-5.0024	26/41		26/49
				3F-7.0125	26/47		
1B-2.011	26/33	26/42	26/50	3F-7.017	26/47		
1B-24.001	26/43	26/51		3F-8.003	26/47		
1B-24.002	26/43			3F-8.005		21/41	27/3d
	26/51						27/3d
1B-24.003	26/43	26/51			21/39c		
1B-24.004	26/51			3F-10.003	26/47		
1B-24.005	26/51			3F-11.002	26/51		
1B-24.006	26/51						
1B-24.007	26/51						
1B-24.008	26/51						
1B-24.009	26/51			4ER00-4	26/38		26/38
1B-24.010	26/51			4ER00-5	26/51		26/51
1B-24.011	26/51			4-1	26/39c		
1B-24.012	26/51				26/39c		
					26/43c		
					21/2c		
					21/5c		
					26/38	26/44	26/48
2ER00-1			26/36	4-137.001	26/43		
2-11.001	21/30c		26/49d		27/2		
2-11.002	21/30c		26/49d	4-137.002	26/50		
2-11.003	21/30c		26/49d	4-138.001	26/43		
2-11.004	21/30c		26/49d	4-141.0016	21/2c		
2-11.006	21/30c		26/49d	4-141.020		21/52	
2-11.007	21/30c		26/49d		20/11c		26/49d
					20/11c		26/49d
					20/11c		26/49x
					20/11c		26/49x
					20/11c		26/49d
					20/11c		26/49x
					20/11c		26/49x
					24/3c		
					24/3c		
					24/28c		26/50d
					23/45	26/22	
					24/46	26/22	
					23/45	26/22	
					24/46	26/22	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.003	23/45	26/22		4-149.105	23/45	24/31	
	24/46	26/22				26/12	
4-149.004	23/45	26/22				26/22	
	24/46	26/22			24/3c		
4-149.005	23/45	26/22			24/3c		
	24/46	26/22			24/46	26/22	
4-149.006	23/45	26/22		4-149.106	23/45	24/31	
	24/46	26/22				26/12	
4-149.007	23/45	26/22				26/22	
	24/46	26/22			24/3c		
4-149.008	23/45	26/22			24/3c		
	24/46	26/22			24/46	26/22	
4-149.009	23/45	26/22		4-149.107	23/45	24/31	
	24/46	26/22				26/12	
4-149.010	23/45	26/22				26/22	
	24/46	26/22			24/3c		
4-149.020	23/45	26/22			24/3c		
	24/46	26/22			24/46	26/22	
4-149.021	23/45	26/22		4-149.108	23/45	24/31	
	24/46	26/22				26/12	
4-149.022	23/45	26/22				26/22	
	24/46	26/22			24/3c		
4-149.023	23/45	26/22			24/3c		
	24/46	26/22			24/46	26/22	
4-149.024	23/45	26/22		4-149.109	23/45	24/31	
	24/46	26/22				26/12	
4-149.035	23/45	26/22				26/22	
	24/46	26/22			24/3c		
4-149.101	23/45	24/31			24/3c		
		26/12			24/46	26/22	
		26/22		4-149.110	23/45	24/31	
	24/3c					26/12	
	24/3c					26/22	
	24/46	26/22			24/3c		
4-149.102	23/45	24/31			24/3c		
		26/12		4-149.1105	23/45	26/22	
		26/22			24/31		
	24/3c				24/3c		
	24/3c			4-149.111	23/45	24/31	
	24/46	26/22				26/12	
4-149.103	23/45	24/31				26/22	
		26/12			24/3c		
		26/22			24/3c		
	24/3c			4-149.112	23/45	26/22	
	24/3c					24/31	
	24/46	26/22				26/12	
4-149.104	23/45	24/31				26/22	
		26/12			24/3c		
		26/22			24/3c		
	24/3c			4-149.113	24/46	26/22	
	24/3c				24/3c		
	24/46	26/22		4-149.114	24/3c		
				4-149.115	24/3c		
				4-149.116	24/3c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.117	24/3c			4-154.403	26/25		
4-149.118	24/3c			4-154.404	26/25		
4-149.119	24/3c			4-154.405	26/25		
4-149.120	23/45	24/31		4-154.406	26/25		
		26/12		4-154.407	26/25		
		26/22		4-154.4071	26/25		
	24/3c			4-154.408	26/25		
	24/3c			4-154.410	23/52c		26/49d
	24/46	26/22		4-154.411	26/25		
4-149.121	23/45	24/31		4-154.412	26/25		
		26/12		4-154.502	26/25		
		26/22		4-154.503	26/25		
	24/3c			4-154.504	26/25		
	24/3c			4-154.506	26/25		
	24/46	26/22		4-154.507	26/25		
4-149.122	23/45	24/31		4-154.508	26/25		
		26/12		4-154.511	26/25		
		26/22		4-154.512	23/52c		26/49d
	24/3c				26/25		
	24/3c			4-154.513	26/25		
	24/46	26/22		4-154.515	26/25		
4-149.123	23/45	24/31		4-154.516	26/25		
		26/12		4-154.517	26/25		
		26/22		4-154.518	26/25		
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	24/3c			4-154.520	24/3c		
	24/46	26/22			25/5c		
4-149.124	24/3c				25/5c		
4-149.125	24/3c				25/5c		
4-149.126	24/3c			4-154.530	26/36	26/50	
4-149.127	24/3c				26/43c		26/51d
4-149.128	24/3c				26/51c		26/51d
4-149.129	24/3c			4-156.002	26/47		
4-149.130	24/3c			4-156.003	26/47		
	24/3c			4-156.006	26/47		
4-149.131	24/3c			4-156.007	26/47		
	24/3c			4-156.0095	26/47		
4-149.132	24/3c			4-156.011	26/47		
	24/3c			4-156.012	26/47		
4-149.1325	24/20	24/20		4-157.001	23/10	23/42	
4-149.133	24/3c			4-157.002	23/10	23/42	
	24/3c			4-157.002(2)	23/19c		
4-149.190	23/45	26/22		4-157.004	23/10	23/42	
	24/3c			4-157.004(2)(b)	23/19c		
	24/46	26/22		4-157.004(4)	23/19c		
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4-149.202	27/2			4-157.022	23/10	23/42	
4-149.203	27/2			4-157.022(1)(b)	23/19c		
4-149.204	27/2			4-157.022(1),(2)(c),(4)	23/52c		
4-149.205	27/2			4-157.022(2)	23/19c		
4-149.206	27/2			4-157.022(3)	23/19c		
4-149.207	27/2			4-157.022(4)	23/19c		
4-150.019	26/41		26/48	4-157.022(5)	23/19c		
4-150.120	26/41		26/48	4-157.023	23/10	23/42	
4-154.114	23/52c		26/49d	4-157.023(1)(b)	23/52c		
4-154.402	26/25			4-170.007	26/41		26/50

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4-170.0165	22/36c		26/49d	4-196.024	20/43c		26/49d
4-175.011	20/8c		27/3d		20/43c		26/49dw
		20/27	27/3d		20/43c		26/49x
		20/38	27/3d		20/43c		26/49x
	20/20c		26/49d	4-196.025	20/43c		26/49x
4-175.013	21/5c		26/49dw	4-196.026	20/43c		26/49x
4-176.013	26/34		26/48	4-196.027	20/43c		26/49x
4-176.022	25/33	26/24		4-196.028	20/43c		26/49d
4-189.007	26/41		26/50		20/43c		26/49x
4-191.300	26/8		26/49w		20/43c		26/49x
	26/44		27/1		20/49c		26/49x
4-193.065	26/41			4-196.029	20/43c		26/49x
4-196.001		20/51		4-196.030		20/51	
		21/3				21/3	
	20/43c		26/49x			21/23	
	20/43c		26/49x		20/43c		26/49x
	20/49c		26/49x		20/43c		26/49x
4-196.002	20/43c		26/49d		20/49c		26/49x
	20/43c		26/49x	4-196.030(5),			
	20/43c		26/49x	(8)(b)(d)(e)	20/43c		26/49d
	20/49c		26/49x	4-196.031	20/43c		26/49x
4-196.003	20/43c		26/49x	4-196.032	20/43c		26/49x
	20/43c		26/49x	4-196.033	20/43c		26/49x
	20/49c		26/49x	4-196.034	20/43c		26/49x
4-196.004	20/43c		26/49x	4-196.035	20/43c		26/49x
4-196.005	20/43c		26/49x		20/49c		26/49x
4-196.006	20/43c		26/49x	4-196.036	20/43c		26/49x
	20/49c		26/49x	4-196.037	20/43c		26/49x
4-196.007	20/43c		26/49x	4-196.038	20/43c		26/49x
	20/49c		26/49x	4-196.039	20/43c		26/49x
4-196.008	20/43c		26/49x	4-196.040		20/51	
4-196.009		21/29	26/49d		20/43c		26/49d
	20/43c		26/49x		20/43c		26/49x
	20/49c		26/49x		20/49c		26/49x
4-196.009(2)	20/43c			4-211.006	26/52		
4-196.010		20/51	27/2	4-211.007	26/40		27/3
	20/43c		26/49d	4-213.050	19/30c		26/49d
	20/43c		26/49x	4-213.080	19/30c		26/49d
	20/49c		26/49x	4-213.090	19/30c		26/49d
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4-196.011	20/43c		26/49x	4-213.120	19/30c		26/49d
4-196.012	20/43c		26/49x	4-223.001	18/31c		26/50x
4-196.013	20/43c		26/49x		18/31c		26/50x
4-196.014	20/43c		26/49x		18/31c		26/50x
4-196.015		21/29			18/31c		26/50x
	20/43c		26/49x		18/31c		26/50x
4-196.016	20/43c		26/49x		18/31c		26/50x
4-196.017	20/43c		26/49x	4-223.002	18/31c		26/50x
4-196.018	20/43c		26/49x		18/31c		26/50x
4-196.019	20/43c		26/49x		18/31c		26/50x
4-196.020	20/43c		26/49x		18/31c		26/50x
4-196.021	20/43c		26/49x		18/31c		26/50x
4-196.022	20/43c		26/49x		18/31c		26/50x
4-196.023	20/43c		26/49x		18/31c		26/50x

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	
4-223.003	18/31c		26/50x	4-223.010	18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
4-223.004	18/31c		26/50x	4-223.011	18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
	18/31c		26/50x		18/31c		26/50x	
4-223.005	18/31c		26/50x	4-223.011(4)(a)3.	18/31c		26/50x	
	18/31c		26/50x		4-228.010	26/35		
	18/31c		26/50x		4-228.020	26/35		
	18/31c		26/50x		4-228.030	26/35		
	18/31c		26/50x		4-228.040	26/35		
4-223.005(1)(g)	18/31c		26/50x	4-228.050	26/35			
	18/31c		26/50x	4-228.055	26/35			
	18/31c		26/50x	4-228.060	26/35			
	18/31c		26/50x	4-228.070	26/35			
	18/31c		26/50x	4-228.080	26/35			
4-223.006	18/31c		26/50x	4-228.090	26/35			
	18/31c		26/50x	4-228.100	26/35			
	18/31c		26/50x	4-228.110	26/35			
	18/31c		26/50x	4-228.120	26/35			
	18/31c		26/50x	4-228.130	26/35			
4-223.006(2)(d)	18/31c		26/50x	4-228.140	26/35			
	18/31c		26/50x	4-228.150	26/35			
	18/31c		26/50x	4-228.160	26/35			
	18/31c		26/50x	4-228.170	26/35			
	18/31c		26/50x	4-228.180	26/35			
4-223.007	18/31c		26/52x	4-228.190	26/35			
4-223.007	18/31c		26/50x	4-228.210	26/35			
	18/31c		26/50x	4-228.220	26/35			
	18/31c		26/50x	4-228.230	26/35			
	18/31c		26/50x	4-228.240	26/35			
	18/31c		26/50x	4-228.250	26/35			
4-223.008	18/31c		26/50x	4A-2.024	26/31			
	18/31c		26/50x	4A-3.001	26/37		26/49	
	18/31c		26/50x	4A-3.002	26/37		26/49	
	18/31c		26/50x	4A-21.101	26/37		26/49	
	18/31c		26/50x	4A-21.111	26/37		26/49	
4-223.009	18/31c		26/50x	4A-39.001	26/37		26/49	
	18/31c		26/50x	4A-46.005	26/37		26/49	
	18/31c		26/50x	4A-57.001	26/44			
	18/31c		26/50x	4A-57.002	26/44			
	18/31c		26/50x	4A-57.003	26/44			
4-223.009	18/31c		26/50x	4A-57.004	26/44			
	18/31c		26/50x	4A-57.005	26/44			
	18/31c		26/50x	4A-57.006	26/44			
	18/31c		26/50x	4A-57.007	26/44			
	18/31c		26/50x	4A-57.008	26/44			
				4A-62.001	26/47			
				4A-62.002	26/47			
				4A-62.003	26/47			

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4A-62.004	26/47			6C5-4.002	25/50c		26/50d
4H-1.001	26/43			6C5-4.005	25/50c		26/50d
4H-1.003	26/43			6C5-4.008	25/50c		26/50d
4H-1.007	26/43			6C5-7.007	25/50c		26/50d
4H-2.001	26/43			6D-5.003	26/39	26/52	
4H-2.003	26/43			6D-6.003	26/46		
4H-2.004	26/43			6F-1.001	26/45		27/3
4H-2.005	26/43			6F-2.001	26/45		27/3
4H-2.007	26/43			6F-2.0015	26/45		27/3
4H-2.008	26/43			6F-2.0016	26/45		27/3
4H-2.009	26/43			6F-2.0017	26/45		27/3
4J-1.001	26/29	26/46	27/1	6F-2.002	26/45		27/3
4J-1.021	20/30c		26/50d	6F-2.0024	26/45		27/3
	20/30c		26/50d	6F-2.0026	26/45		27/3
	20/30c		26/50d	6F-2.003	26/45		27/3
4J-2.002	20/30c		26/50x	6F-2.004	26/45		27/3
	20/30c		27/3d	6F-3.001	26/45		27/3
4J-5.006		20/22	26/50d	6F-3.002	26/45		27/3
	20/15c		26/50d	6F-4.001	26/45		27/3
4K-1.001	26/23	26/51		6H-1.046	26/42		27/2
4K-1.002	26/23			6S-16.026	26/2		
4K-1.003	26/23						
4K-1.004	26/23						
AGRICULTURE AND CONSUMER SERVICES				COMMUNITY AFFAIRS			
				9BER00-3	26/36		26/36
				9BER00-4	26/40		26/40
5BER00-4	26/39		26/39	9BER00-5	26/40		26/40
5B-58.001	26/45			9BER00-6	26/40		26/40
5E-1.023	26/49			9BER00-7	26/40		26/40
5F-8.012	26/40		26/48	9BER00-8	26/40		26/40
5F-11.047	25/29c		26/50d	9BER00-9	26/40		26/40
5H-1.001	22/11c		26/50d	9BER00-10	26/40		26/40
	22/11c		26/50d	9BER00-11	26/40		26/40
	22/11c		26/50d	9B-3.047	26/7	26/30	
	22/12c		26/50d		26/7	26/43	
	22/12c		26/50d		26/15c		26/51d
	22/12c		26/50d		26/28	26/40	26/47
5J-11.006	26/49				26/51c		
5K-4.020	26/49			9B-44.003	26/21	26/33	26/49
5K-5.014	26/31	26/38	26/47w			26/41	26/49
5K-6.010	26/31	26/38	26/47w	9B-44.004	26/21	26/33	26/49
				9C-600.002	26/33		
EDUCATION				9G-2.002	26/26	26/46	26/52
6-1	26/39c			9G-6.002	26/37	26/47	
6A-1.0996	25/27	25/34			26/37	26/50	
6A-4.0006(2)(b),(3)(c)	23/4c		26/50d	9G-6.0023	26/37	26/47	
6A-4.006(2)(b),(3)(c)	25/5c		26/50d		26/37	26/50	
6A-4.01761	24/28c		26/50d	9G-6.0025	26/37	26/47	
	25/5c		26/50d		26/37	26/50	
6A-6.03012(5)(6)	25/5c			9G-6.005	26/37	26/50	
6A-6.080	16/30			9G-6.006	26/37	26/47	
6A-20.05281	26/1				26/37	26/50	
6C-6.002	26/33	26/40	26/47	9G-6.0095	26/50		
6C-600.002	26/33					26/47	
6C2-5.0021	20/47c		26/50v	9G-6.010	26/37	26/47	
					26/37	26/50	





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10M-9.026	22/1			12C-3.0045	26/39		27/3
10M-9.045	22/1			12C-3.0055	26/39		27/3
10P-4.250	19/31c			12C-3.008	26/39	26/49	27/3
10P-4.250(10)	19/28c			12C-3.012	26/39	26/47	27/3
10P-4.250(11)	19/28c			12C-3.013	26/39		27/3
10P-4.250(4)	19/28c			12D-6.002	26/40		26/52
				12D-7.015	26/40		26/52
				12D-7.017	26/40		26/52
				12D-8.0062	21/14c		27/3d
11B-30.014	19/40			12D-8.013	26/40		26/52
11C-6.009	26/37		26/50	12D-13.010	26/40		26/52
				12D-13.063	26/40		26/52
				12D-16.002		20/46	27/1
						23/45	27/1
						25/51	27/1
					26/40	26/47	27/1
				12D-51.003	25/45c		
12-9.003	26/40		26/52				
12-11.003	26/42		27/3				
12-11.006	26/42		27/3				
12-26.009	21/6c		27/3d				
12A-1.001	20/43c		27/3d				
12A-1.001(3)	20/43c		27/3d				
12A-1.001(3)(b),(q)	25/45c		26/51d	14-15.003	26/46		
12A-1.001(3)(g)	20/43c		27/3d	14-15.013	26/50		
12A-1.005	26/44				26/51		26/52w
12A-1.0091	26/40			14-40	24/19c		26/50d
12A-1.061	26/40			14-66.001	26/25		26/48
	26/40			14-66.002	26/25		26/48
12A-1.070		21/21	27/3w	14-66.003	26/25		26/48
		21/22	27/3w	14-66.004	26/25		26/48
		23/6	27/3w	14-66.005	26/25		26/48
	20/17c		27/3w	14-66.006	26/25		26/48
12A-1.072	26/47	27/2		14-66.007	26/25	26/41	26/48
12A-8.014	20/26c		27/3d	14-66.008	26/25		26/48
12B-4.013		20/32	26/52	14-66.009	26/25		26/48
		20/36	26/52	14-66.010	26/25		26/48
	26/39		26/52	14-66.011	26/25		26/48
12B-4.014		20/32	26/52	14-66.012	26/25		26/48
		20/36	26/52	14-78	25/21c		
	26/39		26/52	14-96	21/2c		
12B-4.052		20/32	26/52	14-102.0011	26/49		
	26/39		26/52	14-102.0037	26/49		
12B-4.053		20/32	26/52	14B-1.001	26/3	26/24	
	26/39		26/52	14B-1.002	26/3	26/24	
12B-4.054	26/39		26/52	14B-1.003	26/3	26/24	
12B-8	23/8c			14B-1.004	26/3	26/24	
12B-8.001	19/39c			14B-1.005	26/3	26/24	
	19/39c			14B-1.006	26/3	26/24	
	19/39c			14B-1.007	26/3	26/24	
12B-8.003	23/7c						
12B-8.016	23/7c						
12B-8.016(3)(a)6.f.	23/8c		27/3d	15-3.001	21/47c		
12C-1.011(1)(v)	19/50c			15A-10	22/2c		27/3d
	19/50c				22/2c		27/3d
12C-3.0015	26/39	26/47	27/3	15A-10.005(1)	22/2c		27/3d
		26/49		15A-10.027(8)	22/2c		27/3d
12C-3.0035	26/39		27/3	15A-10.034(4)	22/2c		27/3d

HIGHWAY SAFETY AND MOTOR VEHICLES

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NATURAL RESOURCES				STATE BOARD OF ADMINISTRATION			
16B-33.00525	19/41c 19/41c			19-3.001	26/49		
ENVIRONMENTAL REGULATION				19-3.0011	26/49		
17-3	15/14c			19-3.002	26/49		
17-4	15/14c			19-3.0021	26/49		
17-4.246	15/14c			19-3.003	26/49		
17-40	19/49c			19-3.004	26/49		
17-106.010	26/52			19-3.005	26/49		
17-106.020	26/52			19-3.006	26/49		
17-106.030	26/52			19-3.007	26/49		
17-106.040	26/52			19-3.008	26/49		
17-106.050	26/52			19-3.009	26/49		
17-106.060	26/52			19-3.011	26/49		
17-106.070	26/52			19-3.0111	26/49		
17-106.080	26/52			19-3.012	26/49		
17-106.090	26/52			19-3.013	26/49		
17-106.100	26/52			19-3.014	26/49		
17-106.110	26/52			19-3.015	26/49		
17-106.120	26/52			19-3.018	26/49		
17-106.130	26/52			19-3.020	26/49		
17-106.140	26/52			19-3.022	26/49		
17-257	19/50c			19-3.0231	26/49		
17-296.200(97)	20/24c		27/3d	19-3.024	26/49		
17-296.600	20/24c		27/3d	19-3.025	26/49		
17-296.601	20/24c		27/3d	19-3.090	26/49		
17-296.604	20/24c		27/3d	19-3.091	26/49		
17-312	20/26c 20/26c		27/3d 27/3d	19-3.092	26/49		
17-330	20/26c		27/3d	19-3.093	26/49		
17-330.100(1),(2),(3)	20/24c		27/3w	19-3.094	26/49		
17-330.200(3)(a)(b)				19-3.095	26/49		
(c)(e)	20/24c		27/3w	19-3.096	26/49		
17-331	20/26c		27/3d	19-3.098	26/49		
17-341	20/26c 20/26c		27/3d 27/3d	19-6.008	26/49		
17-343.050	20/29c		27/3d	19-6.009	26/49		
17-503.420	16/15			19-6.010	26/49		
17-503.430	16/15			19-6.011	26/49		
17-503.500	16/15			19-6.012	26/49		
17-660.300	15/50	16/8		19-8.010	20/13c		
17-671.100	15/32			19-9.001	26/44	26/52	
17-671.200	15/32				26/51c		
17-671.300	15/32				26/51c		
17-671.310	15/32			19B-4.001	26/43		26/52
17-701	20/13c			19B-5.005	26/43		26/52
	20/15c		27/3d	19B-9.003	26/43		26/52
				19B-9.005	26/43		26/52
				CITRUS			
				20-14.001	26/41		
				20-39.003	26/50		
				20-40.005	26/50		

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20-48.004	26/37		26/47	<b>LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT</b>			
20-48.006	26/37		26/47				
20-49.001	26/41	26/49		31-16	20/8c		27/3d
20-49.002	26/41	26/49			20/8c		27/3d
20-49.003	26/41	26/49			20/8c		27/3d
20-49.004	26/41	26/49		<b>CORRECTIONS</b>			
20-49.005	26/41	26/49					
20-49.006	26/41	26/49		33-2.001	23/25		
20-49.007	26/41	26/49			33-3.004(3)(d)	24/8c	
20-49.008	26/41	26/49		24/8c			26/50d
20-49.009	26/41	26/49		24/8c			26/50d
20-49.010	26/41	26/49		33-3.004(3)(d),(15)	24/7c		26/50d
20-61.003	26/37	26/45	26/50		33-3.005(8)(b)	24/7c	
20-64.0081	26/41			33-3.0051		24/18	
20-64.0082	26/41			33-3.0081	25/35	25/43	
20-64.020	26/41			33-3.0082	25/35	25/43	
20-64.024	20/29c		27/3dw	33-3.0084	25/35	25/43	
20-94.005	26/50			33-3.0085	25/35	25/43	
<b>PROFESSIONAL REGULATION</b>				33-3.015	21/43		
21B-11.0017	19/31c			33-3.018	17/14		
	19/31c			33-5.001	22/23c		27/3d
21G-17.011	18/43c			33-5.002	22/23c		27/3d
21M-49.002	19/6c			33-5.003	22/23c		27/3d
21M-50.002	19/6c			33-5.004	22/23c		27/3d
21M-50.003	19/6c			33-5.005	22/23c		27/3d
21M-50.007	19/6c			33-5.006	22/23c		27/3d
21M-50.009	19/6c			33-5.007	22/23c		27/3d
<b>PUBLIC SERVICE COMMISSION</b>				33-5.008	22/23c		27/3d
				33-5.009	22/23c		27/3d
25-6.0436	26/18	26/43	26/49	33-5.010	22/23c		27/3d
25-6.04365	26/49			33-5.011	22/23c		27/3d
25-6.049(5)(a)	26/21c		26/51dw	33-5.012	22/23c		27/3d
25-6.135	26/18	26/43	26/49	33-5.013	22/23c		27/3d
25-6.1351	26/18	26/43	26/49	33-5.014	22/23c		27/3d
<b>EXECUTIVE OFFICE OF THE GOVERNOR</b>				33-6.005	23/34		
				33-6.006	24/18		
27E-4.001	20/11			33-8.0142	19/43		
27E-4.002	20/11			33-11.0065	24/18		
27E-4.003	20/11			33-15.001	22/23c		27/3d
27E-4.004	20/11			33-15.002	22/23c		27/3d
27E-4.005	20/11			33-15.003	22/23c		27/3d
27E-4.006	20/11			33-15.004	22/23c		27/3d
27E-4.007	20/11			33-22.003	17/12		
27E-4.008	20/11			33-22.009	17/12		
<b>ADMINISTRATION COMMISSION</b>				33-22.011	17/12		
				33-25.031	20/11c		
28-5.201	22/2c		27/3d	33-32.021	19/5		

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33-32.022	19/5			33-601.706	26/48		
33-38.001	25/35	25/43		33-601.707	26/48		
33-38.003	25/35	25/43		33-601.708	26/48		
33-38.005	25/35	25/43		33-601.709	26/48		
33-38.006	25/35	25/43		33-601.710	26/48		
33-38.009	25/35	25/43		33-601.713	26/48		
33-38.010	25/35	25/43		33-601.714	26/48		
33-38.011	25/35	25/43		33-601.715	26/48		
33-38.012	25/35	25/43		33-601.716	26/48		
33-102.202	26/39			33-601.717	26/48		
33-103.015	26/49			33-601.718	26/48		
33-103.016	26/43		26/52	33-601.719	26/48		
33-208.101	26/41		26/50	33-601.720	26/48		
33-208.506	26/43			33-601.721	26/48		
33-208.507	26/16			33-601.722	26/48		
33-302.101	26/35			33-601.723	26/48		
33-302.102	26/35			33-601.724	26/48		
33-302.104	26/35	26/46		33-601.725	26/48		
	26/35	26/52		33-601.726	26/48		
33-302.105	26/46	26/52		33-601.727	26/48		
33-501.301	26/50			33-601.728	26/48		
33-504.101	26/41		26/52	33-601.729	26/48		
33-506.100	26/47			33-601.730	26/48		
33-506.103	26/47			33-601.731	26/48		
33-506.106	26/47	26/50		33-601.732	26/48		
33-506.203	26/47			33-601.733	26/48		
33-506.204	26/47			33-601.734	26/48		
33-506.206	26/47	26/50		33-601.735	26/48		
33-506.207	26/47			33-601.736	26/48		
33-506.208	26/47			33-601.737	26/48		
33-506.211	26/47			33-601.738	26/48		
33-506.212	26/47			33-601.800	26/32	26/44	
33-507.201	26/52				26/32	26/49	
33-601	26/31c			33-601.801	26/32		
33-601.302	26/41		26/49w	33-601.802	26/32		
	26/46	26/49		33-601.803	26/32		
33-601.303	26/46	26/49		33-601.804	26/32		
33-601.304	26/46			33-601.805	26/32		
33-601.305	26/46			33-601.806	26/32		
33-601.3055	26/46			33-601.807	26/32		
33-601.307	26/46			33-601.808	26/32		
33-601.308	26/46			33-601.809	26/32		
33-601.309	26/46			33-601.810	26/32		
33-601.310	26/46			33-601.811	26/32		
33-601.311	26/46			33-601.812	26/32		
33-601.313	26/46	26/49		33-601.813	26/32		
33-601.602	26/36	26/37		33-601.820	26/29	26/41	26/48
	26/36	26/50		33-602.101	26/47		27/3
33-601.605	26/43		26/52	33-602.2045	26/46	26/49	
33-601.606	26/36	26/37		33-602.220	26/35	26/45	
33-601.701	26/48				26/35	26/50	
33-601.702	26/39c				26/35	26/51	
	26/48			33-602.221	26/25	26/35	
33-601.703	26/48				26/25	26/45	
33-601.704	26/48				26/25	26/50	
33-601.705	26/48						

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33-602.222	26/32	26/45		40B-1.103	26/47		
	26/32	26/50		40B-1.1031	26/47		
33-602.401(2)(b)	26/39c			40B-1.104	26/47		
33-602.403(2)(a)2.	26/39c			40B-1.105	26/47		
<b>COMMISSION ON ETHICS</b>				40B-1.121	26/47		
				40B-1.125	26/47		
34-5.001	24/18			40B-1.132	26/47		
34-5.026	24/19			40B-1.133	26/47		
34-7.010	26/35	26/42	26/48	40B-1.134	26/47		
	26/38		26/50	40B-1.135	26/47		
34-12.130	26/38		26/50	40B-1.140	26/47		
34-12.400	26/38		26/50	40B-1.201	26/47		
34-12.405	26/38		26/50	40B-1.203	26/47		
34-12.407	26/38		26/50	40B-1.207	26/47		
34-12.420	26/38		26/50	40B-1.301	26/47		
34-12.430	26/38		26/50	40B-1.303	26/47		
34-12.450	26/38		26/50	40B-1.307	26/47		
<b>LABOR AND EMPLOYMENT SECURITY</b>				40B-1.311	26/47		
				40B-1.313	26/47		
38-1	26/43c			40B-1.327	26/47		
38D-17.024	26/42		26/50	40B-1.330	26/47		
38E-106.401	24/1			40B-1.331	26/47		
38F-8.055	22/4			40B-1.335	26/47		
38I-60.200	20/7			40B-1.337	26/47		
38J-1.002	23/46c		27/3d	40B-1.401	26/47		
38J-1.002(7),(8),(9)	24/10c		26/50dw	40B-1.405	26/47		
38J-1.003	23/46c		27/3d	40B-1.407	26/47		
38J-1.003(2)	24/10c		26/50dw	40B-1.501	26/47		
38J-1.004	23/46c		27/3d	40B-1.503	26/47		
38J-1.004(1)	24/10c		26/50dw	40B-1.504	26/47		
38J-1.005	23/46c		27/3d	40B-1.505	26/47		
38J-1.005(1)(b), (3)(a)(d)	24/10c		26/50dw	40B-1.506	26/47		
38J-1.005(5)	24/10c		26/50dw	40B-1.507	26/47		
38J-1.006	23/46c		27/3d	40B-1.508	26/47		
38J-1.006(2)	24/10c			40B-1.509	26/47		
38J-1.007	23/46c		27/3d	40B-1.510	26/47		
38J-1.007(1)	24/10c		26/50dw	40B-1.511	26/47		
38K-1.0045	23/27			40B-1.521	26/47		
<b>GAME AND FRESH WATER FISH COMMISSION</b>				40B-1.522	26/47		
				40B-1.523	26/47		
39-25.0031	19/48c			40B-1.524	26/47		
39-25.004	19/48c			40B-1.525	26/47		
39-25.031	20/11c			40B-1.526	26/47		
39-27.005	19/33c			40B-1.527	26/47		
	19/33c			40B-1.528	26/47		
39-27.005(26)(27)	19/33c			40B-1.529	26/47		
<b>WATER MANAGEMENT DISTRICTS</b>				40B-1.530	26/47		
				40B-1.531	26/47		
40B-1	20/26c		27/3d	40B-1.541	26/47		
	20/26c		27/3d	40B-1.542	26/47		
40B-1.100	26/47			40B-1.543	26/47		
40B-1.101	26/47			40B-1.5435	26/47		
				40B-1.544	26/47		
				40B-1.545	26/47		
				40B-1.546	26/47		

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40B-1.547	26/47			40C-9.130	27/1		
40B-1.561	26/47			40C-9.170	27/1		
40B-1.562	26/47			40C-9.180	27/1		
40B-1.564	26/47			40C-9.210	27/1		
40B-1.565	26/47			40C-9.270	27/1		
40B-1.571	26/47			40C-9.280	27/1		
40B-1.572	26/47			40C-9.300	27/1		
40B-1.573	26/47			40C-9.320	27/1		
40B-1.601	26/47			40C-9.340	27/1		
40B-1.605	26/47			40C-9.350	27/1		
40B-1.608	26/47			40C-9.360	27/1		
40B-1.609	26/47			40C-9.370	27/1		
40B-1.611	26/47			40C-9.400	27/1		
40B-1.701	26/47			40C-9.410	27/1		
40B-1.702	26/47			40C-20	21/47c		
40B-1.703	26/47			40C-22	21/47c		
40B-1.708	26/47			40C-40	20/26c		27/3d
	26/47				20/26c		27/3d
40B-1.813	26/47			40C-41.011	23/12c		27/3d
40B-1.901	26/47				23/12c		27/3d
40B-4	20/26c		27/3d	40C-41.023	23/12c		27/3d
	20/26c		27/3d		23/12c		27/3d
40B-400	20/26c		27/3d	40C-41.033	23/12c		27/3d
	20/26c		27/3d		23/12c		27/3d
40C-1	20/26c		27/3d	40C-41.043	23/12c		27/3d
	20/26c		27/3d		23/12c		27/3d
	21/47c			40C-41.051	23/12c		27/3d
40C-1.181	20/18				23/12c		27/3d
40C-1.704	26/45			40C-41.063	23/12c		27/3d
40C-1.705	26/45				23/12c		27/3d
40C-1.716	26/45			40C-42	20/26c		27/3d
40C-1.717	26/45				20/26c		27/3d
40C-1.718	26/45			40C-43	20/26c		27/3d
40C-1.719	26/45				20/26c		27/3d
40C-2	21/47c			40C-44	20/26c		27/3d
40C-2.101	25/5c		26/50d		20/26c		27/3d
40C-4	20/26c		27/3d	40C-400	20/26c		27/3d
	20/26c		27/3d		20/26c		27/3d
40C-4.051	24/52			40C-400.201	21/48	21/48	
40C-4.051(12)(b)	25/12c			40D-0.201	20/3		
40C-4.091	24/52	25/8		40D-1.202	19/36	19/42	
	25/12c			40D-1.602	20/29c		27/3d
40C-6	20/26c		27/3d	40D-2	20/44c		27/3d
	20/26c		27/3d		20/44c		27/3d
40C-8.031	26/47				20/44c		27/3d
40C-9.021	27/1				20/44c		27/3d
40C-9.031	27/1				20/44c		27/3d
40C-9.041	27/1				20/44c		27/3d
40C-9.045	27/1				20/44c		27/3d
40C-9.061	27/1				20/44c		27/3d
40C-9.071	27/1				20/44c		27/3d
40C-9.081	27/1				20/47c		27/3d
40C-9.101	27/1				20/47c		27/3d
40C-9.110	27/1				20/47c		27/3d
40C-9.115	27/1				20/47c		27/3d
40C-9.120	27/1				20/47c		27/3d

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	20/47c		27/3d	40D-4.091(1)	26/43c		
	20/47c		27/3d	40D-4.201	21/22		
	20/47c		27/3d	40D-4.301		21/36	27/3w
	20/47c		27/3d		20/24c		27/3w
	20/47c		27/3d		20/24c		27/3w
	20/47c		27/3d	40D-4.381	20/24c		27/3w
	20/47c		27/3d	40D-6.521	24/50		
	20/47c		27/3d	40D-8	20/44c		27/3d
	21/5c		27/3d		20/44c		27/3d
	21/5c		27/3d		20/44c		27/3d
	21/5c		27/3d		20/44c		27/3d
	21/5c		27/3d		21/5c		27/3d
	21/5c		27/3d		21/5c		27/3d
	21/5c		27/3d	40D-8.041	21/5c		27/3d
	21/5c		27/3d	40D-8.624	23/38	24/48	
	21/5c		27/3d	40D-8.6240	23/38	24/48	
	21/5c		27/3d	40D-8.628	20/47c		27/3d
	21/5c		27/3d		20/47c		27/3d
40D-2.031	20/48				20/47c		27/3d
40D-2.041	20/48				20/47c		27/3d
40D-2.091	20/44c		27/3d		20/47c		27/3d
	20/48	20/52			20/47c		27/3d
		21/13	27/3d		20/47c		27/3d
		21/15	27/3d		20/47c		27/3d
		21/17	27/3d		20/47c		27/3d
		21/44	27/3d		20/47c		27/3d
		24/7	27/3d		20/47c		27/3d
	22/48				20/47c		27/3d
		26/10	27/3d		20/47c		27/3d
40D-2.101	20/48					21/6	27/3d
40D-2.301	22/48					21/13	27/3d
40D-2.321	20/48				21/5c		27/3d
40D-2.331	20/48				21/5c		27/3d
40D-2.381	20/48				21/21c		27/3d
40D-2.501	20/48				21/21c		27/3d
40D-2.601	20/44c		27/3d		21/21c		27/3d
	20/48				21/21c		27/3d
40D-2.621	20/44c		27/3d	40D-8.628(1)	21/12c		27/3d
	20/48			40D-45.341	19/42	20/3	
40D-2.628	20/44c		27/3d	40D-80.073	26/9c		
40D-2.801	20/44c		27/3d	40E-1	20/24c		27/3d
	20/48	21/44			20/26c		27/3d
		24/7	27/3d		20/26c		27/3d
40D-3.411	26/45		26/52		20/26c		27/3w
40D-4.041	20/24c		27/3w		20/26c		27/3w
40D-4.042	20/24c		27/3w	40E-1.510	20/18	21/36	
40D-4.051		21/22	27/3w	40E-1.603	19/4c		
	20/24c		27/3w	40E-1.606	19/4c		
40D-4.091	20/24c		27/3w	40E-1.607	19/43		
	20/24c		27/3w	40E-1.6105	19/4c		
		21/36	27/3w	40E-1.612	20/18	21/36	
	22/48			40E-1.614	20/18	21/36	
	24/36	24/53		40E-1.659	19/4c		
	25/3				25/18		



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40E-2	26/38c			40E-400	20/24c		27/3d
40E-4	20/24c		27/3d		20/24c		27/3w
	20/26c		27/3d		20/26c		27/3d
	20/26c		27/3d		20/26c		27/3d
	20/26c		27/3w		20/26c		27/3w
	20/26c		27/3w	40E-601.314	26/9		
40E-4.091		21/36	27/2		26/9		
	25/18				26/9		
	26/44		27/2				
40E-6	20/26c			FLORIDA LAND AND WATER ADJUDICATORY COMMISSION			
40E-7.523	26/30	26/41	26/50				
40E-7.527	26/30	26/41	26/50	42-196.010	26/42		
40E-7.534	26/30	26/41	26/50	EXPRESSWAY AUTHORITIES			
40E-7.538	26/30	26/41	26/50				
40E-7.639	22/23	22/37					
40E-40	20/26c		27/3d	45A-2.001	21/49		
	20/26c		27/3d	MARINE FISHERIES COMMISSION			
	20/26c		27/3w				
40E-41	20/24c		27/3d				
	20/26c		27/3d	46ER96-3		22/39	22/28
	20/26c		27/3d	46-3.002	21/6c		27/3d
	20/26c		27/3d	46-3.008	21/6c		27/3d
40E-63.011	27/2			46-3.025	21/6c		27/3d
40E-63.091	27/2			46-3.027	21/6c		27/3d
40E-63.101	27/2			46-3.028	21/6c		27/3d
40E-63.102	27/2			46-3.029	21/6c		27/3d
40E-63.104	27/2			46-3.031	21/6c		27/3d
40E-63.106	27/2			46-3.032	21/6c		27/3d
40E-63.108	27/2			46-3.034	21/6c		27/3d
40E-63.110	27/2			46-3.035	21/6c		27/3d
40E-63.120	27/2			46-3.037	21/6c		27/3d
40E-63.130	27/2			46-3.038	21/6c		27/3d
40E-63.134	27/2			46-4.001	21/6c		27/3d
40E-63.136	27/2			46-4.002	16/48c		
40E-63.138	27/2				21/6c		27/3d
40E-63.140	27/2			46-4.0025	21/6c		27/3d
40E-63.141	27/2			46-4.003(1)(e)(o)4.7.	19/44c		
40E-63.142	27/2			46-4.0031	19/50c		
40E-63.143	27/2			46-4.004	21/6c		27/3d
40E-63.145	27/2			46-4.005	21/6c		27/3d
40E-63.150	27/2			46-4.006	21/6c		27/3d
40E-63.152	27/2			46-4.007		19/51	27/3d
40E-63.154	27/2				21/6c		27/3d
40E-63.156	27/2			46-4.008	21/6c		27/3d
40E-63.158	27/2			46-4.0081	21/6c		27/3d
40E-63.160	27/2			46-4.0085	21/6c		27/3d
40E-63.161	27/2			46-4.013	19/50c		
40E-63.162	27/2				21/6c		27/3d
40E-63.163	27/2			46-4.014	21/6c		27/3d
40E-63.165	27/2			46-4.015	21/6c		27/3d
40E-63.223	27/2			46-4.016	21/6c		27/3d
40E-63.302	27/2			46-4.017	21/6c		27/3d
40E-63.310	27/2			46-15.002	21/35		
40E-63.312	27/2			46-17.001	20/8c		27/3d
40E-63.314	27/2			46-17.002	20/8c		27/3d
				46-17.003	20/8c		27/3d

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46-17.0031	20/8c		27/3d	53ER00-47	26/46		26/46
46-17.005	20/8c		27/3d	53ER00-48	26/46		26/46
46-17.007	20/8c		27/3d	53ER00-49	26/46		26/46
46-21.007(1)	18/2			53ER00-50	26/48		26/48
46-23.001	21/6c		27/3d	53ER00-51	26/48		26/48
46-23.002	21/6c		27/3d	53ER00-52	26/50		26/50
46-23.003	21/6c		27/3d	53ER00-53	26/50		26/50
46-24.003	21/27			53ER00-54	26/52		26/52
46-24.007	21/6c		27/3d	53ER00-55	26/52		26/52
46-29.0036	19/8c			53ER00-56	27/2		27/2
46-36.002	21/6c		27/3d	53ER00-57	27/2		27/2
46-37.001	20/18						27/2
46-37.002	20/18	20/25		53ER00-58	27/1		27/1
46-37.003	20/18			53ER00-59	27/1		27/1
		21/42		53-1.006	26/45		
46-37.004	20/18	20/25		53-1.0175	26/41		26/50
46-37.005	20/18			53-19.0035	25/43		
46-37.006	20/18	20/25					
	21/6c		27/3d	SPACEPORT FLORIDA AUTHORITY			
		21/42	27/3d	57-3.001	26/25		
46-39.002	21/6c		27/3d	57-3.002	26/25	26/44	
46-39.0035	21/6c		27/3d	57-3.003	26/25		
46-39.0047		22/34	27/3d	57-4.001	26/25		
		22/48	27/3d	57-4.002	26/25		
		22/51	27/3d	57-4.003	26/25		
	22/39c		27/3d	57-4.004	26/25	26/39	
46-39.005	21/6c		27/3d	57-4.005	26/25	26/39	
46-39.006	21/6c		27/3d		26/25	26/44	
46-39.007	21/6c		27/3d	57-5.001	26/25	26/44	
46-39.008	21/6c		27/3d	57-5.002	26/25		
46-39.009	21/6c		27/3d	57-5.003	26/25	26/39	
46-39.010	21/6c		27/3d		26/25	26/44	
46-39.011	21/6c		27/3d	57-5.004	26/25	26/44	
46-39.012	21/6c		27/3d	57-5.005	26/25	26/44	
46-42.003	20/35			57-6.001	26/25		
46-42.007	21/6c		27/3d	57-6.002	26/25		
46-43.005	21/6c		27/3d	57-6.003	26/25	26/44	
46-47.007	22/27			57-6.004	26/25	26/39	
					26/25	26/44	
THE CONSOLIDATED TAXICAB COMMISSION				57-7.001	26/25	26/44	
51U-8.021	23/24			57-7.002	26/25		
				57-7.003	26/25	26/39	
					26/25	26/44	
				57-7.004	26/25	26/39	
53ER00-29			26/28		26/25	26/44	
53ER00-37			26/37	57-7.005	26/25	26/39	
53ER00-38			26/37		26/25	26/44	
53ER00-39	26/39		26/39	57-7.006	26/25	26/39	
53ER00-40	26/39		26/39		26/25	26/44	
53ER00-41	26/41		26/41				
53ER00-42	26/41		26/41	ELDER AFFAIRS			
53ER00-43	26/41		26/41	58-14.001	20/1c		
53ER00-44	26/44		26/44	58-14.003	20/1c		
53ER00-45	26/43		26/43	58-14.005	20/1c		
53ER00-46	26/43		26/43				

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58-14.007	20/1c			59A-18.002	26/25	26/36	26/51
58-14.009	20/1c					26/42	26/51
58A-1	20/43c		27/3d	59A-18.003	26/25		
AGENCY FOR HEALTH CARE ADMINISTRATION				59A-18.004	26/25	26/36	26/51
						26/42	26/51
59-1.021	22/2c		27/3d	59A-18.005	26/25	26/36	26/51
59A-2.024	20/1			59A-18.006	26/25		26/51
59A-3.078	20/47c			59A-18.007	26/25		26/51
59A-3.170	21/20			59A-18.008	26/25		26/51
59A-3.180	21/3			59A-18.0081	26/25		26/51
59A-3.202	21/12c		27/3d	59A-18.009	26/25	26/36	26/51
59A-3.2055	22/52	23/10		59A-18.010	26/25		26/51
59A-4.1075	26/49			59A-18.011	26/25	26/36	26/51
59A-4.1295	20/1c			59A-18.012	26/25	26/36	26/51
59A-4.165	26/42	26/50		59A-18.013	26/25		26/51
	26/51c		27/2d	59A-18.014	26/25		26/51
	27/2c		27/2d	59A-18.015	26/25		26/51
59A-4.166	26/42	26/50		59A-18.016	26/25	26/36	26/51
59A-5.001	21/26c		27/3d	59A-18.017	26/25		26/51
59A-5.002	21/26c		27/3d	59A-23.003	26/50		
59A-5.003		21/39	27/3d	59AA-2.001	22/48c		27/3d
	21/26c		27/3d	59AA-2.002	22/48c		27/3d
59A-5.004		21/39	27/3d	59AA-2.003	22/48c		27/3d
	21/26c		27/3d	59AA-3.001	22/48c		27/3d
59A-5.005	21/26c		27/3d	59AA-10.001	22/48c		27/3d
59A-5.006	21/26c		27/3d	59AA-17.004	21/46		
59A-5.007	21/26c		27/3d	59B-7.020	19/30		
59A-5.008		21/39	27/3d	59B-7.021	19/30		
	21/26c		27/3d	59B-7.022	19/30		
	21/26c		27/3d	59B-7.022(5)	19/36c		
59A-5.009		21/35	27/3d	59B-7.023	19/30		
	21/26c		27/3d	59B-7.024	19/30		
	21/26c		27/3d	59B-7.024(1)	19/36c		
59A-5.010	21/26c		27/3d	59B-7.025	19/30		
59A-5.011		21/39	27/3d	59B-7.026	19/30		
	21/26c		27/3d	59B-7.027	19/30		
59A-5.012	21/26c		27/3d		19/36c		
59A-5.013	21/26c		27/3d	59B-7.028	19/30		
59A-5.014	21/26c		27/3d	59B-7.029	19/30		
59A-5.015	21/26c		27/3d	59B-10.050	21/45c		27/3d
59A-5.016	21/26c		27/3d	59B-10.051	21/45c		27/3d
59A-5.017	21/26c		27/3d	59B-10.052	21/45c		27/3d
59A-5.018	21/26c		27/3d	59B-10.053	21/45c		27/3d
59A-5.019	21/26c		27/3d	59B-10.054	21/45c		27/3d
59A-5.022	26/39			59B-10.055	21/45c		27/3d
59A-7.020	20/25			59B-10.056	21/45c		27/3d
59A-7.034	21/45c		27/3d	59B-10.057	21/45c		27/3d
59A-7.035		20/42	27/3d	59B-13.001(2)	26/31c		
			27/3d	59C-1.002	26/35		26/49
	21/45c				26/51		
59A-10.032	26/44			59C-1.002(43)	26/30c		
59A-12.020	26/32	26/36		59C-1.003	26/30c		
	26/38c			59C-1.004	26/35		26/49
59A-12.030	26/49			59C-1.005	26/35	26/51	
59A-18.001	26/25	26/36	26/51		26/41c		
				59C-1.005(6)(e)	26/41c		27/2d

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59C-1.008	26/35		26/49	59D-1.006	26/43		
	26/42			59D-1.007	26/43		
	26/51			59D-1.007(1)(d)	19/47c		
59C-1.0085	26/35		26/49	59D-1.008	26/43		
59C-1.010	26/35		26/49	59D-2.001	26/43		
	26/51			59D-2.002	26/43		
59C-1.013	26/35		26/49	59D-2.003	26/43		
59C-1.018	26/35		26/49	59D-2.003(10)(b)	19/48c		
59C-1.019	26/35		26/49	59D-2.003(12)	19/48c		
59C-1.020	26/35		26/49	59D-2.003(15)	19/48c		
59C-1.023	26/51			59D-2.003(16)	19/48c		
59C-1.031	23/8c		27/3d	59D-2.004	26/43		
	23/8c		27/3d	59D-2.005	26/43		
	23/8c		27/3d	59D-2.006	26/43		
	26/51			59D-2.007	26/43		
59C-1.033	26/51			59D-2.008	26/43		
59C-1.033(7)(c)	25/45c		26/50x	59D-2.009	26/43		
59C-1.036	22/48c		27/3d	59D-2.010	26/43		
	22/48c		27/3d	59D-2.011	26/43		
	22/48c		27/3d	59D-2.011(1)(2)	19/48c		
	22/48c		27/3d	59D-2.012	26/43		
	22/48c		27/3d	59D-2.013	26/43		
	22/48c		27/3d	59E-1.001	20/27		
	22/48c		27/3d	59E-1.002	20/27		
	22/48c		27/3d	59E-1.003	20/27		
		24/11	27/3d	59E-1.004	20/27		
	23/12c		26/50d	59E-1.005	20/27		
	23/12c		26/50d	59E-1.006	20/27		
	23/12c		26/50d	59E-1.007	20/27		
	23/12c		26/50d	59E-7.201	19/50c		
	23/12c		26/50d	59E-7.202	19/50c		
	23/12c		26/50d	59E-7.203	19/50c		
	23/12c		26/50d	59E-7.204	19/50c		
	23/12c		27/3d	59E-7.205	19/50c		
	23/12c		27/3d	59E-7.206	19/50c		
	24/3c		26/50d	59E-7.207	19/50c		
	24/3c		26/50d	59E-7.208	19/50c		
	24/3c		26/50d	59EE-1.001		22/34	27/3w
	24/3c		26/50d		22/29c		27/3w
59C-1.036(2)(i)	22/48c		27/3d		22/29c		27/3w
	23/12c		26/50d	59F-1.002	20/33		
59C-1.044	19/44c			59F-1.005(2),(3),(4)	20/43c		27/3d
	19/44c			59G-3.010	24/7		
	19/44c			59G-4.020	26/38		26/52
	19/44c			59G-4.055	21/39	21/45	
59D-1.001	26/43			59G-4.140	20/29c		27/3d
59D-1.002	26/43			59G-4.150	26/40		26/52
59D-1.003	26/43			59G-4.150(4)(b)4.	22/2c		27/3d
59D-1.004	26/43			59G-4.160	25/30		
59D-1.004(4)	19/47c				26/51		
59D-1.004(5)	19/47c			59G-4.197	26/47		
59D-1.005	26/43			59G-4.200	20/30c		27/3d

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59G-4.250	26/45			59U-14.002	23/24	23/35	
59G-4.280	26/37		26/48	59U-16.002	23/14c		27/3d
59G-5.020	23/12c		27/3d	59V-3.007	20/34	20/48	
59G-6.010	20/49c		27/3d		20/40c		27/3d
	20/49c			59X-28.150	21/2c		
	21/33c		27/3d	59Y-5.001	23/11		
	22/34c		27/3d				
59G-6.020	22/2c		27/3d	MANAGEMENT SERVICES			
59G-7.056	22/34c		27/3d	60A-1.001(2)	26/39c		
59G-8.100	21/45c		27/3d	60D-13.006	24/6c		
59H-1.00352	26/3	26/17		60L-25.001	26/33	26/45	26/52
59M-3.001	22/11c		27/3d	60L-25.002	26/33	26/45	26/52
	22/11c		27/3d	60L-25.003	26/33	26/45	26/52
	22/11c		27/3d	60L-25.004	26/33	26/45	26/52
59M-3.005	21/25			60L-25.005	26/33	26/45	26/52
59O-2	22/42c		27/3d	60Q-2.004	21/5c		27/3d
59O-2.002	20/47c		27/3x		22/25c		
	22/34	24/49			25/28c		
59O-2.002(7)	20/47c		27/3d	60S-9.001	26/35		26/50
59O-2.003	22/34	24/49			26/42		
59O-3	22/42c		27/3d	60T-25.001	18/41	18/44	
59O-3.002	22/34	24/49		60T-25.002	18/41	18/44	
59O-3.003		20/45	27/3x	60U-1.006	26/35		26/50
	20/47c		27/3x	60V-1.007	26/35		26/50
59O-5	22/42c		27/3d	60Y-3.001	26/15	26/33	
59O-5.001(1)(b),				60Y-5.004	26/34		
(2)(a)2.(b)	20/47c		27/3d	BUSINESS AND PROFESSIONAL REGULATION			
59O-5.002	22/42c		27/3d	61-6.015	26/27	26/38	26/47
59O-5.003	22/42c		27/3d	61-11.001	26/41	26/51	
59O-5.004	22/42c		27/3d	61-11.002	26/41	26/51	
59O-5.006	20/47c		27/3x	61-11.004	26/41	26/51	
	20/47c		27/3d	61-11.005	26/41		
59O-7	22/42c		27/3d	61-11.006	26/41	26/51	
59O-9	22/42c		27/3d	61-11.007	26/41		
59O-9.002	20/47c		27/3x	61-11.008	26/41		
59O-9.002(4)	20/47c		27/3d	61-11.009	26/41		
59O-9.003	22/34	24/48		61-11.010	26/41	26/51	
59O-9.004	20/47c		27/3x	61-11.012	26/41	26/51	
59O-9.004(7)	20/47c		27/3x	61-11.013	26/41	26/51	
59O-10	22/42c		27/3d	61-11.014	26/41		
59O-10.004	20/47c		27/3x	61-11.015	26/41	26/51	
59O-10.005	22/42c		27/3d	61-11.016	26/41	26/51	
59O-13.006	20/47c		27/3x	61-11.017	26/41	26/51	
	20/47c		27/3d	61-11.018	26/41		
59P-31.006	22/36c		27/3d	61-11.019	26/41		
	22/36c		27/3d	61-20.5011	26/45		26/52
59Q-9.002	20/39			61-20.504	26/45		26/52
59R-9.012	20/39c		27/3d	61-20.508	26/52		
59R-62.010	21/5			61-20.5081	26/49		
59R-62.040	21/5			61-20.5082	26/49		
59T-11.013	23/22	23/35		61-20.510	26/45		26/52
59T-14.004	23/22	23/35		61-25.004		22/40	27/3w
59T-15.002	23/22	23/35			22/12c		27/3w
59T-16.001	23/22	23/35		61-32.002	26/41		26/48
59T-16.002	23/22	23/35					
59U-11.019	20/51	21/7					

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61B-23.0021	26/47				23/36	23/44	
61B-23.0027	26/47			61D-3.004	22/12c		27/3d
61B-23.0028	26/47				23/36	23/44	
61B-29	20/26c		27/3d	61D-4.001	22/11c		
61B-29.001		20/52	27/3d	61D-4.002(1)	22/11c		
	20/26c		27/3d	61D-5.001	22/12c		27/3d
61B-29.001(5)	20/26c		27/3d	61D-5.003	22/12c		27/3d
61B-30	20/26c			61D-5.007		22/35	27/3d
61B-30.004	20/19				22/12c		27/3d
	20/36c		27/3d	61D-6	22/11c		
61B-30.006	22/45			61D-6.002(1)	26/12c		
61B-31	20/26c				26/39c		
61B-31.001	23/2				26/39c		
61B-31.001(3),(5)	20/36c		27/3d	61D-6.004		22/35	27/3d
	20/44c		27/3d		22/12c		27/3d
61B-31.002	23/2			61D-6.005		22/35	27/3d
61B-32	20/26c		27/3d		22/12c		27/3d
61B-32.001	21/30			61D-6.008		22/35	27/3d
61B-32.002(1)	21/12c		27/3d		22/12c		27/3d
61B-39.001	22/33			61D-6.009		22/35	27/3d
61B-39.002	22/33				22/12c		27/3d
61B-75.005	26/47			61D-6.011	26/41	26/49	
61B-75.007	26/47			61D-7	22/11c		
61B-75.008	26/47				22/25c		
61C-1.001	26/38		26/48	61D-7.001(1)	22/11c		
61C-1.002	22/23	22/36		61D-7.002	22/12c		
61C-3.002	22/23	22/36		61D-7.020		22/35	27/3d
61C-4.010	26/38		26/48		22/12c		27/3d
61C-4.023	26/43	26/49		61D-7.020(13)(a)(b)	22/11c		
	26/43	26/50		61D-7.021		22/35	27/3d
61C-5.001	26/24				22/12c		27/3d
61C-76.0061	21/35			61D-7.022		22/35	27/3d
61C-76.0062	21/35				22/12c		27/3d
61D-2.001	22/12c		27/3d	61D-7.022(5)(b)2.	22/11c		
61D-2.002	22/11c			61D-7.023		22/35	27/3d
	22/12c		27/3d		22/12c		27/3d
61D-2.003	22/12c		27/3d	61D-7.024	22/12c		27/3d
61D-2.004	22/12c		27/3d	61D-8	22/11c		
61D-2.005		22/35	27/3d		22/25c		
		23/14	27/3d	61D-8.001		22/35	27/3d
	22/12c		27/3d		22/12c		27/3d
61D-2.008		22/35	27/3d	61D-8.001(1)	22/11c		
	22/12c		27/3d	61D-8.002		22/35	27/3d
61D-2.013	22/12c		27/3d		22/12c		27/3d
61D-2.014		22/35	27/3d	61D-8.003	22/11c		
	22/12c		27/3d	61D-8.005		22/35	27/3d
61D-2.015		22/35	27/3d		22/12c		27/3d
	22/12c		27/3d	61D-9	22/11c		
61D-2.020		22/35	27/3d		22/25c		
	22/12c		27/3d	61D-9.001		22/35	27/3d
61D-3.001		22/35	27/3d		22/12c		27/3d
	22/12c		27/3d	61D-9.001(1)	22/11c		
61D-3.002		22/35	27/3d	61D-9.003		22/35	27/3d
	22/12c		27/3d		22/12c		27/3d

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61D-9.005	22/12c		27/3d	61G10-11.003	26/24		
61D-11.010	24/3			61G10-12.001	26/24		
61E8-2.004	19/46c			61G11-25.001	20/22		
61F3-8.002	20/27	20/32		61G14-19.001	26/48		
61F5-16.001	19/44c			61G15-18.011	26/51		
61F5-17.015	20/9c		27/3d	61G15-20.001	26/49		
61F6-27.003(3)	19/41c			61G15-20.0010	26/49		
61F6-34.001	20/7			61G15-20.0015	26/49		
61F6-50.007	18/53	20/24		61G15-20.0016	26/49	26/51	
61F8-3.001	20/3c			61G15-20.0017	26/49		
	20/3c			61G15-21.008	26/51		
	20/3c			61G15-22.001	26/51		
61F8-3.003	20/3c			61G15-23.002	26/51		
	20/3c			61G15-31.003	26/51		
61F8-3.008	20/3c			61G16-1.009	26/51		
	20/3c			61G16-2.001	23/12		
	20/3c			61G16-2.005	26/51		
61F9-6.0035	19/36			61G16-5.003	21/43	21/50	
61F9-6.011	19/36			61G17-1.006	21/6		
61F9-6.013	19/36			61G17-1.010	26/34	26/45	26/52
61F14-3.016	19/36			61G17-3.0021	26/49		
61GER00-1	26/47		26/47	61G17-5.0043		19/29	
61G1-12.001	26/38					19/52	
61G1-16.005	26/6			61G18-16.002	26/29		
61G2-1.0175	26/50			61G18-16.003	26/29		
61G2-3.005	21/33			61G18-16.0035	26/29		
61G2-3.0055	23/38	24/6		61G18-16.005	26/47		
61G2-4.001	21/29			61G18-30.001	26/35	26/51	
61G2-8.020	26/50			61G19-5.006		21/37	26/51
61G4-12.006	26/34				26/42		26/51
61G4-17.001	19/29			61G19-6.012	26/15		
61G4-18.001	26/44		26/51	61G19-6.016	26/42		26/51
61G4-18.011	19/38			61G19-7.001	26/41		26/49
61G4-18.012	19/38			61G19-7.002	26/41		
61G6-7.006	22/51	23/6		61G19-7.003	26/41		
		23/19		61G19-7.004	26/41		
		23/31		61G19-7.005	26/41		
		23/49		61G19-7.006	26/41		26/51
61G6-9.001	26/36		26/51	61G19-7.007	26/41		26/51
61G6-9.002	26/36		26/51	61G19-7.008	26/41		
61G6-9.003	26/36	26/47	26/52	61G19-7.009	26/41		
61G6-9.004	26/29			61G19-7.010	26/41		
61G6-9.007	26/36	26/41	26/48	61G19-9.0015	26/30	26/38	26/52w
61G6-9.0105	26/51			61G19-9.005	26/38		26/48
61G7-5.001(4)	19/44c			61H-20.0053	26/28		
61G7-6.001	26/33			61H1-29.003	26/28		
61G7-10.011	26/13			61H1-33.003	26/29	26/41	26/50
61G8-16.005	26/16			61H1-54.002	21/29		
61G8-17.001	26/6			61J1-4.002	26/45		
61G8-17.005	26/34	26/42	26/49	61J1-4.003	26/45		
61G8-21.004	26/6	26/45	26/51	61J1-4.005	26/45		
61G8-28.001	26/39			61J1-4.006	26/45		
				61J1-4.008	26/45		
				61K1-1.0011(3)(c)	26/18c		

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62-4.050	20/21	21/22		62-341.602	21/22	21/22	
62-4.070(5)	25/45c			62-342.100	24/36		
62-4.090	21/6c		27/3d	62-342.200	24/36		
62-17.151	24/45	24/45		62-342.300	24/36		
62-17.161	24/45	24/45		62-342.400	24/36		
62-160	22/12c		27/3d	62-342.450	24/36	24/45	
62-204.800	22/12c		27/3d	62-342.470	24/36	24/45	
	26/47		27/1	62-342.500	24/36		
62-204.800(14)-(19)	26/47		27/1	62-342.550	24/36		
62-210.200(17),(76)	22/12c		27/3d	62-342.600	24/36		
62-210.300		21/12	27/3d	62-342.650	24/36		
	21/6c		27/3d	62-342.700	24/36	24/45	
62-210.300(3)	22/12c		27/3d	62-342.750	24/36		
62-210.900(1),(5)	22/12c		27/3d	62-342.800	24/36		
62-210.990	20/36			62-342.850	24/36		
62-212.400(6)	22/12c		27/3d	62-342.900	24/36		
62-212.410	22/12c		27/3d	62-343	21/34c		27/3d
62-212.500		22/6	27/3d	62-343.010	21/22		
	22/12c		27/3d	62-343.020	21/22		
62-212.510	22/12c		27/3d	62-343.030	21/22		
62-213.205	26/45		26/52	62-343.040	21/22		
62-213.300	26/45		26/52	62-343.050	21/22		
62-213.400	26/45		26/52	62-343.060	21/22		
62-213.420		21/37	26/52	62-343.070	21/22		
		21/38	26/52	62-343.080	21/22		
	26/45		26/52	62-343.090	21/22		
62-213.420(1)(b)2.	22/12c		27/3d	62-343.100	21/22		
62-213.430	20/52	21/7		62-343.110	21/22		
	21/6c		27/3d	62-343.120	21/22		
	26/45		26/52	62-343.130	21/22		
62-213.430(6)	22/12c		27/3d	62-343.140	21/22		
62-213.440	26/45		26/52	62-343.900	21/22		
62-213.450	26/45		26/52	62-520.100	22/11c		27/3d
62-213.460	26/45		26/52	62-524.400	20/45		
62-213.900	26/45		26/52	62-528	21/6c		27/3d
62-214.100	26/45		26/52	62-550.200	22/11c		27/3d
62-214.320	26/45		26/52	62-550.310	20/47		
62-214.330	26/45		26/52	62-550.730	20/19		
62-214.340	26/45		26/52	62-551.200	22/11c		27/3d
62-214.360	26/45		26/52	62-561.100	24/52		
62-214.370	26/45		26/52	62-610.814	24/52		
62-214.420	26/45		26/52	62-620.100	22/11c		27/3d
62-214.430	26/45		26/52	62-620.325	22/11c		27/3d
62-296.401	22/32	22/38		62-620.330	22/11c		27/3d
62-302.600	21/2c			62-620.335	22/11c		27/3d
62-302.600(3)(b)62.	21/2c			62-620.370(7)	25/45c		
62-302.700	21/17c			62-620.400	22/11c		27/3d
		22/8		62-620.410	22/11c		27/3d
	25/34			62-620.412	22/11c		27/3d
62-302.700(9)(i)(38)	21/49c			62-620.420	22/11c		27/3d
62-312	21/34c		27/3d	62-620.425	22/11c		27/3d
62-312.122	24/18			62-620.435	22/11c		27/3d
	24/18			62-620.440	22/11c		27/3d
				62-620.445	22/11c		27/3d



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62-620.450	22/11c		27/3d	62-773.350(9),(10)	22/42c		27/3d
62-620.455	22/11c		27/3d	62-775.100	22/23c		27/3d
62-620.460	22/11c		27/3d	62-775.400	22/23c		27/3d
62-620.510	22/11c		27/3d	62-775.410	22/23c		27/3d
62-620.511	22/11c		27/3d	62-775.500	21/52	22/15	
62-620.512	22/11c		27/3d	62-788.400	25/5		
62-620.515	22/11c		27/3d	62B-26.011	26/51		
62-620.550	22/11c		27/3d	62B-33.002	22/25c		27/3d
62-620.610		20/45	27/3d	62B-33.005	22/25c		27/3d
	22/11c		27/3d	62B-33.0051	22/25c		27/3d
62-620.620	22/11c		27/3d	62B-49	21/34c		27/3d
62-620.800	22/11c		27/3d	62D-2.014	21/52	22/13	
62-620.810		20/38	27/3d	62N-3.002	21/43		
		20/45	27/3d	62N-22.005	24/45c		26/50d
	22/11c		27/3d	62N-22.005(1),(2),			
62-620.820	22/11c		27/3d	(3),(5)	24/45c		26/50d
62-621.200	21/52			62N-22.023		23/17	27/3d
62-650.120	22/11c		27/3d		23/2c		27/3d
62-660.300	22/11c		27/3d	62N-36.004	21/43		
62-671	22/42c			62R-7.002	21/17		
62-701	22/42c			62R-7.010	23/34		
62-701.720	22/11c		27/3d	62R-7.020	21/17		
62-707.500	22/30			62R-7.022	21/17		
62-710	21/18c			62R-7.025	21/17		
62-712.100	21/34			62R-7.026	21/17		
62-712.200	21/34			62R-7.028	21/17		
62-712.300	21/34				22/47		
62-712.400	21/34			62R-7.032	21/17		
62-712.410	21/34			62S-2.070	26/38		
62-712.420	21/34			62S-2.071	26/38		
62-712.430	21/34			62S-2.072	26/38		
62-712.440	21/34			62S-2.073	26/38		
62-712.450	21/34			62S-2.074	26/38		
62-712.460	21/34			62S-2.075	26/38		
62-712.500	21/34			62S-2.076	26/38		
62-712.800	21/34			HEALTH			
62-712.810	21/34			64B-8.001	26/5	26/51	
62-712.900	21/34			64B-8.002	26/5	26/51	
62-728	22/11c		27/3d	64B-8.003	26/5	26/51	
62-730.020	26/44		27/1	64B-8.004	26/5	26/51	
62-730.021	26/44		27/1	64B-8.005	26/5	26/51	
62-730.030	26/44		27/1	64B-8.006	26/41		26/51
62-730.050	23/7			64B-8.009	26/5	26/51	
62-730.160	26/44		27/1	64B-8.013	26/5	26/51	
62-730.170	26/44		27/1	64B-8.014	26/5	26/51	
62-730.180	26/44		27/1	64B-8.015	26/5	26/51	
62-730.181	26/44		27/1	64B-8.016	26/5	26/51	
62-730.183	26/44		27/1	64B-8.017	26/5	26/51	
62-730.184	26/44		27/1	64B-8.018	26/5	26/51	
62-730.185	26/44		27/1	64B1-3.001	26/51c		
62-730.220		20/51	27/1	64B1-3.010	26/49		
	26/44		27/1	64B1-4.001	26/47		
62-740	21/45c		27/3d	64B1-4.0015	26/47		
62-761	24/22c		26/50dw	64B1-4.004	26/39		26/51
62-761.891	24/14			64B1-4.005	26/39		26/51
62-771.300	21/52			64B1-4.006	26/39		26/51

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64B1-4.007	26/39		26/51	64B8-4.028	26/47		
64B1-4.008	26/39		26/51	64B8-8.001	26/47		
64B1-4.009	26/39		26/51	64B8-9.009		25/24	26/51d
64B1-4.010	26/39	26/48				25/33	26/51d
	26/39	26/50				26/7	26/51d
64B1-4.011	26/39	26/47			26/12c		26/51d
	26/39	26/49			26/19c		26/51d
	26/39	26/50			26/49		
64B1-4.012	26/39	26/47		64B8-9.009(2c)(2e)			
	26/39	26/50		(2g)(6)	26/49		26/52w
64B1-6.005	26/50			64B8-9.0093	26/45	26/51	
64B1-7.0015	26/50			64B8-10.002	26/47		
64B1-8.001	26/51			64B8-10.004	26/47		
64B1-8.002	26/51			64B8-11.001	26/47		
64B1-8.006	26/21	26/39		64B8-13.005	26/47		
	26/21	27/1		64B8-13.007	26/33	26/42	26/48
	26/30c		26/51d	64B8-30.015	26/51		
64B1-10.001	26/47			64B8-45.006	26/37		
64B3-1.008	27/2			64B8-55.002	26/50		
64B3-2.001	23/51			64B8-56.002	26/24	26/43	
64B3-2.002	22/34	24/49			26/24	26/51	
64B3-2.003	22/34	24/49		64B9-3.001	26/36		27/3
64B3-3.003	23/51			64B9-3.0015	26/36		27/3
64B3-3.004	23/51			64B9-3.002	26/36	26/51	
64B3-3.007(6)(d)(e)	24/22c		26/50d	64B9-3.003	26/36		27/3
64B3-4.001	25/36	25/49		64B9-3.007	25/9		
64B3-5.002	27/1			64B9-3.008	26/36	26/51	
64B3-5.003	26/38			64B9-3.009	26/36		27/3
64B3-5.004	26/38		26/51	64B9-4.009	25/29		
64B3-5.007(2)(a)	26/35c			64B9-9.009(2)(c),			
64B3-10.005	26/38	26/51		(e),(g)(6)	26/49		26/51w
64B3-11.004	26/38			64B10-13.300	26/48		
64B4-3.001	25/22			64B10-14.004	26/48		
64B4-4.017	25/32			64B12-11.004	26/36		26/51
64B4-4.018	25/32			64B12-11.0045	26/36		
64B4-5.001	26/49			64B12-12.008	26/40		
64B4-5.007	25/32			64B12-15.003	26/40		26/52
64B4-6.001	26/49			64B12-15.004	26/40		26/52
64B4-6.0013	25/32			64B12-15.007	26/40		26/52
64B4-6.0045	25/32			64B12-15.008	26/40		26/52
64B4-7.002	24/7c		27/3d	64B13-3.010	26/48		
64B5-2.015	26/49			64B13-4.005	26/48		
64B5-12.020	26/35	26/47	27/3	64B13-10.0015	26/48		
64B5-14.005	26/41		26/49	64B13-15.003	26/48		
64B5-15.010	26/49			64B13-23.001(1)	25/43c		
64B5-16.005	26/45		27/1	64B14-2.0015	26/48		
64B5-16.007	26/45		27/1	64B15-6.011	26/51		
64B5-17.009	26/41	26/47	27/3	64B15-12.007	26/51		
64B7-27.012	24/12			64B15-16.002	26/46		
64B7-30.002	26/19			64B15-19.002	26/36	26/51	
64B7-32.001	26/6			64B16-26.101	26/35		26/48
64B8ER00-3	26/47		26/47	64B16-26.103	26/35		26/47w
64B8ER00-4	26/47		26/47	64B16-26.603	26/35		26/47w
64B8-1.007	26/15			64B16-26.606	26/35		26/47w
64B8-3.002	26/47			64B16-28.140	24/38		
				64B18-23.001	25/27		

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64B19-11.001	26/42		27/1	64F-18.001	26/32	26/38	26/50
64B19-12.003	26/42		27/1	64F-18.002	26/32	26/38	26/50
64B19-12.006	26/42		27/1	64F-18.003	26/32	26/38	26/50
64B19-12.008	26/38		26/48			26/44	26/50
64B19-13.003	26/42		27/1	CHILDREN AND FAMILY SERVICES			
64B19-16.003	26/34			65-28.001	26/42	26/51	27/1w
64B20-2.002	25/45	26/30		65A-1.400	25/21c		
64B20-4.002	26/43			65A-1.701	26/32	26/50	
64B24-6.005	26/2			65A-1.702	26/32		
64B32-3.005	26/6	26/15		65A-1.703	26/32	26/50	
		26/16		65A-1.704	26/42		
		26/43		65A-1.705	26/32	26/50	
64B33-1.005	26/25			65A-1.706	26/32		
64C-7.008	26/49			65A-1.707	26/32	26/50	
64C-7.010	26/49			65A-1.708	26/32	26/50	
64C-7.011	26/49			65A-1.716	26/32	26/50	
64C-13.018	24/22			65A-1.802	26/45		
64D-3.011		25/19	27/3	65A-1.803	26/45		
		25/21	27/3	65A-1.804	26/45		
	26/44		27/3	65A-1.805	26/45		
64E-1	25/5c		26/50d	65A-1.806	26/45		
64E-2.003	27/2			65A-1.807	26/45		
64E-2.004	27/2			65A-1.808	26/45		
64E-2.005	27/2			65A-1.809	26/45		
64E-2.008	27/2			65A-2.022	26/45	26/51	
64E-2.009	27/2			65A-2.023	26/45	26/51	
64E-2.0095	27/2			65A-2.024	26/45		
64E-2.013	27/2			65A-2.031	26/45		
64E-2.026	27/2			65A-2.032	26/45	26/51	
64E-2.035	27/2			65A-2.033	26/45	26/51	
64E-2.036	27/2			65A-2.034	26/45		
64E-2.038	27/2			65A-2.035	26/45		
64E-6.007	25/48			65A-2.036	26/45	26/51	
64E-10.001	26/43			65A-4.100	26/40		26/51
64E-10.002	26/43			65A-4.201	26/52		
64E-19	26/9c			65A-4.201(3)	24/19c		26/50d
64FER00-2	26/45		26/45	65A-4.212	27/2		
64F-12.001	26/51			65A-4.213	25/32		
64F-12.002	26/51			65A-4.216	25/32		
64F-12.003	26/51			65A-4.218	27/2		
64F-12.004	26/51			65A-15.0095	26/4		
64F-12.005	26/51			65C-19.001	26/40	26/52	
64F-12.006	26/51			65C-19.002	26/40		
64F-12.008	26/51			65C-19.003	26/40		
64F-12.009	26/51			65C-19.004	26/40	26/52	
64F-12.011	26/51			65C-19.005	26/40	26/52	
64F-12.012	26/51			65C-19.006	26/40	26/52	
64F-12.013	26/51			65C-19.007	26/40		
64F-12.015	26/51			65C-19.008	26/40		
64F-12.016	26/51			65C-19.009	26/40		
64F-12.017	26/51			65C-19.010	26/40		
64F-12.018	26/51			65C-20.010	26/43		26/52
64F-12.019	26/51			65C-20.013	26/43		26/52
64F-12.023	26/51			65C-21.001	23/20		
64F-12.024	26/51						
64F-16.001	26/45		27/1				

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65C-22.001	26/43		26/52	67-32.004	26/35	26/44	26/52
65C-22.005	26/43		26/52	67-32.005	26/35		26/52
65C-22.006	26/43		26/52	67-32.006	26/35		26/52
65E-2.003	26/20	26/28		67-32.007	26/35		26/52
65E-5.2301	26/41	26/47	27/2	67-32.008	26/35		26/52
65E-11.001	26/36		27/2	67-32.009	24/28		
65E-11.002	26/36	26/47	27/2	67-32.010	26/35		26/52
65E-11.003	26/36	26/47	27/2	67-32.011	26/35		26/52
65E-11.004	26/36	26/47	27/2	67-37.011	25/37		
65E-11.005	26/36	26/47	27/2	67-43.005	25/33c		
65E-11.006	26/36	26/47	27/2	67-47.010		24/36	27/1
65E-11.007	26/36	26/47	27/2		26/40	26/47	27/1
NAVIGATION DISTRICTS				67-47.020	26/40	26/47	27/1
				67-47.030	26/40		27/1
				67-47.035	26/40		27/1
66B-1.003	26/47			67-47.040	26/40		27/1
66B-1.004	26/47			67-47.050	26/40		27/1
66B-1.005	26/47			67-47.060		24/36	27/1
66B-1.006	26/47				26/40		27/1
66B-1.008	26/47			67-47.070		24/36	27/1
66B-1.009	26/47				26/40		27/1
66B-1.010	26/47			67-47.080		24/36	27/1
66B-2.003	26/47				26/40		27/1
66B-2.004	26/47			67-47.090		24/36	27/1
66B-2.005	26/47				26/40		27/1
66B-2.006	26/47			67-47.100		24/36	27/1
66B-2.008	26/47				26/40		27/1
66B-2.009	26/47			67-47.110	26/40		27/1
66B-2.010	26/47			67-47.115	26/40		27/1
FLORIDA HOUSING FINANCE CORPORATION				67-47.120		24/36	27/1
					26/40		27/1
67-21.002	26/44	26/51		67-47.130	26/40		27/1
67-21.003	26/44	26/51		67-47.140	26/40		27/1
67-21.0035	26/44	26/51		67-47.150		24/36	27/1
67-21.004	26/44	26/51			26/40		27/1
67-21.0041	26/44	26/51		67-47.160	26/40		27/1
67-21.0045	26/44	26/51		67-47.170		24/36	27/1
67-21.005	26/44				26/40		27/1
67-21.006	26/44	26/51		67-48.001	26/44		
67-21.007	26/44	26/51		67-48.002		25/50	
67-21.008	26/44	26/51				26/2	
67-21.009	26/44				26/44	26/51	
67-21.010	26/44	26/51			26/44	26/52	
67-21.011	26/44				26/44	27/1	
67-21.012	26/44			67-48.003	26/44	26/51	
67-21.013	26/44	26/51			26/44	26/52	
67-21.014	26/44	26/51			26/44	27/1	
67-21.015	26/44	26/51		67-48.004	26/44	26/51	
67-21.016	26/44	26/51		67-48.005	26/44	26/51	
67-21.017	26/44			67-48.006	26/44		
67-21.018	26/44	26/51		67-48.007	26/44		
67-21.019	24/46	24/46		67-48.008	26/44	26/51	
	26/44	26/51		67-48.009	26/44	26/51	
67-32.002	26/35	26/44	26/52	67-48.0095	26/44	26/51	
67-32.003	26/35		26/52	67-48.010	26/44		

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67-48.0105	26/44			<b>FISH AND WILDLIFE CONSERVATION COMMISSION</b>			
67-48.012	26/44	26/51		68A-15.065	26/40		26/51
67-48.013	26/44			68A-18.005	26/40		26/51
67-48.014	26/44			68A-20.005	26/51		
67-48.015	26/44			68A-27.005	26/51		
67-48.017	26/44			68B-14.0035	26/40		26/50
67-48.018	26/44				26/43		26/50
67-48.019	26/44			68B-14.0045	26/43		26/50
67-48.020	26/44			68B-19.001	26/51		
67-48.0205	26/44			68B-19.002	26/51		
67-48.021	26/44	26/51		68B-19.004	26/51		
67-48.022	26/44			68B-23.004	26/40		26/50
67-48.023	26/44			68B-30.003	26/43		26/50
67-48.025	26/44	26/51		68B-31.0135	26/40		26/50
67-48.026	26/44	26/51		68C-22.005	26/7	26/25	
67-48.027	26/44			68C-22.005(2)(d)8.	26/13c		
67-48.028	26/44	26/51		68C-22.005(2)(i)	26/13c		
	26/44	26/52					
67-48.029	26/44						
67-48.030	26/44						
67-48.031	26/44						
67-48.032	26/44						