

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Specialization Requirements for Certification in Primary Education (Grades K-3) – Academic Class	6A-4.014
Specialization Requirements for Certification in Elementary Education (Grades 1-6) – Academic Class	6A-4.015
Specialization Requirements for Certification in the Area of Emotionally Handicapped (Grades K-12) – Academic Class	6A-4.0171
Specialization Requirements for Certification in the Area of Mentally Handicapped (Grades K-12) – Academic Class	6A-4.0173
Specialization Requirements for Certification in the Area of Physically Impaired (Grades K-12) – Academic Class	6A-4.0174
Specialization Requirements for Certification in the Area of Specific Learning Disabilities (Grades K-12) – Academic Class	6A-4.0175
Specialization Requirements for Certification in the Area of Varying Exceptionalities (Grades K-12) – Academic Class	6A-4.0177
Specialization Requirements for the Prekindergarten Handicapped Endorsement – Academic Class	6A-4.01792
Specialization Requirements for the Endorsement in Middle Grades – Academic Class	6A-4.0232
Specialization Requirements for Certification in the Area of Middle Grades Integrated Curriculum (Grades 5-9) – Academic Class	6A-4.0233
Specialization Requirements for Certification in Separate Areas of Language Other than English (Grades K-12) – Academic Class	6A-4.0243
Specialization Requirements for Certification in Physical Education (Grades K-8) and Physical Education (Grades 6-12) – Academic Class	6A-4.028
Specialization Requirements for the Endorsement in Adaptive Physical Education – Academic Class	6A-4.0281
Specialization Requirements for Certification in School Food Service (Grades PK-12) – Specialty Class	6A-4.030
Specialization Requirements for Certification in Separate Areas of Science (Grades 6-12) – Academic Class	6A-4.0322
Specialization Requirements for Certification in Social Science (Grades 6-12) and Separate	

Areas of Social Science (Grades 6-12) – Academic Class 6A-4.0332

PURPOSE AND EFFECT: The rules listed above governing subject specialization requirements for Florida educator certification are to be reviewed in order to streamline the certification process and to reduce the number of certification coverages. The effect will be rules that conform to Florida Statutes and that eliminate unnecessary barriers to certification for qualified applicants.

SUBJECT AREA TO BE ADDRESSED: Subject area specialization requirements for Florida Educator Certification.

SPECIFIC AUTHORITY: 229.053(1), 231.15(1), 231.17(11) FS.

LAW IMPLEMENTED: 231.02, 231.145, 231.15, 231.17 FS.

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

TIME AND DATE: 2:00 p.m. – 6:00 p.m., Monday, June 25, 2001

PLACE: Orange County School Board, 445 West Amelia Street, Board Rooms A & B, Orlando, Florida 32801

TIME AND DATE: 2:00 p.m. – 6:00 p.m., Wednesday, June 27, 2001

PLACE: Panhandle Area Education Consortium, 753 West Boulevard, Chipley, Florida 32428

TIME AND DATE: 2:00 p.m. – 6:00 p.m., Wednesday, July 11, 2001

PLACE: Duval County School Board, 1701 Prudential Drive, Board Room, Jacksonville, Florida 32207

TIME AND DATE: 2:00 p.m. – 6:00 p.m., Wednesday, July 18, 2001

PLACE: Palm Beach County School Board, 3364 Forrest Hill Boulevard, West Palm Beach, Florida 33406

TIME AND DATE: 2:00 p.m. – 6:00 p.m., Thursday, July 19, 2001

PLACE: Velasco Student Services Center, 1202 East Palm Avenue, Tampa, Florida 33605

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: David Ashburn, Director, Division of Professional Educators, Department of Education, Room 203, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)487-3663

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

DEPARTMENT OF REVENUE

RULE TITLES:	RULE NOS.:
Scope of Rules	12-24.001
Definitions	12-24.002
General Requirement	12-24.003
Payor Information	12-24.004
Methods of Electronic Fund Transfer	12-24.005

Means of Communication to Report
 Payment Information 12-24.006
 Payment Transmission Errors 12-24.007
 Procedures for Payment 12-24.008
 Due Date; General Provisions 12-24.009
 General Administrative Provisions 12-24.010
 Scope 12-24.021
 Recordkeeping Requirements – General 12-24.023
 Recordkeeping Requirements – Machine-Sensible Records 12-24.024
 Records Maintenance Requirements 12-24.025
 Access to Machine-Sensible Records 12-24.026
 Taxpayer Responsibility and Discretionary Authority 12-24.027
 Alternative Storage Media 12-24.028
 Effect of Hardcopy Recordkeeping Requirements 12-24.029
 Records Retention – Time Period 12-24.030

PURPOSE AND EFFECT: A) The proposed amendments to Rule 12-24.001, F.A.C. (Scope) clarify that the Department’s rules concerning electronic funds transfer (EFT) and electronic data interchange (EDI) apply to the taxes imposed on dealers of communications services pursuant to chapter 202, F.S. B) The proposed changes to Rule 12-24.002, F.A.C. (Definitions) revise and update the taxes subject to EFT. C) The proposed revisions to Rule 12-24.003, F.A.C. (General Requirements) delete obsolete provisions concerning taxpayers subject to EFT requirements; and, specify the conditions under which dealers of communications services must file the taxes imposed by chapter 202, F.S., by EFT. D) The suggested amendments to Rule 12-24.004, F.A.C. (Payor Information) revise references to the forms used by taxpayers subject to EFT, eliminate references to the specific information to be provided on such forms, and clarify how forms can be obtained. E) The suggested changes to Rule 12-24.005, F.A.C. (Methods of Electronic Funds Transfer) update the name and address of the Department office responsible for EFT procedures and delete an unnecessary statement concerning the ACH credit method of EFT payment. F) The suggested revisions to Rule 12-24.006, F.A.C. (Means of Communication to Report Payment Information) ensure that new forms of technology can be employed for EFT purposes. G) The recommended amendments to Rule 12-24.007, F.A.C. (Payment Transmission Errors) make technical changes to conform this rule to the changes in other rules. H) The recommended changes to Rule 12-24.008, F.A.C. (Procedures for Payment) revise the payment information taxpayers must include when they initiate an EFT payment using the ACH debit method; clarify the examples used to illustrate how an EFT ACH debit transaction is correctly submitted; explain the information that must be submitted if the taxpayer is granted permission to use the ACH credit method; revise the example explaining how an EFT ACH credit method is submitted; and, explain how and under what circumstances a taxpayer may submit a tax

payment by wire transfer. I) The recommended revisions to Rule 12-24.009, F.A.C. (Due Date; General Provisions) expand the discussion for the compromise or settlement of tax, interest, and penalties imposed for late EFT payments; require taxpayer to submit a written explanation of why an EFT payment is not timely; and explain that pursuant to ss. 202.28 and 202.30, failure by a dealer of communications services to properly remit the taxes imposed by chapter 202, F.S., to the Department are not authorized to claim the dealer collection allowance. J) The proposed amendments to Rule 12-24.010, F.A.C. (General Administrative Provisions) update the name and address of the Department office responsible for EFT procedures and removes a statement that the Department will accept certain faxes in lieu of an original, since this provision has been moved to Rule 12-24.004, F.A.C. K) The proposed changes to Rule 12-24.021, F.A.C. (Scope) are technical. L) The proposed revisions to Rule 12-24.023, F.A.C. (Recordkeeping Requirements – General) revise references to the forms used by taxpayers subject to EDI and explain that pursuant to ss. 202.28 and 202.30, failure by a dealer of communications services to properly remit the tax returns required by chapter 202, F.S., to the Department by EDI are not authorized to claim the dealer collection allowance. M) The suggested amendments to Rules 12-24.024, F.A.C. (Recordkeeping Requirements – Machine-Sensible Records), 12-24.025, F.A.C. (Records Maintenance Requirements), 12-24.026, F.A.C. (Access to Machine-Sensible Records), 12-24.027, F.A.C. (Taxpayer Responsibility and Discretionary Authority), 12-24.028, F.A.C. (Alternative Storage Media), 12-24.029, F.A.C. (Effect on Hardcopy Recordkeeping Requirements), and 12-24.030, F.A.C. (Records Retention – Time Period), make technical changes to the existing rule text and conform these provisions to the proposed changes contained elsewhere in these proposed rules.

SUBJECT AREA TO BE ADDRESSED: These proposed rule amendments address the procedures a taxpayer must follow to comply with the statutory requirements for the remittance of taxes by EFT and the filing of returns by EDI.

SPECIFIC AUTHORITY: 202.26(3)(a), 202.30(1), 212.06(1)(a), 213.06(1) FS.

LAW IMPLEMENTED: 202.30, 213.34, 213.35, 213.755 FS.

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

TIME AND DATE: 10:00 a.m., June 26, 2001

PLACE: Auditorium, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained by contacting the person listed below.

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, (850)922-4726. 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: Larry Green, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4830

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-24.001 Scope of Rules.

Part I of this rule chapter sets forth the rules to be used by the Department of Revenue in the administration of ss. 202.30 and 213.755, F.S., authorizing the Executive Director to require ~~ertain~~ taxpayers specified by statute to remit taxes by electronic transfer of funds. If there is a conflict between these rules and any other rules applicable to taxes subject to electronic funds transfer, these rules shall govern.

Specific Authority 202.26(3)(a), 202.30(1), 213.06 FS. Law Implemented 202.30, 213.755 FS., s. 25, Ch. 89-356, L.O.F. History-New 12-19-89, Amended 10-24-96.

12-24.002 Definitions.

For the purposes of Part I of this rule chapter, the terms and phrases used in these rules shall have the meanings prescribed in this section, unless a different meaning is clearly indicated by the context in which the term or phrase is used.

(1) through (15) No change.

(16) "Tax type" means a tax which is subject to EFT, each of which shall be considered a separate category of payment. The tax types for which taxpayers will be required to pay amounts due by EFT are as follows:

(a) Taxes administered under ~~Part I,~~ Chapter 212, F.S., and those taxes and fees reported on the DR-15 form series, including sales and use tax, local option taxes, surcharges, ~~and~~ surtaxes, and solid waste fees;

(b) Corporate income/franchise tax (Chapter 220, F.S.) and emergency excise tax (Chapter 221, F.S.), reported on Form F-1120, including the required estimated tax payments (F-1120ES) and tentative tax payments (F-7004);

(c) Taxes on motor fuel, ~~diesel special~~ diesel special fuel, liquefied petroleum gas, aviation fuel, and pollutants, including local option ~~Part II, Chapter 212, F.S., all~~ taxes reported under Chapter 206, F.S., ~~and local option taxes collected pursuant to Chapter 336, F.S. (Form 3096 DR-115 series, DR-119 series, DR-120, DR-121, or DR-904);~~

(d) Gross receipts tax (Chapter 203, F.S.) reported on Form DR-133;

(e) All taxes reported on Forms DR-907 and DR-908, including insurance premium taxes and regulatory assessments subject to the provisions of Chapter 624, F.S., the excise tax on

property insurance (s. 175.101, F.S.), and the excise tax on casualty insurance (s. 185.08, F.S.); ~~and the insurance policy surcharge (s. 252.37, F.S.);~~

(f) Intangible personal property taxes (Chapter 199, F.S.) as reported on Form DR-601C; ~~or Form DR-601AC.~~

(g) Severance taxes (Chapter 211, F.S.) and the Miami-Dade Lake Belt Mitigation Fee (Chapter 373, F.S.) reported on Form DR-140 series;

(h) Documentary stamp tax (Chapter 201, F.S.) reported on Form DR-225 or DR-225B;

(I) Communication services tax (Chapter 202, F.S.) reported on Form DR-70016 and substitute communications system tax (Chapter 202, F.S.) reported on Form DR-70017.

(17) through (19) No change.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.755 FS., s. 24, Ch. 90-203, L.O.F. History-New 12-19-89, Amended 1-8-91, 10-24-96.

12-24.003 General Requirements.

~~(1) Under the authority granted to the Executive Director of the Department under s. 213.755, F.S., a taxpayer who is subject to a tax and has paid that tax in the prior state fiscal year in an amount of \$50,000 or more can be required to remit current taxes by electronic funds transfer.~~

~~(1)(2) Any taxpayer Effective January 1, 1990, the Department will implement an EFT program which will require certain taxpayers subject to the following taxes who has paid that tax in the prior state fiscal year in an amount of \$50,000 or more must to remit tax payments by electronic funds transfer:~~

(a) Sales and use tax, local option sales taxes, surcharges, ~~and~~ surtaxes, and solid waste fees;

(b) Corporate income/franchise tax and emergency excise tax;

(c) Motor fuel, ~~diesel special~~ diesel special fuel, liquefied petroleum gas, aviation fuel, oil and gas production, and pollutants taxes;

(d) Local option fuel tax;

(e) Insurance premium taxes and assessments; ~~and~~

(f) Gross receipts tax;

(g) Intangible personal property tax;

(h) Severance taxes and Miami-Dade Lake Belt Mitigation Fee; and

(I) Documentary stamp tax.

~~(2) Any taxpayer who is required to pay the communications services tax or the substitute communications systems tax must remit tax payments by electronic funds transfer in the following manner:~~

~~(a)1. Any taxpayer who has paid taxes imposed under Chapter 212, F.S. (Sales and Use Tax), in an amount of \$50,000 or more for the state fiscal year July 1, 2000, through June 30, 2001, must remit tax payments by electronic funds~~

transfer beginning with the communications services tax or substitute communications systems tax return due on February 1, 2002.

2. Any taxpayer who has paid taxes imposed under Chapter 203, F.S. (Gross Receipts Tax), in an amount of \$50,000 or more for the state fiscal year July 1, 2001, through June 30, 2002, must remit tax payments by electronic funds transfer in conjunction with the communications services tax or substitute communications systems tax return due on February 1, 2002.

(b) Any taxpayer who has paid a combined amount of taxes discussed in paragraph (a) of this subsection in an amount of \$50,000 or more for the state fiscal year July 1, 2000, through June 30, 2001, must remit tax payments by electronic funds transfer in conjunction with the communications services tax or substitute communications systems tax return due on February 1, 2002.

(c) Any taxpayer who pays communications services tax or substitute communications systems tax in the amount of \$50,000 or more for the state fiscal year ending June 30, 2002, or in any state fiscal year thereafter, must remit tax payments by electronic funds transfer for taxes due during the succeeding calendar year.

(3) Effective January 1, 1991, the Department will require certain persons subject to intangible personal property tax and required to file Form DR 601C or Form DR 601AC to remit tax payments by electronic funds transfer.

(4) The Department will make an annual determination of those taxpayers who will be required to pay a tax electronically based on prior year payment thresholds:

(a) Beginning January 1, 1990, taxpayers who are subject to a tax type enumerated in Rule 12-24.003(2), F.A.C., and who have paid that tax type in the amount of \$200,000 or more in calendar year 1988 shall be required to pay that tax type through electronic funds transfer.

(b) Beginning January 1, 1991, all taxpayers who are subject to a tax type enumerated in Rule 12-24.002(16), F.A.C., and who have paid that tax type in the amount of \$100,000 or more in the preceding state fiscal year (FY 89/90) shall be required to pay that tax type through electronic funds transfer.

(c) Effective January 1, 1992, all taxpayers who are subject to a tax type enumerated in Rule 12-24.002(16), F.A.C., and who have remitted that tax type in the preceding state fiscal year (FY 90/91) in the amount of \$50,000 or more shall be required to make payments of that tax type through electronic funds transfer.

(5) All taxpayers selected for the EFT program shall participate for a minimum of one calendar year. During this period, taxpayers shall not be added to the list of required participants. Persons selected on the basis of prior year tax payments will be contacted by the Department at their last

address of record. Once selected for the EFT requirement, the taxpayer must electronically transmit all payments for that tax type as provided in this rule.

(a) Sales and use tax B Parts I and II, Chapter 212, F.S., including local option sales taxes, surcharges, and surtaxes reported on the DR 15 form series:

1. Taxpayers who are subject to the provisions of s. 212.11(6), F.S., are required to remit payments of estimated sales tax and actual sales tax due through EFT.

2. For taxpayers selected under the \$200,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1990, for the applied period ending January 31, 1990.

3. For taxpayers selected under the \$100,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1991, for the applied period ending January 31, 1991.

4. For taxpayers selected under the \$50,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1992, for the applied period ending January 31, 1992.

(b) Corporate income/franchise tax and emergency excise tax B Chapters 220 and 221, F.S.:

1. For taxpayers selected under the \$200,000 threshold, the first payment which is required to be transmitted electronically is the tax due with the final return for the tax year ending on or after December 31, 1989. For example, for taxpayers with a taxable year ending December 31, 1989, the first required EFT payment is the balance of the tax or tentative tax payable on or before April 1, 1990. All subsequent tax payments, including payments of estimated tax, shall be transmitted electronically.

2. For taxpayers selected under the \$100,000 threshold, the first payment which is required to be transmitted electronically is the tax due with the final return for the tax year ending on or after December 31, 1990. For example, for taxpayers with a taxable year ending December 31, 1990, the first required EFT payment is the balance of tax or tentative tax payable on or before April 1, 1991. All subsequent tax payments, including payments of estimated tax, shall be transmitted electronically.

3. For taxpayers selected under the \$50,000 threshold, the first payment which is required to be transmitted electronically is the tax due with the final return for the tax year ending on or after December 31, 1991. For example, for taxpayers with a taxable year ending December 31, 1991, the first required EFT payment is the balance of tentative tax payable on or before April 1, 1992. All subsequent tax payments, including payments of estimated tax, shall be transmitted electronically.

(c) Motor fuel, special fuel, aviation fuel and pollutants taxes B Chapter 206, F.S.:

1. For taxpayers selected under the \$200,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1990, for the applied period ending January 31, 1990.

2. For taxpayers selected under \$100,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1991, for the applied period ending January 31, 1991.

3. For taxpayers selected under the \$50,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1992, for the applied period ending January 31, 1992.

(d) Local Option Fuel Tax B Chapter 336, F.S.

1. For taxpayers selected under the \$200,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1990, for the applied period ending January 31, 1990.

2. For taxpayers selected under the \$100,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1991, for the applied period ending January 31, 1991.

3. For taxpayers selected under the \$50,000 threshold, the first required payment using EFT is that tax payable on or before February 20, 1992, for the applied period ending January 31, 1992.

(e) Gross Receipts Tax B Chapter 203, F.S.

1. For taxpayers selected under the \$200,000 threshold, the first required payment using EFT is that tax payable on or before February 28, 1990, for the applied period ending January 31, 1990.

2. For taxpayers selected under the \$100,000 threshold, the first required payment using EFT is that tax payable on or before February 28, 1991, for the applied period ending January 31, 1991.

3. For taxpayers selected under the \$50,000 threshold, the first required payment using EFT is that tax payable on or before February 29, 1992, for the applied period ending January 31, 1992.

(f) Insurance premium taxes and assessments B Chapter 624, F.S., and ss. 175.101 and 185.08, F.S.

1. For taxpayers selected under the \$200,000 threshold, the first required payment using EFT is that tax payable on or before March 1, 1990, for the applied period ending December 31, 1989.

2. For taxpayers selected under the \$100,000 threshold, the first payment due using EFT is that tax payable on or before March 1, 1991, for the applied period ending December 31, 1990.

3. For taxpayers selected under the \$50,000 threshold, the first required payment using EFT is that tax payable on or before March 1, 1992, for the applied period ending December 31, 1991.

(g) Intangible personal property taxes B Chapter 199, F.S.

1. For certain persons selected under the \$100,000 threshold, the first required payment due using EFT is the annual tax assessed on January 1, 1991, due and payable on or before June 30, 1991.

2. For certain persons selected under the \$50,000 threshold, the first required payment due using EFT is the annual tax assessed on January 1, 1992, due and payable on or before June 30, 1992.

Specific Authority 202.26(3)(a), 202.30(1), 212.06(1)(a), 213.06(1) FS. Law Implemented 202.30, 213.755 FS., s. 24, Ch. 90-203, L.O.F. History-New 12-19-89, Amended 1-8-91, 11-17-93, _____.

12-24.004 Payor Information.

(1) The ACH debit system ~~is~~ will be the primary EFT method required of taxpayers selected to remit funds by electronic funds transfer. The ACH credit system is a payment method available only as an exception to taxpayers who qualify under the provisions of Rule 12-24.005, F.A.C. Wire transfer is an alternative method of EFT available to taxpayers only as an exception under the provisions of Rule 12-24.008(3), F.A.C.

(2)(a) On or before November 1st, the Department will notify every taxpayer required to remit a tax by EFT in the upcoming calendar year, and mail a written notice and shall include with such notification a Registration/Authorization Form-Florida EFT/EDI Program-Electronic Tax Payment System an Electronic Funds Transfer authorization Form (Form DR-600F DR-600) and a Florida EFT Program Electronic Tax Payment Calendar (Form DR-659) to all taxpayers required to remit a tax by EFT in the upcoming calendar year.

(b) A taxpayer who wishes to use the ACH credit method in lieu of the ACH debit method must file a written request with the Department for permission to use the ACH credit method prior to December 1, as provided in Rule 12-24.005, F.A.C.

(3) Upon receipt of the Registration/Authorization Form-Florida EFT/EDI Program-Electronic Tax Payment System (Form DR-600F) Electronic Funds Transfer Authorization Form, the taxpayer must complete the form and return it to the Department by December 1. Pertinent payor information provided with Form DR-600F Form DR-600 will be furnished to the State Treasurer's bank and the Data Collection Center. ~~The information required to be provided with Form DR-600 includes:~~

- (a) Payor name;
- (b) Payor address;
- (c) Tax identification number;
- (d) Tax type;
- (e) Contact person (title and telephone number);
- (f) Bank name;
- (g) Bank address;

- (h) ~~Bank transit/routing number;~~
 (i) ~~Bank account number;~~
 (j) ~~Signature of person authorized to sign checks; and~~
 (k) ~~Verification of both the bank transit/routing number and bank account number by a bank representative.~~

(4) Upon receipt of payor information from the Department, the Data Collection Center shall assign a confidential payor identification number directly to the taxpayer to be used by the taxpayer when communicating payment information to the Data Collection Center. This number shall be provided to the taxpayer prior to the date the first required payment is due under the EFT program for all accounts who timely file the Form DR-600F ~~Form DR-600~~ with the Department.

(5) A taxpayer must provide at least 30 days advance written notice of any change of information required with the electronic funds transfer authorization form by submitting a revised Form DR-600F ~~DR-600~~ to the Department.

(6)(a) The Department prescribes Form DR-600F ~~Form DR-600~~, Registration/Authorization Form-Florida EFT/EDI Program-Electronic Tax Payment System (r. 10/00), Form DR-659, Florida EFT Program Electronic Tax Payment Calendar (r. 10/00), and Form DR-653, Electronic Filing Agreement-Florida EFT/EDI Program Electronic Tax Filing System (r. 10/00) ~~Funds Transfer Authorization Form, dated December 1992, as the forms form to be used for the purposes of this chapter and hereby incorporates these forms this form by reference. Copies of these forms this form may be obtained, without cost, by one or more of the following methods: 1) writing the Florida written request to the Department of Revenue, Forms Distribution Center, 168 Blountstown Highway Division of Taxpayer Assistance, Bureau of Tax Information and Media Services, P. O. Box 7443, Tallahassee, Florida 32304; or 2) faxing the Forms Distribution Center at 850-922-2208; or 3) using a fax machine telephone handset to call the Department's automated Fax on Demand system at 850-922-3676; or 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or 5) calling the Forms Request Line during regular office hours at 800-352-3671 (in Florida only) or 850-488-6800; or 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://sun6.dms.state.fl.us/dor/>) 32399-7443. Persons with hearing or speech impairments may call the Department's TDD at 1-800-367-8331.~~

(b) The Department will accept facsimile transmissions of requests (form DR-600F) at telephone number (850)922-5088.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.755 FS., s. 24, Ch. 90-203, L.O.F. History-New 12-19-89, Amended 1-8-91, 11-17-93,_____.

12-24.005 Methods of Electronic Fund Transfer.

(1) The Department will utilize the ACH debit transfer as the method by which ~~certain large~~ taxpayers subject to EFT requirements shall remit taxes by electronic funds transfer.

(2) ~~However, the~~ ~~The~~ Executive Director or the Executive Director's designee will grant taxpayers permission to use the ACH credit method on a case by case basis, as an exception to the required use of the ACH debit method.

(a) A taxpayer who requests permission to use the ACH credit method must submit a written request to the Department, by December 1, which demonstrates the existence of a valid business operational reason for using the ACH credit method in lieu of the ACH debit method. A taxpayer who is already using the ACH credit method is deemed to have a valid business reason for using the ACH credit method to remit payments of Florida taxes.

(b) The written request to use the ACH credit method shall be filed with the E-Services Unit EFT Section, Division of Tax Processing, Florida Department of Revenue, P. O. Box 5885 Post Office Box 2096, Tallahassee, Florida 32314-5885 32316-2096, by December 1. The Department will accept facsimile transmissions of requests at telephone number (850)922-5088. Taxpayers will be notified of the Department's decision within the month of January.

~~(c) Use of the ACH credit method by a taxpayer will be conditioned upon the taxpayer's agreement to provide payment information to the Data Collection Center as provided in these rules.~~

~~(c)(d)~~ The Department reserves the right to revoke the ACH credit method payment privilege of any taxpayer who: does not consistently transmit error-free payments; or substantially varies from the requirements and specifications of these rules; or repeatedly fails to make timely EFT payments or timely provide payment information; or, repeatedly fails to provide the required addenda record with the EFT payment.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.755 FS., s. 24, Ch. 90-203, L.O.F. History-New 12-19-89, Amended 1-8-91, 11-17-93,_____.

12-24.006 Means of Communication to Report Payment Information.

Taxpayers who participate in the electronic funds transfer program shall use one of two means of communicating payment information through the ACH debit method:

(1) Operator-assisted communication of payment information made orally by rotary or touch-tone telephone; or

(2) PC entry communication of payment information with ~~via~~ a computer or other communication device with a modem.

Specific Authority 202.26(3)(a), 202.30(1), 213.06 FS. Law Implemented 202.30, 213.755 FS., s. 25, Ch. 89-356, L.O.F. History-New 12-19-89, Amended 11-17-93,_____.

12-24.007 Payment Transmission Errors.

(1) If a taxpayer does not make a correct payment of tax for a particular period, such taxpayer shall, on the nearest business day after to the date on which the error is discovered, contact the E-Services Unit EFT Section at telephone number (850)(904)487-7972 for specific instructions.

(a) If the taxpayer error involves an overpayment of tax, the taxpayer may either elect to have the overpayment applied against the liability for the next reporting period or apply for a refund under the provisions of the applicable tax statute.

(b) If the taxpayer error involves an underpayment of tax, the taxpayer must make appropriate arrangements to initiate payment for the amount of the underpayment.

(2) In the event a taxpayer using the ACH debit method communicates payment information to the Data Collection Center after 3:45 p.m., Eastern Time, on the business day before the due date, the payment shall be posted to the taxpayer's account on the next business day following the due date and shall constitute late payment.

(3) Except as provided in these rules or Rule Chapter 12-13, F.A.C., a failure to make a timely EFT payment because of other circumstances under the taxpayer's control, including but not limited to insufficiency of funds in the taxpayer's account or a direct payment to the Department using an unauthorized payment method, shall result in the loss of the taxpayer's collection allowance and assessment of the appropriate penalties and interest by the Department.

Cross Reference: Rule 12-24.009, F.A.C.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.755 FS., s. 24, Ch. 90-203, L.O.F. History--New 12-19-89, Amended 1-8-91, 11-17-93.

12-24.008 Procedures for Payment.

(1) ACH Debit Method.

(a) The taxpayer must report payment information to the Data Collection Center, by the approved means of communication, no later than 3:45 p.m., Eastern Time, on the business day immediately preceding before the due date of the payment. The Data Collection Center must be contacted called, using the specified toll-free number, during the contact call-in period specified in the detailed instructions provided to EFT taxpayers, which include Form DR-659. The Department will bear the costs of processing EFT ACH debit payments through the Data Collection Center. Communication by the taxpayer during the contact call-in period is mandatory to assure the timely posting of the taxpayer's payment on the following business day.

(b) After establishing contact with the Data Collection Center, the taxpayer is allowed to may communicate payment information for more than one tax type or tax period. However, the taxpayer must initiate payment information for each tax type and for each tax period for which a payment is due. The following payment information is required from the taxpayer:

1. Company and ID number (Payment identification number) Payor information number;
2. Tax payment amount type;
3. Tax period Document type;
4. Payment type amount; and,
5. Verification code Tax period; and
6. Due date.

(c) A confirmation code trace number will be issued at the conclusion of the communication of the payment information for each payment tax type and tax period. This number provides a means of verifying the accuracy of the recorded tax payment and serves as a receipt for the transaction.

(d) Shortly after the expiration of the contact call-in period, the Department will receive an electronic transmission from the Data Collection Center containing all the payment information that has been communicated to the Data Collection Center during that contact call-in period.

~~(e) The Data Collection Center will provide the State Treasury with summary information on projected cash flows in a mutually agreeable format and frequency.~~

~~(e)(f) Example. A taxpayer who uses the ACH debit method to remit the January, 1990 sales tax payment will first determine the total amount of tax due with respect to the sales and use tax return (DR-15, line 14, amount due with return) for the January, 1990 applied period. Prior to the end of the contact call-in period on February 19 (or the last business day prior to the 19th), 1990, the taxpayer must use the toll-free number to contact the Data Collection Center. After establishing contact, the taxpayer will identify the EFT account with the preassigned payment payor identification number and state the tax type (sales and use tax), the payment document type (monthly return), the payment amount (\$12,345), the tax period (January, 1990), and the verification code due date (February 20, 1990). At the end of the communication, the taxpayer will receive a confirmation code trace number which will verify the accuracy of the recorded tax payment and serve as a receipt for the transaction. Payment information involving the ACH debit transfer will be electronically transmitted to the Department on February 19, 1990, shortly after the expiration of the contact call-in period. The actual tax payment of \$12,345, however, will not be posted as collected funds to the Treasurer's account until the following day, February 20, 1990. Taxpayers must file the required return as provided by law and rule. If applicable, in the normal manner, except that the taxpayer must check the box on the return to show payment by EFT.~~

(2)(a) ACH Credit Method. Taxpayers who have been granted permission to use the ACH credit method must contact their own financial institutions and make the arrangements to transfer the tax payment to the state Treasury account using via an ACH credit transfer. The Department will not bear the costs for taxpayers to use the ACH credit method.

(b) To assure the timely receipt of payment of tax, a taxpayer must initiate the payment transaction with its financial institution in time for the payment to be deposited as collected funds to the State Treasury account on or before the appropriate due date.

(c) All ACH credit transfers must be accompanied by a Cash Concentration or Disbursement (CCD) + addenda record, in the format specified by the Department, which includes the following information:

1. Record type code ~~Taxpayer's name;~~
2. Addenda type code ~~Taxpayer's identification number;~~
3. Taxpayer identification ~~Tax type;~~
4. Tax type code ~~Amount/payment type;~~
5. Tax period end date ~~Amount of payment;~~
6. Amount type code ~~Tax period;~~
7. Amount, Name and account of correspondent bank;
8. Name of receiving bank;
9. State Treasury account number; and
10. ~~American Bank Association 9 digit number of receiving bank.~~

(d) If the taxpayer ~~repeatedly~~ fails more than three times in 12 consecutive calendar months, beginning January 1, 2002, to provide the Department with the required addenda record which conforms to the requirements of this rule ~~the Department~~, the taxpayer will be required to use the ACH debit method.

(e) Example. A taxpayer who uses the ACH credit method to remit the January, ~~1990~~ sales tax payment will first determine the total amount of tax due with respect to the sales and use tax return (~~DR 15, line 14,~~ amount due with return) for the January, ~~1990~~ applied period. At a time arranged between the taxpayer and the taxpayer's financial institution, the taxpayer will provide the taxpayer's financial institution with the information necessary to initiate a timely transfer of the January, ~~1990~~ tax payment and an accompanying CCD + addenda record. The timely initiated ACH credit transfer of \$12,345 will be posted as collected funds to the State Treasurer's account on February 20, ~~1990~~. To be timely, the ACH credit transfer of January, ~~1990~~ tax must be deposited to the state Treasury account as collected funds on or before February 20, ~~1990~~. Taxpayers must file the required return as provided by law and rule. If applicable, in the normal manner, ~~except that~~ the taxpayer must check the box on the return to show payment by EFT.

(3) Wire transfer. Taxpayers who, due to circumstances beyond their reasonable control, are unable to initiate a timely payment of tax through the ACH debit method or the ACH credit method may request the Department's permission, on an exception basis, to transmit a payment ~~payments~~ of tax to the State Treasurer's account via wire transfer.

(a) Prior to initiating the transmission, the taxpayer must contact the E-Services Unit Chief or the Assistant Chief of the Bureau of Revenue Processing, or their designee, through the E-Services EFT hotline at telephone number (850)922-5088 ~~(904)487-7972~~. The taxpayer must fax a written explanation of present the emergency situation which prevents timely compliance under either the ACH debit method or ACH credit method and must request written approval to wire transfer the tax payment ~~payments~~ in question to the State Treasury account. The E-Services fax number is (850)922-5088.

(b) Taxpayers who are granted written approval to use wire transfer as an exception to either the ACH debit method or ACH credit method will be given specific instructions regarding the payment information that must accompany the wire transfer.

1. All wire transfers must be accompanied by payment information, in addition to an addenda record, in the format specified by the Department, which includes the following information:

- a. Taxpayer's name;
- b. Taxpayer's identification number;
- c. Tax type;
- d. Amount/payment type;
- e. Amount of payment;
- f. Tax period;
- g. Name and account of correspondent bank;
- h. Name of receiving bank;
- i. State treasury account number; and
- j. American Bank Association 9 digit number of receiving bank.

2. The Department will not bear any costs associated with the wire transfer.

(c) Wire transfers which are not received in by the State Treasury account on or before the due date of the transmitted payments of tax will constitute late payment, and the applicable late filing penalties, interest, and loss of collection allowance shall apply.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30(1), 213.755 FS., s. 24, Ch. 90-203, L.O.F. History—New 12-19-89, Amended 1-8-91, 11-17-93,_____.

12-24.009 Due Date; General Provisions.

(1) Taxpayers who are required to remit tax payments through EFT must initiate the transfer so that the amount due is deposited as collected funds to the State Treasurer's account on or before the due date under the appropriate revenue law. If a tax due date falls on a Saturday, a Sunday, a legal holiday as defined in s. 658.70(1), F.S., or on a legal holiday of the jurisdiction in which the taxpayer's financial institution is located, the deposit by electronic funds transfer is required on or before the first banking day thereafter. For the purposes of these rules, "banking day" has the meaning prescribed in

s. 658.70(1), F.S. If the date on which the taxpayer is required to initiate either an ACH debit or an ACH credit transfer falls on a Saturday, Sunday, or a business or banking holiday, the taxpayer must ~~either~~ initiate the transaction on the preceding business day ~~or wire transfer the funds~~ pursuant to Rule 12-24.008(3), F.A.C.

(2) The EFT method of payment does not change any current filing requirements for tax returns. If the EFT payment is not timely made or the tax return required is not filed by the due date, the provisions for late filing penalties, interest, and loss of collection allowance or discount shall apply under the provisions of the appropriate revenue law, except as provided in these rules.

(3) The provisions of s. 213.21, F.S., shall govern the compromise and settlement of any tax, interest, or penalty assessed due to the late payment of an electronically filed payment, except as provided in these rules.

(a) For EFT purposes, "reasonable cause" for the compromise of penalty shall include, in addition to the provisions of s. 213.21, F.S., and Rule Chapter 12-13, F.A.C., the following:

1. The inability to access the EFT system on the required date because of a system failure beyond the reasonable control of the taxpayer;

2. The failure of the EFT system to properly apply a payment; or

3. The failure of the EFT system to issue proper verification of receipt of payment information.

(b) 1. A taxpayer who is required to remit payments under the EFT program and who is unable to make a timely payment because of system failures within the banking system/ACH interface which are beyond the taxpayer's control shall not be subject to penalty or interest for late payment or loss of collection allowance or discount. The taxpayer must provide a written explanation and supporting documentation to the E-Services Unit concerning any system failure within the banking system/ACH interface.

2. Taxpayers must ensure that they use reasonable and prudent judgement when selecting a banking system or ACH interface to handle their EFT transactions.

(c) Errors made by the Data Collection Center, the State Treasury, or the Department shall not subject the taxpayer to loss of collection allowance or discount, or assessment of penalty or interest for late payment.

(4) During the first ~~3-month~~ ~~6-month~~ period a taxpayer is required to remit tax by EFT, the Department will extend a reasonable grace period to taxpayers to resolve problems which arise when new administrative procedures, data systems changes and taxpayer operating procedures are implemented. To qualify for a grace period, the taxpayer must demonstrate in writing to the Department that a good faith effort to comply was made, or that circumstances beyond the taxpayer's reasonable control prevented compliance by the required date,

or that a mistake or inadvertence prevented timely payment when the taxpayer attempted to correctly and timely initiate an EFT payment.

(5) Pursuant to s. 202.28(1), F.S., dealers of communications services who fail to properly remit the communications services taxes by EFT as required in s. 202.30(1), F.S., are not authorized to claim the collection allowance authorized by s. 202.28, F.S., for the proper remitting of taxes.

Specific Authority 202.26(3)(a), 202.30(1), 213.06 FS. Law Implemented 202.28, 202.30, 212.12, 213.755 FS., s. 25, Ch. 89-356, L.O.F. History-New 12-19-89, Amended _____.

12-24.010 General Administrative Provisions.

(1) Taxpayers who need general information concerning the EFT program can contact the E-Services Unit EFT hotline at ~~telephone (904)(850)487-7972, or the Department's Taxpayer Assistance Section at telephone (904)(850)488-6800~~ or Toll-Free 1-800-352-3671 (Florida only).

(2) Voluntary Inclusion in EFT. Those taxpayers who are required to participate in the EFT program due to a prior year tax liability for a tax type may request permission to also remit other tax types by EFT. Written requests for voluntary inclusion in the EFT program must be filed with the E-Services Unit Department at least 60 days prior to the due date of the payment(s) in question. Taxpayers may terminate voluntary participation by filing a written notice of termination with the E-Services Unit Department at least 60 days prior to the due date of the last EFT payment.

~~(a) Requests for voluntary inclusion and termination notices must be directed to the E-Services Unit EFT Section, Division of Tax Processing, Florida Department of Revenue, P. O. Box 5885 Post Office Box 2096, Tallahassee, Florida 32314-5885 32316-2096.~~

~~(b) The Department will accept facsimile transmissions of requests at telephone (850)922-5088.~~

~~(3) A taxpayer who remits a tax type by EFT shall indicate this fact on the return when it is filed. Solely for the purposes of this rule, "return" means the form designated for filing the report of taxes due for a period, including forms for making installments of estimated tax and tentative tax returns.~~

~~(3)(4) The Data Collection Center and its employees shall be bound by the same confidentiality requirements as the Department under s. 213.053, F.S.~~

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.755 FS., s. 24, Ch. 90-203, L.O.F. History-New 12-19-89, Amended 1-8-91, 11-17-93, _____.

PART II TAXPAYER RECORDKEEPING AND RETENTION REQUIREMENTS FOR ELECTRONIC DATA INTERCHANGE

12-24.021 Scope.

Rules 12-24.021 through – 12-24.030, F.A.C., define the requirements imposed on taxpayers for the maintenance and retention of books, records, and other sources of information under s. 213.35, F.S. These rules address such requirements where all or a part of the taxpayer's records are received, created, maintained or generated through ~~various~~ computer, electronic, and imaging processes and systems. Unless in conflict with the ~~various~~ specific requirements imposed by other rules of the Department, these rules shall govern the recordkeeping and retention requirements imposed ~~by~~ ~~for~~ the revenue laws administered by the Department.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.023 Recordkeeping Requirements – General.

(1) A taxpayer shall maintain all records that are necessary to make a determination of the correct tax liability under s. 213.35, F.S. All required records must be made available on request by the Department as provided ~~for~~ in s. 213.34, F.S. Such records shall include, but not be ~~necessarily~~ limited to: books of account, invoices, bills of lading, gross receipts from sales, resale certificates, consumer exemption certificates, and other pertinent records as ~~may be otherwise~~ required by statute or ~~by~~ rule of ~~this state~~ ~~the~~ Department.

(2) If a taxpayer maintains ~~retains~~ records required to be retained under this ~~Chapter Part~~ in both machine-sensible and hardcopy formats, the taxpayer shall make the records available to the Department in machine-sensible format upon request of the Department.

(3) No change.

(4) The Department shall use Form DR-653 (Electronic Filing Agreement-Florida EFT/EDI Program Electronic Tax Filing System) to document an agreement with a taxpayer that such taxpayer will file tax reports and returns by electronic transmission.

(5) Pursuant to s. 202.28(1), F.S., taxpayers who fail to properly initiate a communications services tax return or a substitute communications systems tax return by electronic data interchange (EDI) as required in s. 202.30(2), F.S., are not authorized to claim the collection allowance authorized by s. 202.28, F.S., for the proper filing of tax returns.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.024 Recordkeeping Requirements – Machine-Sensible Records.

(1) General Requirements.

(a) Machine-sensible records used to establish tax compliance shall contain sufficient transaction-level detail information so that the details underlying the machine-sensible records can be identified and made available to the Department

upon request. A taxpayer has discretion to discard duplicated records and redundant information provided ~~his or her~~ ~~its~~ responsibilities under these rules ~~this rule~~ are met.

(b) At the time of an examination by the Department, the ~~taxpayer's~~ retained records must be capable of being retrieved and converted to a standard record format.

(c) No change.

(2) Electronic Data Interchange Requirements.

(a) Where a taxpayer uses electronic data interchange processes and technology, the level of record detail, in combination with other records related to the transactions, must be equivalent to that contained in an acceptable paper record. For example, the retained records should contain ~~such~~ information including ~~as~~ vendor name, invoice date, product description, quantity purchased, price, amount of tax, indication of tax status, and shipping detail, ~~etc.~~ Codes may be used to identify some or all of the data elements, provided that the taxpayer provides a method which allows the Department to interpret the coded information.

(b) The taxpayer may capture the information necessary to satisfy these rules ~~Rule 12-24.024(2)(a), F.A.C.~~; at any level within the accounting system and need not retain the original EDI transaction records provided the audit trail, authenticity, and integrity of the retained records can be established. For example, a taxpayer using electronic data interchange technology receives electronic invoices from its suppliers. The taxpayer decides to retain the invoice data from completed and verified EDI transactions in its accounts payable system rather than to retain the EDI transactions themselves. Since neither the EDI transaction nor the accounts payable system captures ~~capture~~ information from the invoice pertaining to product description and vendor name (i.e., they contain only codes for that information), the taxpayer must retain ~~also retains~~ other records, such as ~~his or her~~ ~~its~~ vendor master file and product code description lists and make ~~makes~~ them available to the Department. In this example, the taxpayer need not retain its EDI transaction for tax purposes.

(3) Electronic Data Processing Systems Requirements. The requirements for an electronic data processing accounting system should be similar to those that of a manual accounting system, in that an adequately designed accounting system should incorporate methods and records that will satisfy the requirements of this chapter Part.

(4) Business Process Information.

(a) Upon the request of the Department, the taxpayer shall provide a description of the business process that created the retained records. Such description shall include the relationship between the records and the tax documents prepared by the taxpayer and the measures employed to ensure the integrity of the records.

(b) The taxpayer shall be capable of demonstrating:

1. ~~The~~ ~~the~~ functions being performed as they relate to the flow of data through the system;

2. ~~The~~ the internal controls used to ensure accurate and reliable processing; and

3. ~~The~~ the internal controls used to prevent unauthorized addition, alteration, or deletion of retained records.

(c) The following specific documentation is required for machine-sensible records retained pursuant to this Rule:

1. ~~Record~~ record formats or layouts;

2. ~~Field~~ field definitions (including the meaning of all codes used to represent information);

3. ~~File~~ file descriptions (e.g., data set name); and

4. ~~Detailed~~ detailed charts of accounts and account descriptions.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.025 Records Maintenance Requirements.

(1) The Department recommends, but does not require, that taxpayers refer to the National Archives and Records Administration's (NARA) standards for guidance on the maintenance and storage of electronic records, including ~~such as~~ the labeling of records, the location and security of the storage environment, the creation of back-up copies, and the use of periodic testing to confirm the continued integrity of the records. The NARA standards may be found at 36 Code of Federal Regulations, Part 1234, July 1, 1995 edition.

(2) No change.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.026 Access to Machine-Sensible Records.

(1) The manner in which the Department is provided access to machine-sensible records as required in Rule 12-24.023(2), F.A.C., may be satisfied through a variety of means that shall take into account a taxpayer's specific facts and circumstances, as determined through consultation with the taxpayer.

(2) Departmental ~~Such~~ access will be provided in one or more of the following manners:

(a) through (d) No change.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.027 Taxpayer Responsibility and Discretionary Authority.

(1) In conjunction with meeting the requirements of Rules ~~Rule~~ 12-24.024, 12-24.025, and 12-24.026, F.A.C., a taxpayer may create files solely for the use of the Department. For example, if a data base management system is used, it is consistent with the rule for the taxpayer to create and retain a file that contains the transaction-level detail from the data base management system and that meets the requirements of Rules ~~Rule~~ 12-24.024, 12-24.025, and 12-24.026, F.A.C. The

taxpayer should document the process that created the separate file to show the relationship between that file and the original records.

(2) A taxpayer may contract with a third party to provide custodial or management services of the records. Such a contract shall not relieve the taxpayer of its responsibilities under this chapter ~~Part~~.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.028 Alternative Storage Media.

(1) For purposes of storage and retention, taxpayers may convert hardcopy documents received or produced in the normal course of business and required to be retained under this chapter ~~Part~~ to microfilm, microfiche, or other storage-only imaging systems and may discard the original hardcopy documents, provided the conditions of this section are met. Documents which may be stored on these media include, but are not limited to general books of account, journals, voucher registers, general and subsidiary ledgers, and supporting records of details, such as sales invoices, purchase invoices, exemption certificates, and credit memoranda.

(2) No change.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.029 Effect on Hardcopy Recordkeeping Requirements.

(1) Except as otherwise provided in this section, the provisions of this chapter ~~Part~~ do not relieve taxpayers of the responsibility to retain hardcopy records that are created or received in the ordinary course of business as required by existing statutes and rules. Hardcopy records may be retained on a recordkeeping medium as provided in Rule 12-24.028, F.A.C.

(2) If hardcopy records are not produced or received in the ordinary course of transacting business (e.g., when the taxpayer uses electronic data interchange technology), such hardcopy records need not be created for examination by the Department.

(3) Hardcopy records generated at the time of a transaction using a credit or debit card must be retained unless all the details necessary to determine correct tax liability relating to the transaction are subsequently received and retained by the taxpayer in accordance with this chapter ~~Part~~. Such details include those listed in Rule 12-24.024~~(2)(a)~~, F.A.C.

(4) through (5) No change.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.34, 213.35 FS. History–New 10-24-96, Amended _____.

12-24.030 Records Retention – Time Period.

All records required to be retained under this chapter ~~Part~~ shall be preserved pursuant to s. 213.35, F.S., unless the Department has provided in writing that the records are no longer required.

Specific Authority 202.26(3)(a), 202.30(1), 213.06(1) FS. Law Implemented 202.30, 213.35 FS. History—New 10-24-96, Amended _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLES:	RULE NOS.:
Conversion Registration	12A-19.001
Registration	12A-19.010
Tax Due at Time of Sale; Tax Returns and Regulations	12A-19.020
Communications Services Tax Direct Pay Permits	12A-19.030
Exemptions from the Communications Services Tax	12A-19.040
Notification of Local Communications Services Tax Rate Changes; Permit Fee Elections; and Local Taxing Jurisdictional Boundary Changes	12A-19.050
Sales for the Purposes of Resale	12A-19.060

PURPOSE AND EFFECT: The purpose of the proposed creation of Rule Chapter 12A-19, F.A.C., Communications Services Tax, is to implement ss. 202.12, 202.16, 202.17, 202.19, 202.21, 202.22, 202.27, 202.28, 202.30, 202.34, and 202.35, F.S., and to provide guidelines for communications services providers and tax administrators regarding registration, tax returns, direct pay permits, exemptions, sales for the purpose of resale, and notification requirements for local governments.

The purposes of the proposed creation of Rule 12A-19.001, F.A.C., Conversion Registration, are to: (1) provide guidelines for persons currently registered with the Department and persons who hold a current Sales Tax Direct Pay Permit for Telecommunications who will receive an Application for Communications Services Tax Registration to facilitate the transition from the gross receipts tax and/or the sales and use tax on cable, satellite, and telecommunication services to the tax imposed on communications services; (2) provide guidelines for dealers who did not receive an application and those who received more than one application; (3) require all applications, except for direct-to-home satellite providers, to be accompanied by form DR-700020, Notification of Method Employed to Determine Taxing Jurisdictions; (4) provide guidelines to dealers whose activities require registration, including substitute communication system users and persons applying for a direct pay permit; (5) provide guidelines to those whose activities do not require registration; and (6) incorporate by reference forms used by the Department for the registration of communications services providers.

The purposes of the proposed creation of Rule 12A-19.010, F.A.C., Registration, are to: (1) provide guidelines for persons required to register with the Department for the communications services tax, including those required to register for purposes of obtaining a Communications Services Tax Direct Pay Permit; (2) require all applications, except for

direct-to-home satellite providers, to be accompanied by form DR-700020, Notification of Method Employed to Determine Taxing Jurisdictions; (3) provide guidelines to dealers whose activities require registration, including substitute communication system users and persons applying for a direct pay permit; (4) provide guidelines to those whose activities do not require registration; and (5) provide guidelines on how to obtain forms from the Department.

The purposes of the proposed creation of Rule 12A-19.020, F.A.C., Tax Due at Time of Sale; Tax Returns and Regulations, are to: (1) provide guidelines regarding the collection and remittance of the communications services tax; (2) provide guidelines regarding the application of the collection allowances; (3) provide guidelines on how to obtain forms from the Department; (4) provide guidelines for the application of penalties and interest when persons fail to make a return, pay taxes due, or remit taxes; and (5) incorporate by reference return forms used by the Department in the administration of the communications services tax.

The purposes of the proposed creation of Rule 12A-19.030, F.A.C., Communications Services Tax Direct Pay Permits, are to: (1) provide guidelines to taxpayers regarding who may apply for a Communications Services Tax Direct Pay Permit using form DR-700030, Application for Communications Services Tax Direct Pay Permit; (2) define the term "person" for purposes of this rule; (3) provide guidelines regarding the information that will be included on the permit, including the effective and expiration dates; (4) provide how a replacement Communications Services Tax Direct Pay Permit may be obtained; (5) provide guidelines to permit holders for remitting the communications service tax and for the use of direct pay permits; (6) provide guidelines on recordkeeping requirements; and (7) incorporate by reference forms DR-700030 and DR-700031, used by the Department in the administration of Communications Services Tax Direct Pay Permits.

The purposes of the proposed creation of Rule 12A-19.040, F.A.C., Exemptions from the Communications Services Tax, are to: (1) provide the methods, procedures, recordkeeping requirements, and guidelines for: sales to residential households; sales to the federal government, state government, and political subdivisions of the state or federal government; and sales to religious or educational organizations; (2) provide definitions for the terms "religious organization" and "educational organization"; and (3) provide a suggested certificate format to be used by religious or educational organizations to purchase communications services tax exempt.

The purposes of the proposed creation of Rule 12A-19.050, F.A.C., Notification of Local Communications Services Tax Rate Changes; Permit Fee Elections; and Local Taxing Jurisdictional Boundary Changes, are to: (1) provide guidelines to local governments regarding the methods and procedures for changing local communications services tax rates, notifying

the Department of a local government's permit fee election, and changing jurisdictional boundaries; and (2) incorporate by reference forms used by the Department to implement the notification requirements imposed by s. 202.21, F.S.

The purposes of the proposed creation of Rule 12A-19.060, F.A.C., Sales for the Purposes of Resale, are to: (1) provide guidelines for when communications services may be purchased tax exempt for the purposes of resale; (2) provide definitions for the terms "dealer," "active registered dealer," "purchaser," and "sales for the purposes of resale" for purposes of the rule; (3) provide guidelines for determining when a sale for the purposes of resale occurs; (4) provide how a replacement Communications Services Tax Annual Resale Certificate may be obtained; (5) provide guidelines to selling dealers and purchasing dealers regarding the recordkeeping requirements; and (6) provide when resale certificates will be accepted during an audit or protest of an audit.

SUBJECT AREA TO BE ADDRESSED: The purpose of this rule development workshop is to provide an opportunity for public comments regarding the proposed creation of Rule Chapter 12A-19, F.A.C., which will provide guidelines to communications services providers and tax administrators regarding registration, tax returns, direct pay permits, exemptions, sales for the purposes of resale, and notification requirements for local governments. The proposed rule text may be used by the Department in emergency rules adopted pursuant to s. 202.26(4), F.S.

SPECIFIC AUTHORITY: 202.16(2), 202.22(6)(a), 202.26(3)(a),(c),(d),(e),(h),(j), 202.27(6) FS.

LAW IMPLEMENTED: 92.525(2), 202.11(2),(3),(4),(5),(6),(7),(8),(9),(11),(12),(13),(14),(16), 202.12(1),(3), 202.125, 202.13(2), 202.15, 202.16, 202.17(2),(3)(a),(4),(6),(7), 202.19(1),(8),(10), 202.20(1)(c), 202.21, 202.22(2)(b),(6), 202.26(2),(3)(a), 202.27(1),(2),(6), 202.28(1),(2), 202.30, 202.33(2), 202.34(3),(4)(c), 202.35(1),(4), 212.02(12), 213.37, 337.401(3)(c) FS.

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

TIME AND DATE: 10:00 a.m., June 26, 2001

PLACE: Auditorium, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained from Jennifer Silvey, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4727

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, (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: Jennifer Silvey, Senior Attorney, or Gary Gray, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4727

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-19.001 Conversion Registration.

(1)(a) For persons currently registered as an active dealer with the Department that are identified as engaging in the business of selling communications services, the Department will mail form DR-700013, Application for Communications Services Tax Registration (hereby incorporated by reference). Each person's Application for Communications Services Tax Registration will contain the information that the Department currently has in its database for that person. A person that fails to receive such application or that needs more information regarding the application received may contact the Department at 800-352-3671 (in Florida only) or (850)488-6800. Persons with hearing or speech impairments may call the Department's TDD at 1-800-367-8331.

(b) In the event that a person receives more than one application, only one application should be completed and filed with the Department to obtain a Communications Services Tax Certificate of Registration (form DR-700014). Any additional applications should be marked in a manner indicating that a previous application has been filed with the Department. All applications should be returned to the Department at the address indicated on the form.

(c) Every person engaging in the business of providing communications services, except direct-to-home satellite providers, must notify the Department of the method(s) the person will employ to determine the local taxing jurisdiction in which service addresses are located. The notification to the Department shall be made using form DR-700020, Notification of Method Employed to Determine Taxing Jurisdiction (incorporated by reference in Rule 12A-19.010, F.A.C.).

(2) Any person who holds a valid Sales Tax Direct Pay Permit for Telecommunication Services will receive an Application for Communications Services Tax Registration (form DR-700013) and an Application for a Communications Services Tax Direct Pay Permit (form DR-700030, incorporated by reference in Rule 12A-19.030, F.A.C.). The two applications must be submitted to the Department together.

(3) With the exception of the activities described in paragraph (b), any person engaging in the business of providing communications services after October 1, 2001,

must hold a dealer's Communications Services Tax Certificate of Registration (form DR-700014). To obtain a certificate, an Application for Communications Services Tax Registration (form DR-700013) or an Application to Collect and/or Report Tax in Florida (form DR-1) must be filed with the Department at the address indicated on the form used.

(a) Persons who must register for the communications services tax include persons who provide the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals, including cable services, to a point, or between or among points, by or through any electronic, radio, satellite, cable, optical, microwave, or other medium or method now in existence or hereafter devised, regardless of the protocol used for such transmission or conveyance, for a consideration, except persons only engaging in activities described in paragraph (b).

(b) Persons who only engage in the following activities are not required to register for the communications services tax:

1. Information services;

a. An information service is the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, using, or making available information via communications services.

b. Examples of an information service are electronic publishing, web-hosting service, and end user 900 number service.

2. The installation or maintenance of wiring or equipment on a customer's premises;

3. The sale or rental of tangible personal property;

4. The sale of advertising services, such as directory advertising;

5. Bad check services;

6. Late payment services;

7. Billing and collection services;

8. Internet access services, electronic mail services, electronic bulletin board services, or similar on-line computer services;

9. Communications services paid for by inserting coins into coin-operated communications devices available to the public;

10. The sale or recharge of prepaid calling arrangements;

11. The provision of air-to-ground communications services, defined as a radio service provided to purchasers while on board an aircraft; and

12. The service of sending or receiving a document, commonly referred to as a facsimile, when performed during the course of providing professional or advertising services.

(4) Persons who purchase, install, rent, or lease a substitute communications system must obtain a dealer's Communications Services Tax Certificate of Registration (form DR-700014). To obtain a certificate, an Application for Communications Services Tax Registration (form DR-700013)

or an Application to Collect and/or Report Tax in Florida (form DR-1) must be filed with the Department at the address indicated on the form used.

(a) A substitute communications system means any telephone system, or other system capable of providing communications services, which a person purchases, installs, rents, or leases for his or her own use to provide himself or herself with services used as a substitute for any switched service or dedicated facility by which a dealer of communications services provides a communication path.

(b) A substitute communications system does not include the use by any dealer of his or her own communications system to conduct a business of providing communications services or any communications system operated by a county, a municipality, the state, or any political subdivision of the state.

(c) An example of a substitute communications system would occur when a person uses satellite equipment to communicate with other locations without incurring any charges from a communications services provider.

Cross Reference: Rule 12A-19.030, F.A.C.

Specific Authority 202.26(3)(e),(h) FS. Law Implemented 202.11(2),(3),(6), (7),(8),(9),(13),(14),(16), 202.12(1)(b), 202.15, 202.17(2),(3)(a),(4),(7), 202.22(6)(a), 202.27(6) FS. History—New

12A-19.010 Registration.

(1)(a) Scope of rule. This rule governs the procedures and requirements for the registration of persons providing communications services, users of substitute communications systems, and persons requesting a communications services tax direct pay permit.

(b) With the exception of the activities described in paragraph (e), any person engaging in the business of providing communications services must obtain a Communications Services Tax Certificate of Registration (form DR-700014).

(c)1. To obtain a Communications Services Tax Certificate of Registration, a person must file an Application to Collect and/or Report Tax in Florida (form DR-1, incorporated by reference in Rule 12A-1.097, F.A.C.) with the Department.

2. Every person registering with the Department for the communications services tax, except direct-to-home satellite providers, must notify the Department of the method(s) the person will employ to determine the local taxing jurisdiction in which service addresses are located. The notification to the Department shall be made using form DR-700020, Notification of Method Employed to Determine Taxing Jurisdiction (hereby incorporated by reference).

(d) Persons who must register for the communications services tax include persons who provide the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals, including cable services, to a point, or between or among points, by or through any electronic, radio, satellite, cable, optical, microwave, or other medium or method now in existence or hereafter devised,

regardless of the protocol used for such transmission or conveyance, for a consideration, except as provided in paragraph (e).

(e) Persons who only engage in the following activities are not required to register for the communications services tax:

1. Information services;

a. An information service is the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, using or making available information via communications services.

b. Examples of an information service are electronic publishing, web-hosting service, and end-user 900 number service.

2. The installation or maintenance of wiring or equipment on a customer's premises;

3. The sale or rental of tangible personal property;

4. The sale of advertising services, such as directory advertising;

5. Bad check services;

6. Late payment services;

7. Billing and collection services;

8. Internet access services, electronic mail services, electronic bulletin board services, or similar on-line computer services;

9. Communications services paid for by inserting coins into coin-operated communications devices available to the public;

10. The sale or recharge of prepaid calling arrangements;

11. The provision of air-to-ground communications services, defined as a radio service provided to purchasers while on board an aircraft; and

12. The service of sending or receiving a document, commonly referred to as a facsimile, when performed during the course of providing professional or advertising services.

(2) Persons who purchase, install, rent, or lease a substitute communication system must obtain a Communications Services Tax Certificate of Registration (form DR-700014). To obtain a certificate, an Application to Collect and/or Report Tax in Florida (form DR-1) must be filed with the Department at the address indicated on the form.

(a) A substitute communications system means any telephone system, or other system capable of providing communications services, which a person purchases, installs, rents, or leases for his or her own use to provide himself or herself with services used as a substitute for any switched service or dedicated facility by which a dealer of communications services provides a communication path.

(b) A substitute communications system does not include the use by any dealer of his or her own communications system to conduct a business of providing communications services or any communications system operated by a county, a municipality, the state, or any political subdivision of the state.

(c) An example of a substitute communications system would occur when a person uses satellite equipment to communicate with other locations without incurring any charges from a communications services provider.

(3) In order to self-accrue the communications services tax, a person must obtain a Communications Services Tax Certificate of Registration (form DR-700014). To obtain a Communications Services Tax Certificate of Registration, an Application to Collect and/or Report Tax in Florida (form DR-1) must be filed with the Department. See Rule 12A-19.030, F.A.C., Communications Services Tax Direct Pay Permits.

(4) Applications to Collect and/or Report Tax in Florida (form DR-1) are available, without cost, by: 1) writing the Florida Department of Revenue, Distribution Center, 168-A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at 850-922-2208; or, 3) using a fax machine telephone handset to call the Department's automated FAX on Demand system at 850-922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at 1-800-352-3671 (in Florida only) or 850-488-6800; or, 6) downloading the form from the Department's Internet site at the address shown inside the parenthesis (<http://sun6.dms.state.fl.us/dor/>). Persons with hearing or speech impairments may call the Department's TDD at 1-800-367-8331.

Specific Authority 202.26(3)(e),(h) FS. Law Implemented 202.11(2),(3),(6), (7),(8),(9),(13),(14),(16), 202.12(1)(b), 202.15, 202.17(2),(3)(a),(4),(7), 202.22(6)(a), 202.27(6) FS. History—New _____.

12A-19.020 Tax Due at Time of Sale; Tax Returns and Regulations.

(1)(a)1. Except as provided in Rule Chapter 12-24, F.A.C., and this rule, all taxes required to be collected in any calendar month by Chapter 202, F.S., are due to the Department of Revenue on the first day of the month subsequent to the sale of communications services.

2. For recurring charges for communications services, tax is due at the moment that consideration is received for services to be rendered in the future.

3. To avoid penalty and interest for late filing, the payment and return must be received by the Department of Revenue or be postmarked on or before the 20th day of the month subsequent to the sale of communications services.

4. For purposes of this rule, when the 20th day falls on Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department of Revenue on the next succeeding day which is not a Saturday, Sunday, or legal holiday.

5. For purposes of this rule, a legal holiday means a holiday that is observed by federal or state agencies as a legal holiday as this term is defined in Chapter 683, F.S., and s. 7503 of the Internal Revenue Code. A "legal holiday" pursuant to s.

7503 of the Internal Revenue Code of 1986, as amended, means a legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

(b) Tax due under s. 202.12(1)(b), F.S., on the actual cost of operating a substitute communications system is due on January 1 for the preceding calendar year. The payment accompanied with a return must either reach the Department or be postmarked on or before the 20th day of January for a dealer to avoid penalty and interest for late filing.

(c) When quarterly, semiannual, or annual reporting is authorized by the Department pursuant to s. 202.27(2), F.S., the tax is due on the first day of the month following the authorized reporting period and becomes delinquent on the 21st day of that month.

(2) As compensation for the prescribed record keeping, and accounting for and timely remittance of taxes, persons collecting taxes imposed under Chapter 202, F.S., are allowed a collection allowance when the return is timely filed with the Department and the amount of tax due is remitted with the return, except as provided in Rule 12-24.009, F.A.C.

(a) All communications services tax dealers must notify the Department of the method(s) the dealer will employ to determine local taxing jurisdictions in which service addresses are located. The notification to the Department shall be made using form DR-700020, Notification of Method Employed to Determine Taxing Jurisdiction (incorporated by reference in Rule 12A-19.010, F.A.C.). In the event that the Department does not receive such notification, the dealer will be assigned a collection allowance of 0.25 percent of the tax due on each return.

(b) Two collection allowance rates are available to communications services tax dealers who timely file their communications services tax returns. Dealers are required to file a separate return for each collection allowance rate. The collection allowance rates and the corresponding methods used to assign customer service address in this State are as follows:

1. A dealer of communications services may deduct .75 percent of the amount of tax due as a collection allowance when the dealer:

a. Employs an electronic database provided by the Department under s. 202.22(2), F.S.;

b. Employs a database that has been certified by the Department under s. 202.22(3), F.S.; or,

c. Employs enhanced zip codes to assign each street address, address range, post office box, or post office box range in the dealer's service area to a specific local taxing jurisdiction under s. 202.22(1)(c), F.S.

2. When a dealer of communications services employs a method of assigning service addresses other than those provided in subparagraph 1., the deduction allowed to the dealer is .25 percent of the amount of the tax due to the Department.

(3)(a) Form DR-700016, Communications Services Tax Return (hereby incorporated by reference), accompanied by the applicable payment, is due on the first day of the month subsequent to the sale of communications services. A return is required to be filed with the Department even when no tax is due with the return.

(b) Form DR-700018, Communications Services Tax Return Short Form (hereby incorporated by reference), must be used by dealers providing communications services in a single jurisdiction. Form DR-700018, accompanied by the applicable payment, is due on the first day of the month subsequent to the sale of communications services and shall be late on the 21st day following the end of the period for which the return is due. A return is required to be filed with the Department even when no tax is due with the return.

(c) Form DR-700019, Substitute Communications System Tax Return (hereby incorporated by reference), must be used to report and remit tax due on the use of substitute communications systems. Form DR-700019, accompanied by the applicable payment, is due on the first day of January following the use of a substitute communications system during the preceding calendar year. Such return and applicable payment shall be late on the 21st day of January following the end of the calendar year for which the return and applicable payment are due.

(4) Users of a substitute communications system who file a timely tax return are not allowed to deduct a collection allowance as compensation for the prescribed record keeping, accounting for, and timely remittance of taxes imposed under Chapter 202, F.S.

(5) The failure of any dealer to secure a tax return for a communications services tax does not relieve the dealer from the requirement to file a return or to remit tax due to the Department. The Department is not authorized to extend the time for any dealer under Chapter 202, F.S., to file any return or to pay any tax due.

(6) A return for a communications services tax filed with the Department that does not include the required schedules as indicated on the return is considered an "incomplete return" and subject to penalties as provided in s. 202.28(1), F.S.

(7) Communications services tax returns are available, without cost, by: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Forms Distribution Center at 850-922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at 850-922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at 800-352-3671 (in Florida only) or 850-488-6800; or, 6) downloading selected forms from the Department's Internet site at the address shown inside the

parentheses (<http://sun6.dms.state.fl.us/dor/>). Persons with hearing or speech impairments may call the Department's TDD at 1-800-367-8331.

(8)(a) Any person who is required to make a return or to pay taxes imposed under Chapter 202, F.S., and fails to do so will be subject to penalties, as provided in s. 202.28, F.S.

(b) Any person who fails to remit collected taxes with intent to unlawfully deprive or defraud the state or local government of its moneys or the use or benefit thereof is subject to penalties imposed under s. 202.33, F.S.

(9) Interest shall accrue on any delinquent tax at the rate established pursuant to s. 213.235, F.S., and Rule 12-3.0015, F.A.C. (prorated daily). Interest accrues on the amount of tax due from the date of delinquency until the date on which the tax is paid.

Specific Authority 202.26(3)(a) FS. Law Implemented 202.12(1), 202.15, 202.16, 202.19(1), 202.22(6)(b), 202.26(3)(a), 202.27(1),(2), 202.28(1),(2), 202.33(2), 202.35(1) FS. History--New

12A-19.030 Communications Services Tax Direct Pay Permits.

(1) Any person who purchases communications services may apply for a communications services tax direct pay permit from the Department to assume the obligation of self-accruing and remitting to the state the tax due on its purchases of communications services when:

(a) The majority of the communications services purchased for use by a person are for communications that originate outside of Florida and terminate within Florida; or

(b) The taxable status of sales of communications services will be known only upon use.

(2) For purposes of this rule, the term "person" means a single legal entity and does not mean a group or combination of affiliated entities or entities controlled by one person or group of persons.

(3)(a) To request a Communications Services Tax Direct Pay Permit, a person must file form DR-700030, Application for Communications Services Tax Direct Pay Permit (hereby incorporated by reference), with the Department, in the manner provided on the form and by form DR-700031, Information and Instructions for Completing Application For Self-Accrual Authority/Direct Pay Permit Communications Services Tax (hereby incorporated by reference).

(b) Each permit holder must hold a valid dealer's Communications Services Tax Certificate of Registration (form DR-700014) issued by the Department. Persons not registered with the Department for the communications services tax must file an Application to Collect and/or Report Tax in Florida (form DR-1) with the Department.

(c) These forms are available, without cost, by: 1) writing the Florida Department of Revenue, Distribution Center, 168-A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at 850-922-2208; or, 3) using a fax machine telephone handset to call the Department's

automated FAX on Demand system at 850-922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at 1-800-352-3671 (in Florida only) or 850-488-6800; or, 6) downloading the form from the Department's Internet site at the address shown inside the parenthesis (<http://sun6.dms.state.fl.us/dor/>). Persons with hearing or speech impairments may call the Department's TDD at 1-800-367-8331.

(4)(a) The effective date of a Communications Services Tax Direct Pay Permit is the postmark date of the application or, when delivered by means other than the United States Postal Service, the date the application is received by the Department.

(b) The Department will specify on each communications services tax direct pay permit the specific taxes for which the dealer is authorized to self-accrue and remit tax directly to the Department. When the direct pay permit authorizes self-accrual of any local communications services taxes, each service address that the direct pay permit applies to will be identified.

(c)1. A communications services tax direct pay permit expires five (5) years from the effective date. The expiration date shall be the end of the month preceding five years from the effective date, if the effective date is on or before the 15th of the month. The expiration date shall be the end of the month that is five years from the effective date, if the effective date is after the 15th of the month. The Department will provide a renewal notice to the permit holder 60 days prior to the expiration date of the permit.

2. Upon expiration of the purchasing customer's communications services tax direct pay permit, a dealer is required to collect and remit the applicable communications services tax from that customer.

(5) COMMUNICATIONS SERVICES TAX DIRECT PAY PERMIT FOR INTERSTATE COMMUNICATIONS SERVICES:

(a) A person issued a direct pay permit under the provisions of this subsection will receive form DR-700031, Communications Services Tax Direct Pay Permit For Interstate Communications Services.

(b) Permit holders are required to pay to the Department an amount not to exceed the following:

1. \$100,000 in communications services taxes, imposed under ss. 202.12 and 203.01(1)(a)2., F.S., on charges for interstate communications services that originate outside Florida and terminate inside Florida; or

2. \$100,000 in communications services taxes, imposed under ss. 202.12 and 203.01(1)(a)2., F.S., and \$25,000 in local communications services tax, imposed under s. 202.19(1), F.S., that is billed to an individual service address in a municipality

or county imposing a local communications services tax on charges for interstate communications services that originate outside Florida and terminate inside Florida.

(c) The filing of the returns for the taxes identified on the direct pay permit must be made on a monthly basis, and the tax may be remitted in one of the following manners:

1. The tax due may be prorated throughout the calendar year;

2. The tax due, based on the permit holder's purchases, may be paid to the Department as the applicable tax is accrued; or

3. The total amount of the tax due, not to exceed the amount of the partial exemption authorized under the permit, may be paid in full as a single payment.

(d) A permit holder must pay its tax obligation to the Department using electronic funds transfer as required by s. 202.30(1), F.S., and Rule Chapter 12-24, F.A.C., and must submit its return using electronic data interchange as required by s. 202.30(2), F.S., and Rule Chapter 12-24, F.A.C.

(e) In the calendar year of issuance, any amounts of communications services taxes paid by a permit holder to its provider(s), after the effective date of the direct pay permit, will be included in the total amount of communications services tax due to the Department for that calendar year. In remitting the remaining amounts required to be paid to the Department, the amount paid directly to communications services provider(s) after the effective date of the permit may be deducted from the total amount due to the Department. In the event that a permit holder has paid to its provider(s) an amount that exceeds the amount of tax required by the permit, the permit holder must obtain the applicable refund or credit from its provider(s).

(f) Communications services taxes and local communications services taxes are due and must be paid to the selling dealer or directly to the Department on all charges for intrastate communications services and charges for interstate communications services that originate inside Florida and terminate outside Florida.

(6) COMMUNICATIONS SERVICES TAX DIRECT PAY PERMIT FOR TAX DUE UPON DETERMINATION OF USE:

(a) A person issued a direct pay permit under the provisions of this subsection will receive form DR-700032, Communications Services Tax Direct Pay Permit For Tax Due Upon Determination Of Use.

(b) Permit holders are required to file tax returns on a monthly basis and pay to the Department the amount of the communications services taxes, imposed under ss. 202.12 and 203.01(1)(a)2., F.S., due and the amount of local communications services taxes, imposed under s. 202.19, F.S., due upon the determination of the use of such communications services.

(7) In the event that the original communications services tax direct pay permit is lost or destroyed, the permit holder may request a replacement by visiting any local Department of Revenue Service Center to personally obtain a copy or by contacting the Department at 1-800-352-3671 (in Florida only) or (850)488-6800. 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, P. O. Box 6480, Tallahassee, Florida 32314-6480.

(8)(a) Persons that are registered with the Department for the communications services tax only for the purpose of receiving a direct pay permit do not receive a collection allowance.

(b) Communications Services Tax Annual Resale Certificates may only be used in the manner provided by Rule 12A-19.060, F.A.C., Sales for Resale.

(9) RECORDKEEPING REQUIREMENTS:

(a) Any holder of a communications services tax direct pay permit is required to keep and preserve all information and documentation necessary to substantiate the holder's authorization for the communications services tax direct pay permit and that the holder has paid all tax due on its purchases of communications services until such time as the tax imposed pursuant to Chapter 202, F.S., may no longer be determined and assessed under s. 95.091(3), F.S.

(b) A dealer of communications services is not required to collect communications services taxes identified on the communications services tax direct pay permit for services sold to the permit holder. The dealer shall retain a copy of the permit in its records until such time as the tax imposed pursuant to Chapter 202, F.S., may no longer be determined and assessed under s. 95.091(3), F.S.

(c) Electronic storage of all required records through use of imaging, microfiche, or other electronic storage media will be sufficient compliance with the provisions of this subsection. Cross Reference: Rule 12A-19.010, F.A.C.

Specific Authority 202.26(3)(e), 202.27(6) FS. Law Implemented 202.12(3), 202.19(8), 202.30 FS. History--New _____.

12A-19.040 Exemptions from the Communications Services Tax.

(1)(a) The sale of communications services, as defined in s. 202.11(3), F.S., is subject to the Florida communications services tax and the local communications services tax, unless specifically exempt.

(b) This rule governs the methods and procedures regarding exemptions from the communications services taxes. Guidelines for the exemption for residential households are provided in subsection (2); sales to the federal government, state government, and political subdivisions of the state or

federal government are provided in subsection (3); and sales to religious or educational organizations are provided in subsection (4).

(2) SALES TO RESIDENTIAL HOUSEHOLDS.

(a) Sales of communications services to a residential household are only subject to the gross receipts tax portion of the Florida communications services tax, imposed by s. 203.01(1)(a)2., F.S., and the local communications services tax, imposed by s. 202.19, F.S., when the service is sold at a rate based on a "residential schedule," under the tariffs filed by a service provider with the Public Service Commission. This exemption does not apply to:

1. Sales of any cable service, as defined in s. 202.11(2), F.S.;

2. Sales of any direct-to-home satellite service, as defined in s. 202.11(6), F.S.;

3. Sales of mobile communications services, as defined in s. 202.11(8), F.S.; and

4. Sales to the service address of any structure or any unit within a structure currently licensed as a public lodging establishment, as defined by s. 509.013(4)(a), F.S., with the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

(b) A "public lodging establishment," as defined in s. 509.013, F.S., means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings that is:

1.a. Advertised or held out to the public as a place that is regularly rented to guests; or,

b. Rented more than three times in a calendar year with each separate rental period having a duration less than 1 calendar month or less than 30 days.

2. Public lodging establishments include the following, if they are rented by an owner or operator to guests whose occupancy is intended to be temporary:

a. Hotels, motels, transient apartments, nontransient apartments, transient rooming houses, and other transient establishments;

b. Any unit or group of units in a condominium, cooperative, time-share plan, or other resort condominium; or,

c. Any single family dwelling, duplex, triplex, quadraplex, townhouses, beach cottage, mobile home, or other resort dwelling.

3. This exemption does not apply to any purchaser of communications services when the services are used in a currently licensed public lodging establishment. The purchaser is required to notify the communications services provider when the services are used in a licensed public lodging establishment. If the purchaser fails to provide such notification, the Department will look to the purchaser, rather than the provider, for any applicable tax, penalty, or interest due when the services were purchased for use in a public lodging establishment.

(c) Any person who is entitled to an exemption from sales tax on the purchase of electric power or energy, gas, or fuel for use in a residential facility, as provided in Rules 12A-1.053 and 12A-1.059, F.A.C., is not entitled to the exemption from communications services tax when that residential facility is licensed as a public lodging establishment.

(3) SALES TO THE FEDERAL GOVERNMENT, THE STATE, AND POLITICAL SUBDIVISIONS.

(a)1. The sale of communications services to the Federal Government, its agencies or instrumentalities, or any entity that is exempt from state taxes under federal law is exempt from the Florida communications services tax and the local communications services tax.

2. The sale of communications services to a state or any county, municipality, or political subdivision of a state is exempt from the Florida communications services tax and the local communications services tax.

(b) DOCUMENTATION REQUIREMENTS. A dealer is not obligated to collect and remit the Florida communications services tax and the local communications services tax on such sales when:

1.a. The dealer has on file a writing or document evidencing a representation of the dealer's customer that the communications services are being purchased by an entity described in paragraph (a). 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 such an entity and that provides the customer a means to change its classification if the communications services are no longer purchased for use by the entity. A "customer application" includes a record of information obtained electronically or orally from the customer in the ordinary course of business at the time of establishing the account.

b. Payments are made directly by the entity. Payments made using 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, are considered to be direct payments by the authorizing agency.

c. The dealer must have acted in good faith in accepting the representation of the customer.

2. The dealer has on file a copy of the customer's Florida Consumer's Certificate of Exemption (form DR-14) identifying the customer as "federal," "state," "county," or "municipality."

(4) SALES TO RELIGIOUS OR EDUCATIONAL ORGANIZATIONS.

(a) The sale of communications services to a religious or educational organization, as defined by this rule, is exempt from the Florida communications services tax and the local communications services tax.

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

1. The term "religious organization" means an entity that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code, as amended, and is a church,

synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on.

2. The term "educational organization" means an entity that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code, as amended, and is a parochial, church, or nonprofit private school teaching grades K-12, college, or university which conducts regular classes and courses of study required for accreditation by, or membership in, the appropriate accrediting authority. The term does not include state tax-supported schools. State-tax supported schools must meet the provisions of subsection (3) to qualify for an exemption from the Florida communications services tax and the local communications services tax.

(c) DOCUMENTATION REQUIREMENTS. To be entitled to exemption as a religious or educational organization at the time of purchase, the purchaser must issue to the selling dealer a certificate signed by an authorized representative stating that the purchases are for a religious or educational organization, as those terms are defined by this rule, that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code, as amended. If the organization is a religious organization, the certificate must include the address of the physical place of worship and declare that the organization regularly conducts nonprofit religious services and activities. Entities claiming the exemption for educational organizations must declare on the certificate that the entity is accredited.

(d) The following is a suggested format to be provided by a religious or educational organization to the selling dealer.

EXEMPTION CERTIFICATE FOR PURCHASES OF COMMUNICATIONS SERVICES BY RELIGIOUS OR EDUCATIONAL ORGANIZATIONS.

DATE: _____
TO: _____ (Selling Dealer's Business Name)
_____ (Selling Dealer's Address)

I, the undersigned, am a representative of the exempt religious or educational organization identified below. The purchases of communications services made on or after _____ from the business identified above are for use by the exempt religious or educational organization identified below.

The charges for the purchases of communications services from the dealer identified above will be billed to and paid directly by the exempt religious or educational organization identified below. These purchases are exempt from the Florida communications services tax and the local communications services tax for the following reason identified in the space provided.

() The entity is a "religious organization," which means an entity that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code, as amended, and is a church, synagogue, or other established physical place for

worship at which nonprofit religious services and activities are regularly conducted and carried on at (street address)

_____ (city) _____, _____ (state).

() The entity is an "educational organization," which means an entity that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code, as amended, and is a parochial, church, or nonprofit private school teaching grades K-12, college, or university which conducts regular classes and courses of study required for accreditation by, or membership in, the appropriate accrediting authority.

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 THE EXEMPT ORGANIZATION

PRINTED NAME OF AUTHORIZED SIGNATORY AND TITLE

NAME OF THE EXEMPT ORGANIZATION

ADDRESS OF EXEMPT ORGANIZATION

(5) RECORDKEEPING REQUIREMENT.

(a) When a dealer has complied with the documentation requirements of this rule and the Department determines that tax, penalty, and interest are due, the Department will look to the customer for payment of the tax, penalty, and interest due. The Department will look to the dealer for payment of any applicable tax, penalty, and interest due when the dealer's books and records demonstrate a failure to comply with the documentation requirements of this rule.

(b) Electronic storage of all required records through use of imaging, microfiche, or other electronic storage media will be sufficient compliance with the provisions of this subsection.

Specific Authority 202.26(3)(c) FS. Law Implemented 92.525(2), 202.125, 202.11(3)(4), 202.16(4), 202.19(10), 202.26(2), 202.34(3), 202.35(4), 213.37 FS. History—New _____.

12A-19.050 Notification of Local Communications Services Tax Rate Changes, Permit Fee Elections, and Local Taxing Jurisdictional Boundary Changes.

(1) Scope of Rule. This rule governs the methods and procedures relating to changes in local communications services tax rates, notification of permit fee elections, and changes in local taxing jurisdictional boundaries.

(2) Local Communications Services Tax Rate Changes. The Department must be notified by the local taxing jurisdiction of all local communications services tax rate changes on form DR-700021, Local Communications Services Tax Rate Change and Changes Affecting Jurisdictional Boundaries (hereby incorporated by reference).

(a) This form is available without cost by: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or 2) faxing the Forms Distribution Center at 850-922-2208; or 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at 850-922-3676; or 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or 5) calling the Forms Request Line during regular office hours at 800-352-3671 (in Florida only) or 850-488-6800; or 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://sun6.dms.state.fl.us/dor>). Persons with hearing or speech impairments may call the Department's TDD at 1-800-367-8331.

(b) Local Communications Services Tax Rate Changes prior to October 1, 2001.

1. Any local taxing jurisdiction that imposes a local communications services tax with a tax rate that is less than the maximum rate established by law may adjust its local communications services tax rate by ordinance or resolution.

2. The local taxing jurisdiction must notify the Department of such rate increase by certified mail postmarked on or before July 16, 2001.

(c) Emergency Local Rate Changes.

1. For the period October 1, 2001, through September 30, 2002, any local taxing jurisdiction may adjust its local communications services tax rate by emergency ordinance or resolution pursuant to s. 202.20(2), F.S.

2. In order to assure sufficient time to notify affected dealers of a rate change, the Department must receive the notice within 5 working days of the adoption of such rate change.

3. A copy of the emergency ordinance or resolution adopting the rate change must be provided to the Department. The emergency ordinance or resolution must specify the new rate and effective date.

(d) Permit Fees. Each municipality, charter county, or noncharter county must elect either to collect permit fees or to not collect permit fees. If a municipality, charter county, or noncharter county fails to make an election and/or fails to inform the Department of such election, it will be presumed that such municipality, charter county, or noncharter county elected not to collect permit fees. A local government is not required to use a specific form or format to notify the department of a local government's permit fee election. However, the notification information should be mailed to: Revenue Accounting-Communications Services Tax, Florida Department of Revenue, P. O. Box 6609, Tallahassee, FL 32399-6609.

1. Municipalities or Charter Counties.

a. Election to Collect Permit Fees. An election to collect permit fees by a municipality or charter county must be made pursuant to s. 337.401(3)(c)1.a., F.S.

I. A municipality or charter county electing to collect permit fees must notify the Department of the election by providing a copy of the ordinance or resolution by certified mail postmarked on or before July 16, 2001. Such election shall take effect October 1, 2001.

II. For municipalities or charter counties that elect to collect permit fees, the rate of the local communications services tax imposed by such jurisdiction under s. 202.20, F.S., is reduced by a rate of .12 percent.

b. Election to Not Collect Permit Fees. An election not to collect permit fees by a municipality or charter county must be made pursuant to s. 337.401(3)(c)1.b., F.S.

I. A municipality or charter county electing to not collect permit fees must notify the Department of the election by certified mail postmarked on or before July 16, 2001.

II. If a municipality or charter county elects to not collect permit fees, the rate for the local communications services tax may be increased by ordinance or resolution by an amount not to exceed .12 percent. If a municipality or charter county electing to not collect permit fees increases its local communications services tax rate, the municipality or charter county must inform the Department of such increase by providing a copy of the ordinance or resolution by certified mail postmarked on or before July 16, 2001.

2. Noncharter Counties.

a. Election to Collect Permit Fees. An election to collect permit fees by a noncharter county must be made under s. 337.401(3)(c)2.a., F.S. A noncharter county electing to collect permit fees must notify the Department of the election by providing a copy of the ordinance or resolution by certified mail postmarked on or before July 16, 2001. Such election shall take effect October 1, 2001.

b. Election to Not Collect Permit Fees. An election to not collect permit fees by a noncharter county must be made pursuant to 337.401(3)(c)2.b., F.S.

I. A noncharter county electing to not collect permit fees must notify the Department of the election by certified mail postmarked on or before July 16, 2001. If a noncharter county elects to not collect permit fees, the rate for the local communications services tax may be increased by ordinance or resolution by an amount not to exceed .24 percent.

II. If a noncharter county electing to not collect permit fees increases its local communications services tax rate, the noncharter county must inform the Department of such increase by providing a copy of the ordinance or resolution by certified mail postmarked on or before July 16, 2001.

3. Changing Elections Made Prior to or on July 16, 2001.

a. Municipalities or Charter Counties.

I. If a municipality or charter county changes its election and exercises its authority to require and collect permit fees, the rate of the local communications services tax imposed by the jurisdiction will automatically be reduced by the sum of .12

percent plus the percentage increase in the local communications services tax, if any, pursuant to the permit fee election under s. 337.401(3)(c)1.b., F.S.

II. If a municipality or charter county changes its election and discontinues requiring and collecting permit fees, the rate of the local communications services tax imposed by the jurisdiction may be increased by ordinance or resolution by an amount that must be less than or equal to .24 percent.

b. Noncharter Counties. If a noncharter county changes its election and exercises its authority to require and collect permit fees, the rate of the local communications services tax imposed by the jurisdiction will automatically be reduced by the rate increase in the local communications services tax, if any, pursuant to the permit fee election under s. 337.401(3)(c)2.b., F.S.

c. Any municipality or county changing its permit fee election and its local communications services tax rate as a result of the change in the election must notify the Department by July 1 of any year to be effective on the following January 1. Changes in elections are effective on bills dated on or after January 1 following the change in election. No change in election of which the Department is not notified on or before July 16, 2001, will become effective prior to January 1, 2003.

(3) Local Taxing Jurisdictional Boundary Changes.

(a) Each local taxing jurisdiction will furnish to the Department all information needed to create the Department's electronic database.

(b) Each local taxing jurisdiction is required to provide to the Department periodic updates for the Department's electronic database.

1. Local taxing jurisdictions must use form DR-700021, Local Communications Services Tax Rate Change and Changes Affecting Jurisdictional Boundaries, to provide to the Department periodic updates for changes in its jurisdictional boundaries.

2. The periodic updates must include all changes in service addresses, annexations, incorporations, reorganizations, and any other changes in jurisdictional boundaries since the preceding update.

3. The effective date of any local taxing jurisdictional boundary changes must be either January 1 or July 1.

4. Any local taxing jurisdiction that makes a jurisdictional boundary change must inform the Department at least 120 days prior to the effective date.

5. The Department will update the electronic database at least 90 days prior to the January 1 or July 1 on which the change will take effect, based on the information provided by the local taxing jurisdiction.

Specific Authority 202.22(6)(a) FS. Law Implemented 202.20(1)(c), 202.21, 202.22(2)(b), 337.401(3)(c) FS. History—New

12A-19.060 Sales for Purposes of Resale.

(1) A sale for the purposes of resale is excluded from the tax imposed or administered by Chapter 202, F.S., only when the sale is made in strict compliance with the provisions of this rule.

(2) For purposes of this rule, the following terms are defined as:

(a) A "dealer" means a person registered with the Department as a provider of communications services in Florida.

(b) An "active registered dealer" means a person who is registered with the Department as a communications services tax dealer and who is required to file a communications services tax return at least once during each applicable reporting period, as provided in s. 202.17(6), F.S.

(c) A "purchaser" means the person paying for or obligated to pay for communications services.

(3) A "sale for the purposes of resale" occurs when a person purchases communications services from a dealer and then resells the communications services, uses the communications services as a component part of communications services that are offered for retail sale, or integrates the purchased communications services into communications services offered for retail sale.

(4) ANNUAL RESALE CERTIFICATES ISSUED BY THE DEPARTMENT.

(a) Each newly registered dealer, except persons registered as users of substitute communications systems, will receive a Communications Services Tax Certificate of Registration (form DR-700014) and a Communications Services Tax Annual Resale Certificate (form DR-700015). For each calendar year, the Department will issue to each active registered dealer a Communications Services Tax Annual Resale Certificate that specifically identifies the valid period of the certificate.

(b) The business name and mailing address of the certificate holder, the certificate number, the registration effective date, the expiration date of the certificate, and the purposes for which the certificate may be provided will be indicated on each Communications Services Tax Annual Resale Certificate.

(c) The effective date of a dealer's Communications Services Tax Annual Resale Certificate will be October 1, 2001, for all registration applications postmarked or hand delivered on or before October 1, 2001. All persons whose registration applications are postmarked or hand delivered after October 1, 2001, will be issued a Communications Services Tax Annual Resale Certificate with an effective date of the postmarked or hand delivery date.

(d) In the event that the dealer's original Communications Services Tax Annual Resale Certificate is lost or destroyed, a replacement may be requested by visiting any local Department of Revenue Service Center to personally obtain a

copy or by contacting the Department at 1-800-352-3671 (in Florida only) or (850)488-6800. 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, P. O. Box 6480, Tallahassee, Florida 32314-6480.

(5) A Communications Services Tax Annual Resale Certificate is considered valid when the certificate is provided to the selling dealer in lieu of payment of the tax on any sale made on or after the registration effective date and on or prior to the certificate expiration date, as indicated on the certificate; and when the selling dealer receives the certificate in good faith.

(6) PROVISIONS APPLICABLE TO SELLING DEALERS.

(a) A selling dealer who makes a sale for the purposes of resale and receives a valid Communications Services Tax Annual Resale Certificate in lieu of tax will be in compliance with the requirements of this rule and is relieved from any liability for any tax due on that sale.

(b) Copies of Communications Services Tax Annual Resale Certificates that are obtained after the sale from purchasers who were active registered dealers at the time of the sale and are submitted to the Department during an audit or subsequent informal protest period of the audit will be considered sufficient compliance with this rule.

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

(d) A selling dealer may make sales for the purposes of resale to a purchaser whose current Communications Services Tax Annual Resale Certificate is on file without seeking a new Communications Services Tax Annual Resale Certificate for each subsequent transaction during that calendar year. A selling dealer must obtain a new Communications Services Tax Annual Resale Certificate from its purchasers for sales made for the purposes of resale in subsequent calendar years.

(7) PROVISIONS APPLICABLE TO PURCHASING DEALERS.

(a) A Communications Services Tax Annual Resale Certificate may only be provided by active registered dealers who hold a valid Communications Services Tax Certificate of Registration issued by the Department.

(b) A dealer whose Communications Services Tax Certificate of Registration has been revoked by the Department or whose registration has been inactivated or canceled is prohibited from providing its Communications Services Tax Annual Resale Certificate in lieu of paying the tax due on its purchases of communications services. A dealer who provides

its Communications Services Tax Annual Resale Certificate for purchases after its Communications Services Tax Certificate of Registration has been revoked, inactivated, or canceled will be held liable for the tax, penalty, and interest on all such purchases.

(c) In the event that a purchasing dealer provides a copy of its Communications Services Tax Annual Resale Certificate to a selling dealer and subsequently consumes the communications services by not reselling the communications services, the purchasing dealer must pay all applicable communications services taxes directly to the Department with its first return due subsequent to the consumption of the communications services.

(8) REQUIRED RECORDS. A dealer is required to document the nature of sales made for the purposes of resale and is required to maintain copies of Communications Services Tax Annual Resale Certificates and receipts, invoices, billing statements, or other tangible evidence of such sales until the tax imposed or administered by Chapter 202, F.S., may no longer be determined and assessed under s. 95.095, F.S. Electronic storage by the selling dealer of a copy of the purchaser's Communications Services Tax Annual Resale Certificate and other required documentation through use of imaging, microfiche, or other electronic storage media will be sufficient compliance with the provisions of this subsection.

Specific Authority 202.16(2), 202.26(3)(c),(d),(j) FS. Law Implemented 92.525(2), 202.11(4),(5),(9),(11),(12), 202.13(2), 202.16(2), 202.17(6), 202.34(3),(4)(c), 212.02(12), 213.37 FS. History—New

**DEPARTMENT OF TRANSPORTATION
Florida Seaport Transportation and Economic
Development Council**

RULE TITLES:	RULE NOS.:
Definitions	14B-1.001
Port Project Funding Application Procedures and Requirements	14B-1.002
Measuring Economic Benefits	14B-1.003
Determination of Funding; Council/Agency Review	14B-1.004
Council Procedures	14B-1.005
Eligible Port Funding Requirements	14B-1.006
Reporting Requirements	14B-1.007

PURPOSE AND EFFECT: The purpose of the proposed amendment to the rule is to update the application procedures and Council operating procedures due to the amendment to Chapter 311, Florida Statutes, and sections 320.20(3) and (4), Florida Statutes. The effect of the proposed rule is to change the procedures for seaport funding applications.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by the rules is the Florida Seaport Transportation and Economic Development Program within the Department of Transportation to finance port transportation or port facilities projects that will improve the movement and

28-18.002 Comprehensive Plan.

The Transitional Comprehensive Plan of the City of Marathon established by Chapter 99-427, Laws of Florida, is amended as follows: Policy 101.2.14 – notwithstanding any other provisions of the Transitional Comprehensive Plan of the City of Marathon, the following shall apply:

(1) The number of permits issued for new residential development under the rate of growth ordinance shall not exceed a total unit cap of 30 new residential units per year. Additionally, the restored permits (6) must be dedicated to affordable housing and the rule will specify that the ROGO allocation represents the total number of new permits for development that may be issued during a ROGO year. No exemptions or increases in the number of new permits, other than that which may be expressly provided for in the comprehensive plan, may be allowed.

(2) Notwithstanding any other provision of the comprehensive plan, ROGO allocations and nutrient reduction credits utilized for affordable housing projects may be pooled and transferred between ROGO subdistricts and between local government jurisdictions within the Florida Keys Area of Critical State Concern (ACSC). Any such transfer between local government jurisdictions must be accomplished through an interlocal agreement between the sending and receiving local governments.

(3) Nutrient reduction credits earned by construction of a central sewer system using best available technology or advanced wastewater treatment shall be earned at the time that a wastewater construction permit is issued by DEP for each phase of the project and a design/build or construction contract has been executed.

(4) Beginning August 1, 2002, and each year of the work program (set out in Policy 101.2.13) thereafter, the City and the Department of Community Affairs shall report to the Administration Commission documenting the degree to which the work program objectives for that year have been achieved.

(5) The following work program objective shall be moved from Year 5 (July 13, 2001 to July 12, 2002) to Year 6 (July 12, 2002 to July 12, 2003): Implement the carrying capacity study by, among other things, the adoption of all necessary plan amendments to establish a rate of growth and a set of development standards that ensure that any and all new development does not exceed the capacity of the county's environment and marine system to accommodate additional impacts. Plan amendments will include a review of the County's Future Land Use Map series and changes to the map series and the "as of right" and "maximum" densities authorized for the plan's future land use categories based upon the natural character of the land and natural resources that would be impacted by the currently authorized land uses, densities and intensities.

Specific Authority 380.0552(9) FS. Law Implemented 380.0552 FS. History–New _____.

28-18.003 Land Development Regulations.

The Transitional Land Development Regulations of the City of Marathon established by Chapter 99-427, Laws of Florida, are amended as follows:

Notwithstanding any other provision of the comprehensive plan, ROGO allocations and nutrient reduction credits utilized for affordable housing projects may be pooled and transferred between ROGO subdistricts and between local government jurisdictions within the Florida Keys ACSC. Any such transfer between local government jurisdictions must be accomplished through an interlocal agreement between the sending and receiving local governments.

Specific Authority 380.05(8), 380.0552(9) FS. Law Implemented 380.0552 FS. History–New _____.

ADMINISTRATION COMMISSION

RULE CHAPTER TITLE: Land Planning Regulations for the Florida Keys Area of Critical State Concern – Monroe County

RULE CHAPTER NO.: 28-20

RULE TITLES: Comprehensive Plan
Land Development Regulations

RULE NOS.: 28-20.101
28-20.102

PURPOSE AND EFFECT: To amend the Work Program set forth at Policy 101.2.13 of the Monroe County Comprehensive Plan to increase the annual residential permitting cap and require the increase to be dedicated to affordable housing, specify the point at which nutrient reduction credits can be earned when a central sewer system will be built, establish the date for the next report to Administration Commission, extend the due date for local governments to implement the carrying capacity study, and allow Residential Rate of Growth allocations and nutrient reduction credits to be transferred across sub-areas and jurisdictions for purposes of affordable housing.

SUBJECT AREA TO BE ADDRESSED: Amendments to the Monroe County Comprehensive Plan relating to the work program and annual number of residential building permits.

SPECIFIC AUTHORITY: 380.05(8), 380.0552(9) FS.

LAW IMPLEMENTED: 380.0552 FS.

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

TIME AND DATE: 6:30 p.m. – 8:30 p.m., June 19, 2001

PLACE: Marathon Government Center, 2798 Overseas Highway, Second Floor, Emergency Operations Center, Marathon, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Ann Lazar, Planning Manager, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-4545 at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community

Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mike McDaniel, Growth Management Administrator, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-4545

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

28-20.101 Comprehensive Plan.

The Monroe County Comprehensive Plan Policy Document, as the same exists on May 15, 2001, is hereby amended as follows:

(1) Policy 101.2.13 is amended to read:

Monroe County shall establish an interim Permit Allocation System for new residential development. The interim Permit Allocation System shall supersede Policy 101.2.1 and remain in place until such time as Monroe County determines its future growth capacity based on hurricane evacuation, public safety and environmental needs including water quality and habitat protection, and amends its plan consistent with such determination, based on the results of the work program as set forth below. DEP, DOH, DCA and Monroe County shall develop a coordinated permit review process that will insure that no state agency shall issue a wastewater disposal permit that would allow development in excess of the number of permits that Monroe County may issue under this interim policy. Similarly, Monroe County shall not issue development permits under this interim policy in excess of wastewater disposal permits that DEP or DOH may issue. For Years 3 and 4 of the Work Program, the interim Permit Allocation System shall allow a minimum of 88 new residential permits per year which may be used to address the backlog of ROGO allocations. Additional new residential permits will be allowed but limited to the number of nutrient reduction credits earned within the same unincorporated ROGO area. Nutrient reduction credits shall be earned consistent with Table 1 below. Nutrient reduction credits earned by construction of a central sewer system using best available technology or advanced wastewater treatment shall be earned at the time that a wastewater construction permit is issued by DEP for each phase of the project and a design/build or construction contract has been executed. Nutrient reduction credits earned using funds provided by the State and matched by the County in fiscal years 1997-98 and 1998-99 will be used to offset the nutrient impacts of the 88 new residential permits per year, but may not be used for additional new residential permits until such time as these funds generate more than 88 nutrient reduction credits for Years 3 and 4. For Year 5, the interim Permit Allocation System shall allow a minimum of 88 new residential permits. If fewer than 88 nutrient reduction credits are earned in Year 5, the deficit shall be made up in Year 6

prior to issuance of any new permits. For Year 6 and beyond, the interim permit allocation system shall limit the number of permits issued for new residential development to the number of nutrient reduction credits earned within the same unincorporated ROGO area. For all years the number of permits issued for new residential development under the Rate of Growth Ordinance shall not exceed a total unit cap of 197 new residential units per year. The restored permits (15) must be dedicated to affordable housing. This allocation represents the total number of new permits for development that may be issued during a ROGO year. No exemptions or increases in the number of new permits, other than that which may be expressly provided for in the comprehensive plan, may be allowed. Monroe County shall develop a tracking system for monitoring the nutrient reduction credits earned. The tracking system shall commence upon the effective date of this rule and the number of nutrient reduction credits earned shall be cumulative and may be applied to future years of the interim Permit Allocation System.

Table 1
Nutrient Reduction Credits
Treatment System Upgraded To

	On-site Treatment OWNR or Equivalent	On-site Treatment and Disposal Systems	Secondary Treatment	Best Available Treatment (BAT)	Advanced Wastewater Treatment (AWT)
Cesspit	1 EDU Credit	1 EDU Credit	1.0 EDU Credit	1.5 EDU Credit	
Substandard OSTDS	0.5	0.5	1.0	1.5	
Approved OSTDS	0.5	0	1	1.5	
Secondary Treatment	n/a	n/a	1	1.5	

Additionally, the unit cap for new residential development shall be linked to the following work program which identifies actions necessary to correct existing wastewater and storm water problems, as well as actions necessary to determine appropriate future growth. Beginning August 1, 2002, and each year of the work program thereafter, Monroe County and the Department of Community Affairs shall report to the Administration Commission documenting the degree to which the work program objectives for that year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether substantial progress has been achieved toward accomplishing the tasks of the work program. If the Commission determines that substantial progress has not been made, the unit cap for new residential development shall be reduced by at least 20 percent for the following year. If the Commission determines that substantial progress has been made, then the Commission shall increase the unit cap for new residential development for the following year up to a

maximum of 197 units. Other agencies identified in the work program, or any interested persons, may likewise report and make recommendations for consideration by the Commission. Notwithstanding any other dates set forth in this plan, the dates set forth in the work program shall control where conflicts exist. For each task in the work program, the Department of Community Affairs shall request of all relevant and appropriate federal, state, regional, and local agencies that they contribute any relevant data, analysis and recommendations, and that they take an active role in assisting the county in completing the task. Each such agency shall prepare, in coordination with the county, a section to be included in Monroe County's reports which indicates the agency's actions relative to the work plan. The Department of Community Affairs shall specifically request that the Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee (Water Quality Steering Committee) take an active role in coordinating with Monroe County, and relevant state and federal agencies, in the implementation of the tasks related to water quality, wastewater and storm water facilities, and in the development and implementation of the carrying capacity study. The Steering Committee will provide technical assistance and substantive comments and recommendations to ensure that the county's wastewater and storm water master plans and the carrying capacity study are consistent with the objectives of the FKNMS Water Quality Protection Program. The Steering Committee will make recommendations on wastewater systems and Hot Spot priorities prior to implementation by the County. It is the intent of this rule to accelerate the pace, and increase the effectiveness of the current cesspit replacement effort through both a regulatory and an incentive-based program. No later than August, 1999, Monroe County shall engage in a public education program to ensure that the public understands that the County is committed to the swift identification and replacement of cesspits, as a full partner with the Department of Health. The public education program shall explain the role of cesspit removal in the overall context of the Work Plan and Wastewater Master Plan. The County and the state shall request the participation of the Steering Committee in the public education program as well as the Florida Keys Aqueduct Authority.

WORK PROGRAM

YEAR ONE (ending December 31, 1997)

A. Complete Phase I (data collection) for the Wastewater and Storm Water Master Plans, and secure funding for plan completion. (Ref. County obj. 901.4)

Agencies: County, DCA, DEP, DOH and SFWMD.

B. Complete a conceptual plan or scope of work to develop a carrying capacity. The carrying capacity analysis shall be designed to determine the ability of the Florida Keys ecosystem, and the various segments thereof, to withstand all impacts of additional land development activities. The analysis

shall be based upon the findings adopted by the Administration Commission on December 12, 1995, or more recent data that may become available in the course of the study, and shall be based upon the benchmarks of, and all adverse impacts to, the Keys land and water natural systems, in addition to the impact of nutrients on marine resources. The carrying capacity analysis shall consider aesthetic, socioeconomic (including sustainable tourism), quality of life and community character issues, including the concentration of population, the amount of open space, diversity of habitats, and species richness. The analysis shall reflect the interconnected nature of the Florida Keys' natural systems, but may consider and analyze the carrying capacity of specific islands or groups of islands and specific ecosystems or habitats, including distinct parts of the Keys' marine system. (Ref. 1991 Stip. Settlement Agreement)
Agencies: County, DCA, DEP, DOH, DOT, GFC, SFWMD, NMS, SFRPC, EPA, USFWS, Army COE, and other interested parties to include representatives of environmental organizations and development interests.

C. Complete AWT/OSDS demonstration study and initiate rulemaking for new standards for OSDS. (Ref. County pol. 901.4.3)

Agencies: DOH.

D. Complete Marathon Facilities Plan and secure funding for the facility site(s). The wastewater facilities plan should implement the most cost effective method of collecting, treating, and disposing of wastewater, and shall include an investigation of the feasibility of using alternative nutrient-stripping on-site disposal systems. The development of the facilities plan shall be a component of the Wastewater Master Plan as that Plan is developed.

Agencies: County, DCA and DEP.

E. Continue cesspit elimination process with identification of Hot Spots as first priority in accordance with Objective 901.2, and seek funding for cesspit identification. Enter into an interlocal agreement with DOH to specify the responsibilities and procedures for the OSDS inspection/compliance program as required by Policy 901.2.3. Adopt an ordinance which specifies the implementation procedures for the OSDS inspection/compliance program. The ordinance shall include authorization for DOH to inspect wastewater treatment systems on private property as required by Policy 901.2.3. (Ref. County obj. 901.2)

Agencies: County, DCA and DOH.

F. Submit status of CARL and ROGO land acquisition to the Administration Commission.

Agencies: County, Land Authority and DEP.

G. Revise the Habitat Evaluation Index (HEI) based on peer review.

Agencies: County, DCA, DEP, GFC and Federal agencies.

YEAR TWO (ending December 31, 1998)

A. Complete the Wastewater and Storm Water Master Plans and execute interagency agreements to define construction schedule by phases. Document that significant reduction in nutrients will be achieved each year thereafter within each of the sub-areas. The Master Plans shall include facility plans for all proposed treatment strategies, and determine retrofit and funding requirements for Hot Spots and cesspits identified in D. below.

Agencies: County, DCA, DEP and DOH.

B. Secure funding for the carrying capacity study and initiate Phase I (data collection) of the study.

Agencies: County and DCA.

C. Complete final design for Marathon Facilities Plan and secure facility site(s).

Agencies: County, DCA and DEP.

D. Complete cesspit ID process in Hot Spots, excluding the Marathon area.

Agencies: County, DCA and DOH.

E. Submit status of CARL and ROGO land acquisition to the Administration Commission.

Agencies: County, Land Authority, GFC and DEP.

F. Document the extent and quality of the fresh groundwater lens system on Big Pine Key; delineate the associated recharge areas; and determine the safe yield of the system. (Ref. County pol. 103.1.5)

Agencies: County, DCA, SFWMD, USFWS.

YEAR THREE (January 1, 1999 through July 12, 2000)

A. Complete and begin implementation of Wastewater Master Plan. Utilizing the findings of the Wastewater Master Plan and recommendations of the Water Quality Steering Committee relating to Hot Spots do the following: refine and prioritize areas identified as Hot Spots, determine retrofit and funding requirements for priority Hot Spots and cesspit replacement for areas outside those areas identified for central or cluster wastewater collection systems, and begin developing facility plans for priority Hot Spots. Execute interagency agreements to define facility plan, design and construction schedules for each Hot Spot facility. Establish a water quality monitoring program to document the reduction in nutrients as a result of these facilities. Complete a wastewater treatment finance plan and a service area implementation plan, and continue efforts to secure funding for Wastewater Master Plan implementation, with priority given to Hot Spots. Determine the feasibility and legal ramifications of establishing an escrow account as a means of providing long-term funding for replacing cesspits or substandard onsite sewage systems. Establish a mechanism such as special assessments, impact fees, infrastructure surcharge, or other dedicated revenues, to fund the local share of wastewater improvements in Years Four and Five. Seek to provide comparable subsidies for both wastewater collection systems and individual cesspit replacement.

Agencies: County, FCAA, DCA, DEP, DOH, SFWMD, EPA and Water Quality Protection Program Steering Committee (WQSC).

B. Secure funding for Storm Water Master Plan development, contract selected firm for development of Master Plan, and complete Phase I (data collection). Determine the feasibility of providing nutrient reduction credits for stormwater improvements.

Agencies: County, DCA, DOT, SFWMD, EPA and WQSC.

C. Conclude acquisition of North Key Largo Hammocks CARL project. Make offers to 33% of remaining private owners with property located in other CARL project boundaries.

Agencies: County, Land Authority and DEP.

D. Secure remaining funds for the carrying capacity study, conduct workshops as outlined in the Scope of Work, select prime contractor, and initiate Phase I (data collection) of the study.

Agencies: County, DCA, DEP, DOH, DOT, FFWCC, SFWMD, WQSC, SFRPC, EPA, USFWS, Army COE, GFC, DOT, and other interested parties to include representatives of environmental organizations and development interests.

E. Continue efforts to secure funding for the Marathon Facility. Complete Little Venice construction design, secure lands needed for Little Venice facility, and begin bid process and selection of construction firm. Design a water quality monitoring program to document Little Venice project impacts.

Agencies: County, FCAA, DCA, DEP, WQSC, and EPA.

F. Continue cesspit identification by providing notice to all property owners with unknown systems, outside of Hot Spots. Initiate replacement of cesspits outside of Hot Spots. Award financial assistance grants to qualified applicants using FY 1997-98 state funds to ensure a minimum of 70 cesspit replacements. Develop a low interest loan and grant program to assist all residents in replacing cesspits, with priority of funds going, in order of preference, to very low-, low- and moderate-income households. Investigate the appropriateness of transferring credits among ROGO areas and awarding nutrient reduction credits for future committed water quality treatment facilities.

Agencies: County, DCA, FCAA, WQSC and DOH.

G. Document the extent and quality of the fresh groundwater lens system on Big Pine Key; delineate the associated recharge areas; and determine the safe yield of the system. (Ref. County pol. 103.1.5)

Agencies: County, FCAA, DEP, DCA, SFWMD, EPA, WQSC and USFWS.

H. Develop an integrated funding plan for the purchase of land from ROGO applicants who have competed unsuccessfully for four consecutive years and applied for administrative relief.

Agencies: County.

I. The County, in conjunction with DCA, shall assess the feasibility of applying the nutrient reduction credit requirement to new commercial development.

Agencies: County and DCA.

YEAR FOUR (July 13, 2000 through July 12, 2001)

A. Continue implementation of Wastewater Master Plan, execute interagency agreements to define construction schedule by phases, and continue developing facility plans for priority Hot Spots in each ROGO area. Secure funding to implement the Wastewater Master Plan. Document that reduction in nutrients has been achieved within each of the sub-areas.

Agencies: County, FCAA, DCA, DEP, DOH, EPA and WQSC.

B. Complete Storm Water Master Plan. Identify priority projects for implementation and seek funding for plan implementation.

Agencies: County, DCA, DEP, DOT, SFWMD, EPA and WQSC.

C. Make offers to 50% of remaining private owners with property located in CARL project boundaries.

Agencies: County, Land Authority and DEP.

D. Complete Phase II of the carrying capacity study (data analysis) and present initial recommendations to review agencies.

Agencies: County, DCA, DEP, DOH, DOT, FFWCC, SFWMD, WQSC, SFRPC, EPA, USFWS, Army COE, and other interested parties to include representatives of environmental organizations and development interests.

E. Continue efforts to secure funding for the Marathon Facility, initiate construction of Little Venice wastewater treatment facility. Establish baseline water quality for surface and groundwater quality potentially impacted by Little Venice project.

Agencies: County, DCA, DEP, FCAA, WQSC and EPA.

F. Complete cesspit identification and continue cesspit replacement outside of Hot Spots, with a priority of funds going, in order of preference, to low- and moderate-income households; ensure that a minimum of 88 cesspits are replaced.

Agencies: County, FCAA, WQSC and DOH.

YEAR FIVE (July 13, 2001 through July 12, 2002)

A. Continue implementation of the Wastewater Master Plan pursuant to executed interagency agreements. Begin construction of wastewater facilities in priority Hot Spots.

Agencies: County, FCAA, DCA, DOH, DEP, EPA, and WQSC.

B. Execute interagency agreements to define construction schedule for priority storm water improvement projects. Complete land acquisition and final design for selected treatment strategies for Storm Water Master Plan.

Agencies: County, DCA, DEP, DOT, WQSC and SFWMD.

C. Conclude negotiations with all willing owners with property within CARL project boundaries. Acquire a total-to-date of 45% of the Key Deer/Coupon Bight project and 25% of the Florida Keys Ecosystems project.

Agencies: County, Land Authority, and DEP.

D. Complete final draft of the carrying capacity study including acceptance by review agencies. Implement the carrying capacity study by, among other things, the adoption of all necessary plan amendments to establish a rate of growth and a set of development standards that ensure that any and all new development does not exceed the capacity of the county's environment and marine system to accommodate additional impacts. Plan amendments will include a review of the County's Future Land Use Map series and changes to the map series and the "as of right" and "maximum" densities authorized for the plan's future land use categories based upon the natural character of the land and natural resources that would be impacted by the currently authorized land uses, densities and intensities.

Agencies: County, FCAA, DCA, DEP, DOH, DOT, FFWCC, SFWMD, WQSC, SFRPC, EPA, USFWS, Army COE, and other interested parties to include representatives of environmental organizations and development interests.

E. Secure funds for Phase II (to be determined) of the Marathon Facility and continue construction of Little Venice facility.

Agencies: County, FCAA, DEP, DCA, EPA and WQSC.

F. Continue eliminating cesspits and inoperative septic tanks in areas outside of Hot Spots.

Agencies: County, DOH, FCAA and WQSC.

YEAR SIX (July 13, 2002 through July 12, 2003)

A. Finalize construction and begin operating wastewater facilities in Hot Spots begun in previous year. Contract to design and construct additional wastewater treatment facilities in Hot Spots in accordance with the schedule of the Wastewater Master Plan. Continue implementation of Wastewater Master Plan with emphasis on Hot Spots.

Agencies: County, FCAA, DEP, DOH, DCA, EPA and WQSC.

B. Initiate construction of priority projects as identified in the Storm Water Master Plan.

Agencies: County, SFWMD, DEP, DCA, DOT, EPA and WQSC.

C. Continue implementation of the carrying capacity study. Implement the carrying capacity study by, among other things, the adoption of all necessary plan amendments to establish a rate of growth and a set of development standards that ensure that any and all new development does not exceed the capacity of the county's environment and marine system to accommodate additional impacts. Plan amendments will include a review of the County's Future Land Use Map series and changes to the map series and the "as of right" and

“maximum” densities authorized for the plan’s future land use categories based upon the natural character of the land and natural resources that would be impacted by the currently authorized land uses, densities and intensities.

Agencies: County, FKAA, FFWCC, DCA, DEP, DOH, DOT, SFWMD, SFRPC, EPA, Army COE, WQSC, and USFWS, and other interested parties to include representatives of environmental organizations and development interests.

D. Initiate construction of Phase II of the Marathon Facility and complete construction and begin operating the Little Venice Facility.

Agencies: County, FKAA, DCA, DEP, EPA and WQSC.

E. Complete the elimination of all cesspits in areas outside of Hot Spots.

Agencies: County, FKAA, DOH and WQSC.

YEAR SEVEN (July 13, 2003 through July 12, 2004)

A. Continue implementation of Wastewater Master Plan with continued emphasis on Hot Spots.

Agencies: County, FKAA, DEP, DCA, DOH, EPA and WQSC

B. Continue implementing priority projects as identified in the Storm Water Master Plan.

Agencies: County, DCA, DEP, DOT, SFWMD, EPA and WQSC

C. Continue construction of the Marathon Facility.

Agencies: County, FKAA, DCA, DEP, EPA and WQSC.

(2) Policy 901.1.1

Monroe County shall ensure that, at the time a development permit is issued, adequate sanitary wastewater treatment and disposal facilities, including wastewater treatment facilities and onsite sewage treatment and disposal systems, are available to support the development at the adopted level of service standards, concurrent with the impacts of such development. [9J-5.011(2)(c)2.]

Permanent Level of Service Standards.

(a) The permanent level of service standards for wastewater treatment in Monroe County are as provided in Chapter 99-395, Laws of Florida.

(b) The County and the State shall actively engage in an educational program to reduce demand for phosphate products.

(c) The County shall require mandatory pump-out of septic tanks and require regular reports from qualified contractors to ensure proper septage disposal.

(3) Policy 101.2.14 is created to read:

Notwithstanding any other provision of the comprehensive plan, ROGO allocations and nutrient reduction credits utilized for affordable housing projects may be pooled and transferred between ROGO subdistricts and between local government jurisdictions within the Florida Keys ACSC. Any such transfer between local government jurisdictions must be accomplished through an interlocal agreement between the sending and receiving local governments.

Specific Authority 380.05(8), 380.0552(9) FS. Law Implemented 380.0552 FS. History–New _____.

28-20.102 Land Development Regulations.

The Monroe County Land Development regulations as the same exist on May 15, 2001 are amended as follows:

New paragraph 9.5-120.4(b)(3) is created to read:

Notwithstanding any other provision of the comprehensive plan, ROGO allocations and nutrient reduction credits utilized for affordable housing projects may be pooled and transferred between ROGO subdistricts and between local government jurisdictions within the Florida Keys ACSC. Any such transfer between local government jurisdictions must be accomplished through an interlocal agreement between the sending and receiving local governments.

Specific Authority 380.05(8), 380.0552(9) FS. Law Implemented 380.0552 FS. History–New _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLES:

RULE NOS.:

Hours Requirement

64B13-5.001

Criteria for Approval

64B13-5.002

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify the criteria for continuing education credit and to set forth programs which do not require prior Board approval.

SUBJECT AREA TO BE ADDRESSED: Continuing education.

SPECIFIC AUTHORITY: 463.005(1), 463.007(3),(4) FS.

LAW IMPLEMENTED: 463.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-5.001 Hours Requirement.

(1) As a condition to the renewal of a biennial license, each licensed practitioner shall be required to maintain professional competency by completing 30 clock hours of continuing education in subjects relating to optometry that have been approved by the Board. Licensed practitioners shall not be required to complete the continuing education requirements during the biennium in which they receive initial licensure. Credit will be allowed on the basis of an hour for hour. To receive one hour credit, a licensed practitioner must attend not less than 50 minutes. There will be no fractional

hour credits. For certified optometrists, at least 6 of those 30 hours must be of "transcript quality". For purpose of this rule, the phrase "transcript quality" refers to coursework in ocular and systemic pharmacology and the diagnosis, treatment and management of ocular and systemic conditions and diseases. Transcript quality CE must be a course which is in conjunction with or sponsored by a school or college of optometry or equivalent educational entity as approved by the Board and which requires a test and passing grade. Attendance at a continuing education program must be certified by the lecturer or someone in charge of the program. An instructor of a course may credit the hours taught towards completion of the required continuing education; provided, however, that an instructor may only credit a course once, regardless of the number of times the course is taught. In addition, the instructor of a course may not credit the hours taught towards completion of the "transcript quality" portion of the continuing education requirement. However, for the biennium ending at the end of February 2001, each licensed practitioner may count hours of continuing education obtained between January 1, 1999, and the end of February, 2001.

~~(a) As of January 1, 1989 the Board of Optometry office shall implement a procedure providing for licensed practitioners and certified optometrists to report completion of required continuing education for biennial renewal by submitting a form provided by the Board office.~~

(b) through (e) renumbered (a) through (d) No change.

~~(2) Certified optometrists shall be required to obtain as a prerequisite to renewing certification at least 6 of the 30 hours in approved transcript quality coursework in ocular and systemic pharmacology and the diagnosis, treatment and management of ocular and systemic conditions and diseases during the 2-year period preceding application for license renewal.~~

(3) through (5) renumbered (2) through (4) No change.

~~(5)(6) Licensed practitioners may earn two clock hours in the area of Florida jurisprudence as allowed by subsection (6)(7) by attending a meeting of the Board for no less than four continuous hours. Licensed practitioners will be required to sign-in and sign-out with board staff. Those licensed practitioners present for disciplinary purposes are not eligible to earn the two clock hours for the Board meeting.~~

~~(6)(7) No change.~~

~~(7) Out of state licensees may satisfy the requirements for jurisprudence by certifying that they have obtained and read a copy of Chapters 456 and 463, Florida Statutes, and Rule Chapter 64B13, Florida Administrative Code.~~

Specific Authority 463.005(1), 463.007(3),(4) FS. Law Implemented 463.007 FS. History--New 11-13-79, Amended 5-28-80, 9-16-80, 1-13-81, 2-14-82, Formerly 21Q-5.01, Amended 12-16-86, 12-11-88, 4-19-89, 12-20-89, 9-22-92, 10-28-92, Formerly 21Q-5.001, Amended 8-31-93, Formerly 61F8-5.001, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.001, Amended 3-21-00,_____.

64B13-5.002 Criteria for Approval.

(1) In determining whether to approve a program of continuing professional education required by Rule 64B13-5.001~~(1)~~ ~~or~~ ~~(2)~~, the Board shall consider only whether the proposed program contributes to the improvement, advancement, and extension of one's professional skill and knowledge to the benefit of the patient he serves. Continuing education courses in practice management and Florida jurisprudence as stated in 64B13-5.001~~(4)~~~~(5)~~ and ~~(6)~~~~(7)~~ shall be provided by the Florida Optometric Association or other organization with demonstrated competence in Florida Law pertaining to optometric practice as evidenced by the organization's credentials, education and experience.

(2) Continuing optometric education programs other than transcript quality courses sponsored or approved by schools or colleges of optometry, the American Optometric Association; the American Academy of Optometry; the Florida Optometric Association; or any of their component or affiliate organizations are hereby approved by the Board. Neither those providers nor the programs they provide need be submitted to the Board for approval.

~~(3)(2) All other continuing education programs other than transcript quality courses must be reviewed by the Board to ensure that the programs adequately and reliably contribute to the professional competency of the licensed practitioner and must meet the following requirements:~~

(a) through (b) No change.

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

~~(4) All courses approved by the American Board of Optometric Practitioners are approved by the Board.~~

Specific Authority 463.005(1) FS. Law Implemented 463.007(4) FS. History--New 11-13-79, Formerly 21Q-5.02, Amended 12-16-86, 12-11-88, 7-10-91, 10-28-92, Formerly 21Q-5.002, 61F8-5.002, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.002, Amended 3-21-00,_____.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE TITLE: RULE NO.:

Objection to Prenatal and Infant (Postnatal) 64C-7.008
 Risk Screening

PURPOSE AND EFFECT: The purpose of this proposed rule development is to incorporate by reference new versions of the prenatal and infant screening forms.

SUBJECT AREAS TO BE ADDRESSED: Incorporation of the new forms.

SPECIFIC AUTHORITY: 383.14(2) FS.

LAW IMPLEMENTED: 383.14 FS.

IF REQUESTED WITHIN 14 DAYS OF THIS NOTICE AND NOT DEEMED UNECESSARY 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., Monday, June 18, 2001

PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, FL 32399-1723

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marie Melton, Bin #A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723, Telephone (850)245-4444, Ext. 2962

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Bob Peck, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723, Telephone (850)245-4444, Ext. 2965

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64C-7.008 Objection to Prenatal and Infant (Postnatal) Risk Screening.

(1) The provider shall request any pregnant woman who objects to prenatal risk screening, after the purpose of the screening has been fully explained, to indicate her objection in writing on the screening instrument, and to sign the instrument. The screening instrument to be used is the Healthy Start Prenatal Risk Screening Instrument, DOH Form 3134, 2/01 6/00 (English version), or DOH Form 3134 H, 2/01 6/00 (Creole version), or DOH Form 3134 S, 2/01 6/00 (Spanish version), which are incorporated by reference. Copies of the Healthy Start Prenatal Risk Screening Instrument can be obtained by writing to: the Office of Maternal and Child Health, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. If the woman refuses to sign the instrument, this refusal shall be indicated on the patient's signature line. The provider is to complete the demographic items (name, address, phone number and type of provider) in the provider section and sign and date the form.

(2) The provider shall request any parent or guardian who objects to infant (postnatal) risk screening of their child or ward, after the purpose of the screening has been fully explained, to indicate the objection in writing on the screening instrument, and to sign the instrument. The screening instrument to be used is the Healthy Start Infant (Postnatal) Risk Screening Instrument, DOH Form 3135, 2/01 6/00 (English version), or DOH Form 3135 H, 2/01 6/00 (Creole version), or DOH Form 3135 S, 2/01 6/00 (Spanish version), which are incorporated by reference. Copies of the Healthy Start Infant (Postnatal) Risk Screening Instrument can be obtained by writing to: the Office of Maternal and Child Health, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723. If the parent or guardian refuses to sign the instrument, this refusal shall be indicated on the patient's signature line. The provider is to complete the demographic items (name, address, phone number and type of provider) in the provider section and sign and date the form.

(3) Prenatal and infant (postnatal) risk screening shall not be conducted if the affected pregnant woman, parent, or guardian objects to the screening.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 3-29-92, Amended 8-14-95, 3-28-96, Formerly 10J-8.009, Amended 5-2-01, _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Income and Resource Criteria RULE NO.: 65A-1.716

PURPOSE AND EFFECT: This rule amendment will revise the monthly poverty income guidelines used in the Medicaid program for applicants. The amendment updates these federal guidelines to 2001 levels.

SUBJECT AREA TO BE ADDRESSED: This proposed amendment will bring the federal poverty guidelines used in the Medicaid program to a current status.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919 FS.

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

TIME AND DATE: 2:00 p.m., June 18, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, Building 3, Room 421, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, Telephone (850)488-3090

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

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Library and Information Services

RULE TITLE: Library Grant Programs RULE NO.: 1B-2.011

PURPOSE AND EFFECT: The proposed amendment revises the guidelines and forms for the Library Services and Technology Act Grant, the State Aid to Libraries Grant and the Florida Library Literacy Grant Program.

SUMMARY: Library Services and Technology Grant (LSTA): The proposed amendment revises the forms and guidelines to streamline and clarify the requirements for grant application and reporting.

State Aid to Libraries Grant: The proposed amendment revises the State Aid to Libraries Grant Application, County Participating in a Multicounty Library (Form # DLIS/SA04) and the Annual Statistical Report Form for Public Libraries (Form # DLIS/SA07).

Florida Library Literacy Grant Program: The proposed amendment revises the Guidelines and Application to reflect an emphasis on the adult learner.

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

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

SPECIFIC AUTHORITY: 257.12, 257.14, 257.191, 257.192, 257.24 FS.

LAW IMPLEMENTED: 257.12, 257.14, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.19, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25 FS.

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

TIME AND DATE: 9:00 a.m., June 25, 2001

PLACE: Board Room, State Library of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barratt Wilkins, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)487-2651, Suncom 277-2651

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-2.011 Library Grant Programs.

(1) through (2) No change.

(a) The State Aid to Libraries Grant Guidelines and Application, (Form DLIS/SA01), effective 4-1-98, Amended which contain guidelines and application forms, State Aid to Libraries Grant Application – Single County Library (Form DLIS/SA02), effective 4-1-98; State Aid to Libraries Grant Application – Single County or Participating Library (New) (Form DLIS/SA02a), effective 4-1-98; State Aid to Libraries Grant Application – Multicounty County Library (Form DLIS/SA03), effective 4-1-98; State Aid to Libraries Grant Application – Multicounty Library (New) (Form DLIS/SA03a), effective 4-1-98; State Aid to Libraries Grant Application – County Participating in a Multicounty County Library (Form DLIS/SA04), effective 4-1-98, Amended; and State Aid to Libraries Grant Application – County Participating in a Multicounty Library (New) (Form DLIS/SA04a), effective 4-1-98; State Aid to

Libraries Grant Application – Certification of Credentials – Single Library Administrative Head (Form DLIS/SA05), effective 4-1-98; State Aid to Libraries Grant Application – Summary Financial Report (Form DLIS/SA06), effective 4-1-98; Annual Statistical Report Form for Public Libraries (Form DLIS/SA07), effective 4-1-98, Amended.

(b) through (c) No change.

(d) The Library Services and Technology Act Grant Guidelines and Application, effective 4-1-98, Amended 2-14-99 which contain instructions and applications (Form # DLIS/LSTA01), effective 4-1-98, Amended 2-14-99, Amended 4-4-00, Amended 12-18-00, Amended; Mid Year Report (Form # DLIS/LSTA02), effective 2-14-99, Amended 4-4-00, Amended 12-18-00, Amended; and Annual Report (Form # DLIS/LSTA03), effective 4-4-00, effective 12-18-00, Amended.

(e) The Florida Library Literacy Grants Guidelines and Application, effective 4-4-00, Amended which contain instructions and applications (Form # DLIS/FLL01), effective 4-4-00, Amended; Mid Year Report (Form #DLIS/FLL02), effective 4-4-00, Amended; and Annual Report (Form # DLIS/FLL03), effective 4-4-00, Amended.

(f) through (4) No change.

Specific Authority 257.14, 257.191, 257.192, 257.24, 257.41(2) FS. Law Implemented 257.12, 257.14, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.19, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42, 240.5186 FS. History—New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marian Deeney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barratt Wilkins, Director, Division of Library and Information Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 21, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 26, 2001, February 9, 2001, February 23, 2001, and March 16, 2001

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Mass Merchandising Programs	4-166.001
Purpose and Scope	4-166.020
File and Record Documentation	4-166.022
Acceptable Error Ratio	4-166.029

PURPOSE, EFFECT AND SUMMARY: The rules were identified in the rule review project as needing authority. It was determined that the rules are no longer necessary and therefore should be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308, 624.308(1) FS.

LAW IMPLEMENTED: 624.10, 624.307(1), 624.3161, 624.318, 626.041, 626.081, 626.112, 626.745, 626.9541, 626.973, 627.062(1), 627.318, 627.730-.7405, 768.76 FS.

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

TIME AND DATE: 9:30 a.m., June 26, 2001

PLACE: Room 645C, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Wayne Johnson, Bureau Chief, Bureau of Property and Casualty Insurer Solvency, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0329, phone (850)413-5232

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-166.001 Mass Merchandising Programs.

Specific Authority 624.308(1) FS. Law Implemented 624.10, 626.041, 626.081, 626.112, 626.745, 626.973, 626.9541, 627.062(1), 627.730-.7405, 768.76 FS. History--New 8-4-92, Repealed.

4-166.020 Purpose and Scope.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.3161 FS. History--New 8-4-92, Repealed.

4-166.022 File and Record Documentation.

Specific Authority 624.308 FS. Law Implemented 624.3161, 624.318, 627.318 FS. History--New 11-2-92, Repealed.

4-166.029 Acceptable Error Ratio.

Specific Authority 624.308 FS. Law Implemented 624.3161 FS. History--New 11-2-92, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Valentine, Senior Attorney, Division of Legal Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jack Herzog, Division of Legal Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 16, 2001

DEPARTMENT OF INSURANCE

Residual Markets and Special Risk Pools

RULE TITLE: Conduct of Residual Market Board Members RULE NO.: 4J-4.002

PURPOSE, EFFECT AND SUMMARY: The rule was identified to the Joint Administrative Procedures Committee during the 120.536(2)(b), F.S. rule review project as needing repeal, and is therefore being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308, 626.9611, 627.351 FS.

LAW IMPLEMENTED: 624.307, 624.307(1), 624.310, 624.316, 624.317, 624.418, 626.9521, 626.9541, 626.9551, 626.9641, 627.311, 627.314, 627.351, 627.361, 627.6488, 817.234 FS.

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

TIME AND DATE: 10:30 a.m., June 26, 2001

PLACE: Room 645C, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steve Roddenberry, Deputy Division Director, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, phone (850)413-5104

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

4J-4.002 Conduct of Residual Market Board Members.

Specific Authority 624.308, 626.9611, 627.351 FS. Law Implemented 624.307, 624.307(1), 624.310, 624.316, 624.317, 624.418, 626.9521, 626.9541, 626.9551, 626.9641, 627.311, 627.314, 627.351, 627.361, 627.6488, 817.234 FS. History--New 10-12-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Steve Roddenberry, Deputy Director, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michelle Newell, Director, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2001

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO: 01-13R

RULE CHAPTER TITLE: RULE CHAPTER NO.:
State Implementation Plan 62-204RULE TITLE: RULE NO.:
Federal Regulations Adopted by Reference 62-204.800

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments adopt by reference air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 CFR Part 60, Subparts AAAA, BBBB, CCCC, and DDDD, including deadlines for submission of final control plans for the emission guideline sources and Title V permit applications.

SPECIFIC AUTHORITY: 403.8055 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.8055 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, FS.

SUBSTANTIALLY AFFECTED PERSONS MAY FILE OBJECTIONS WITH THE ENVIRONMENTAL REGULATION COMMISSION AT THE FOLLOWING ADDRESS: 3900 Commonwealth Boulevard, Mail Station 18, Tallahassee, Florida 32399-3000, Attention: Jacki McGorty. Objections must be received within 14 days of publication of this notice and must specify the portions of the proposed rule to which the person objects and the reason for the objection. Objections which are frivolous will not be considered sufficient to prohibit adoption of the rule as published.

WRITTEN COMMENTS: The Secretary of the Department of Environmental Protection will consider written comments received within 21 days of publication of this notice. Comments should be submitted to Ms. Sandy Ladner, Division of Air Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

(1) through (6) No change.

(7) Chapter 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 CFR Part 60, revised as of July 1, 1996, or later as specifically indicated, are adopted and incorporated by reference:

1. through 72. No change.

73. 40 CFR 60, Subpart AAAA, New Small Municipal Waste Combustion Units, promulgated December 6, 2000, 65 FR 76350. Any small municipal waste combustion unit subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 CFR 60, Subpart AAAA, shall

file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., in accordance with Rule 62-213.420(1)(a)2., F.A.C., or March 1, 2002, whichever comes later.

74. 40 CFR 60, Subpart CCCC, Commercial and Industrial Solid Waste Incineration Units, promulgated December 1, 2000, 65 FR 75338 and amended March 27, 2001, 66 FR 16605. Any CISWI unit subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 CFR 60, Subpart CCCC, shall file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., in accordance with Rule 62-213.420(1)(a)2., F.A.C., or March 1, 2002, whichever comes later.

(c) through (e) No change.

(8) Chapter 40, Code of Federal Regulations, Part 60, Subpart C, Emission Guidelines and Compliance Times.

(a) through (d) No change.

(e) Small Municipal Waste Combustion Units. 40 CFR 60, Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 promulgated December 6, 2000, 65 FR 76378, is hereby adopted and incorporated by reference subject to the following provisions.

1. Applicability. The applicability of Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

2. Increments of Progress. The requirements for meeting increments of progress and achieving final compliance applicable to each existing small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB, provided that the final control plan shall be submitted no later than September 30, 2001.

3. Good Combustion Practices.

a. Operator Training. The operator training requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

b. Operator Certification. The operator certification requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

c. Operating Requirements. The operating requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

4. Emission Limits. The emission limits on eleven pollutants applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

5. Continuous Emission Monitoring. The continuous emission monitoring requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

6. Stack Testing. The stack testing requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

7. Other Monitoring Requirements. Other monitoring requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

8. Recordkeeping Requirements. The recordkeeping requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

9. Reporting Requirements. The reporting requirements applicable to each small municipal waste combustion unit subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

10. Title V Operating Permits. Any small municipal waste combustion unit subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 CFR 60, Subpart BBBB, shall file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., no later than December 1, 2002.

11. Air Curtain Incinerators. Requirements applicable to each Air Curtain Incinerator subject to Rule 62-204.800(8)(e), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart BBBB.

12. Definitions. The terms used but not defined in 40 CFR 60, Subpart BBBB, have the meaning given to them in the Clean Air Act and in 40 CFR 60, Subparts A, B, and AAAA.

(f) Commercial and Industrial Solid Waste Incineration Units. 40 CFR 60, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999 promulgated December 1, 2000, 65 FR 75362, is hereby adopted and incorporated by reference subject to the following provisions.

1. Applicability. The applicability of Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

2. Increments of Progress. The requirements for meeting increments of progress and achieving final compliance applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD, provided that the final control plan shall be submitted no later than September 30, 2001.

3. Waste Management Plan. The waste management plan requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

4. Operator Training and Qualification. The operator training and qualification requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

5. Emission Limitations and Operating Limits. The emission limitations and operating limits applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

6. Performance Testing. The performance testing requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

7. Initial Compliance Requirements. The initial compliance requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

8. Continuous Compliance Requirements. The continuous compliance requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

9. Monitoring. The monitoring requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

10. Recordkeeping and Reporting Requirements. The recordkeeping and reporting requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

11. Title V Operating Permits. The Title V operating permit requirements applicable to each CISWI unit subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD. Any CISWI unit subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to 40 CFR 60, Subpart DDDD, shall file an application for an operation permit under the requirements of Chapter 62-213, F.A.C., no later than December 1, 2002.

12. Air Curtain Incinerators. Requirements applicable to each Air Curtain Incinerator subject to Rule 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 CFR 60, Subpart DDDD.

13. Definitions. The terms used but not defined in 40 CFR 60, Subpart DDDD, have the meaning given to them in the Clean Air Act and in 40 CFR 60, Subparts A, B, and CCCC.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-59R

RULE CHAPTER TITLE: Ground Water Permitting and Monitoring Requirements

RULE CHAPTER NO.: 62-522

RULE TITLE: General Provisions for Ground Water Permitting and Monitoring

RULE NO.: 62-522.300

PURPOSE AND EFFECT: Concurrent rulemaking with Chapter 62-528 will allow a zone of discharge for Class V underground injection control wells associated with Department-approved aquifer remediation projects, as described in the summary below.

SUMMARY: The proposed amendments allow a zone of discharge for primary standards for ground water for closed-loop re-injection systems and for the prime constituents of the reagents used to remediate site contaminants, and for the secondary standards for ground water, as specified in a Department-approved remedial action plan.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., June 28, 2001

PLACE: Conference Room A, Douglas Building, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donnie McClagherty, Department of Environmental Protection, Bureau of Watershed Management, MS #3575, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-9438

THE FULL TEXT OF THE PROPOSED RULE IS:

62-522.300 General Provisions for Ground Water Permitting and Monitoring.

(1) Unless exempted by Rule 62-520.500, 62-520.510, or 62-520.520, F.A.C., no installation shall directly or indirectly discharge into ground water any contaminant that causes a violation in the water quality standards and criteria for the

receiving ground water as established in Chapter 62-520, F.A.C., except within a zone of discharge established by permit or rule pursuant to this chapter.

(2) Zones of discharge shall be allowed for projects ~~that allow direct contact with ground water as provided below:~~

~~(a) Projects or facilities listed in (a)1, through (c) and 2- below, which provide beneficial discharges through wells to ground water, are allowed a zone of discharge as described in the cited rules.~~

~~(a)1- projects designed to recharge aquifers with surface water of comparable quality, or projects designed to transfer water across or between aquifers of comparable quality for the purpose of storage or conservation; and~~

~~(b)2- facilities permitted under Rule 62-610.466 for aquifer storage and recovery of reclaimed water, 62-610.560(3) for ground water recharge by injection of reclaimed water, or 62-610.562(4) for creation of salinity barrier systems by injection of reclaimed water; and-~~

(c) Department-approved aquifer remediation projects that use Class V, Group 4, underground injection control wells as described in Rule 62-528.600(2)(d), F.A.C. A zone of discharge shall be allowed for primary standards for ground water for closed-loop re-injection systems and for the prime constituents of the reagents used to remediate site contaminants, and for the secondary standards for ground water, as specified in a Department-approved remedial action plan that addresses the duration and size of the zone of discharge, and ground water monitoring requirements.

(3) through (8) No change.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.061, 403.087, 403.088 FS. History—New 9-8-92, Amended 4-14-94, Formerly 17-522.300, Amended 12-9-96, 8-21-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi Drew, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David B. Struhs, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 21, 2001

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-60R

RULE CHAPTER TITLE: Underground Injection Control

RULE CHAPTER NO.: 62-528

RULE TITLE: Well Construction Standards for Class V Wells

RULE NO.: 62-528.605

PURPOSE AND EFFECT: Concurrent rulemaking with Chapter 62-522, F.A.C., will allow a zone of discharge for Class V underground injection control wells associated with Department-approved aquifer remediation projects, as described in the summary below.

SUMMARY: The proposed amendments allow a zone of discharge as provided for in the concurrent amendments to Rule 62-522.300(20), F.A.C. Those amendments allow a zone of discharge for primary standards for ground water for closed-loop re-injection systems and for the prime constituents of the reagents used to remediate site contaminants, and for the secondary standards for ground water, as specified in a Department-approved remedial action plan. In addition, to preserve a confining bed through which a well may be constructed, the term "equally protective" is being added to be clear what standard an alternative to cementing must meet.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 373.309, 403.061, 403.087 FS.

LAW IMPLEMENTED: 373.308, 373.313, 373.323, 403.061, 403.062, 403.087 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., June 28, 2001

PLACE: Conference Room A, Douglas Building, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Deuerling, Department of Environmental Protection, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

THE FULL TEXT OF THE PROPOSED RULE IS:

62-528.605 Well Construction Standards for Class V Wells.

(1) through (2) No change.

(3) Class V wells shall be constructed so that their intended use does not violate the water quality standards of Chapter 62-520, F.A.C., at the point of discharge, except where specifically allowed ~~exempted~~ in Rule 62-522.300(2), F.A.C.; ~~provided that the drinking water standards of 40 C.F.R. pt. 142 (1994) are met at the point of discharge.~~ Migration or mixing of fluids from aquifers of substantively different water quality

(through the construction or use of a Class V well) shall be prevented by preserving the integrity of confining beds between these aquifers through cementing or other equally protective method acceptable to the Department.

Specific Authority 373.309, 403.061, 403.087 FS. Law Implemented 373.308, 373.313, 373.323, ~~403.021~~, 403.061, 403.062, 403.087 FS. History--New 4-1-82, Amended 5-8-85, Formerly 17-28.52, 17-28.520, 62-28.520, Amended 8-10-95, 6-24-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi Drew, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David B. Struhs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 21, 2001

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: COURSES REQUIRED FOR INITIAL LICENSURE, RENEWAL, OR REACTIVATION

RULE NO.: 64B5-12.019

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule text by deleting rule text that is no longer needed.

SUMMARY: The Board proposes to amend the rule text by deleting the words "no more and" to further clarify the renewal or reactivation of licensure.

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: 455.604 FS.

LAW IMPLEMENTED: 455.597, 455.604 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-12.019 Courses Required for Initial Licensure, Renewal, or Reactivation.

(1) through (2) No change.

(3) Every such course for the purpose of obtaining initial licensure shall have a minimum of two (2) hours dedicated to the subject areas set forth. Every such course for the purpose of renewal or reactivation of licensure shall have ~~no more and~~ no less than one (1) hour dedicated to the subject areas set forth. Furthermore, every such course shall include information on current Florida law and its impact on testing, confidentiality of test results, and treatment of patients. However, any such course completed outside of Florida, which complies with the criteria set forth in paragraph (2) above shall be approved by the Board if the applicant or licensee submits to the Board a statement that he or she has reviewed and studied current Florida law and its impact on testing, confidentiality of test results, and treatment of patients. To fulfill the requirements of this paragraph every HIV/AIDS course shall include or each applicant or licensee shall review and study Chapters 381 and 384, Florida Statutes.

(4) through (8) No change.

Specific Authority 455.604 FS. Law Implemented 455.597, 455.604 FS. History—New 1-18-89, Amended 10-28-91, 2-1-93, Formerly 21G-12.019, Amended 6-14-94, Formerly 61F5-12.019, Amended 11-15-95, 2-10-97, Formerly 59Q-12.019, Amended 10-29-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2001

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Licensure and Renewal Fees
RULE NO.: 64B5-15.006

PURPOSE AND EFFECT: The purpose of the rule amendments is to increase the biennial renewal fee for a dental license and the fee for a dental hygiene license.

SUMMARY: The Board is amending this rule to increase the biennial renewal fee for a dental license from \$200.00 to \$300.00, and to increase the fee for a dental hygiene license from \$90 to \$135.

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: 456.013, 456.023, 466.013 FS.

LAW IMPLEMENTED: 456.013, 456.023, 466.013 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-15.006 Licensure and Renewal Fees.

(1) The fee for biennial renewal of a dental license shall be ~~\$300~~ ~~\$200~~, and for a dental hygiene license, the renewal fee shall be ~~\$135~~ ~~\$90~~.

(2) No change.

Specific Authority 456.013, 456.023, 466.013 FS. Law Implemented 456.013, 456.023, 466.013 FS. History—New 4-1-80, Amended 1-25-82, 10-3-83, Formerly 21G-15.06, Amended 11-16-89, 8-13-92, Formerly 21G-15.006, 61F5-15.006, Amended 5-6-96, Formerly 59Q-15.006, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2001

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: Eligibility and Fee Assessment for Services Offered by County Public Health Units
RULE CHAPTER NO.: 64F-16

RULE TITLE: Definitions
RULE NO.: 64F-16.001

PURPOSE AND EFFECT: To incorporate by reference specific poverty guidelines referenced in the rule.

SUMMARY: Chapter 64F-16, FAC., outlines eligibility and fee assessment for services provided at county health departments. The proposed amendment to Rule 64F-16.001(7), FAC. makes specific reference to the Federal Register edition where the latest poverty guidelines are published. These poverty guidelines are used to determine whether a client is eligible for service, or their sliding fee rate if they are above 100 percent of poverty.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs.

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: 154.011(5) FS.
 LAW IMPLEMENTED: 154.011 FS.
 IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
 TIME AND DATE: 10:00 a.m., June 25, 2001
 PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, FL
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bob Peck, Bin #A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723, Telephone (850)245-4444, Ext. 2965

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-16.001 Definitions.

For the purpose of this rule chapter, the following definitions will apply:

(1) through (6) No change.

(7) "Poverty guidelines" means the non-farm family poverty income scale adopted by the United States Department of Health and Human Services (HHS), as published in the Federal Register; February 16~~5~~, 2001~~0~~ edition (Volume 66~~5~~, Number 33~~+~~) pages 10695-10697 ~~7555-7557~~. A copy of the poverty guidelines can also be obtained by writing to: the Office of Maternal and Child Health, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723.

(8) through (12) No change.

Specific Authority 154.011(5) FS. Law Implemented 154.011 FS. History--New 10-14-93, Amended 4-29-96, Formerly 10D-121.002, Amended 1-9-01,

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Bob Peck, Bin #A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723, Telephone (850)245-4444, Ext. 2965

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Annie Neasman, Director, Family Health Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 27, 2001

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-208.101	Employee Grooming, Uniform and Clothing Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in the Vol. 27, No. 4, January 26, 2001; Vol. 27, No. 16, April 20, 2001; and Vol. 27, No. 21, May 25, 2001, editions of the Florida Administrative Weekly have been withdrawn.

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-208.101	Employee Grooming, Uniform and Clothing Requirements

NOTICE OF CANCELLATION OF PUBLIC HEARING

Notice is hereby given that the public hearing on the above referenced proposed Rule which was scheduled for 9:00 a.m., on June 5, 2001, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida 32399, has been cancelled.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference

NOTICE OF CHANGE

Notice is hereby given that the following changes were made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 27, No. 14, April 6, 2001, issue of the Florida Administrative Weekly:

THE FULL TEXT OF THE RULE ADOPTED BY THE SOUTH FLORIDA WATER DISTRICT'S GOVERNING BOARD ON MAY 10, 2001, IS:

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) through (j) No change.

(k) Delegation Agreement among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County, effective [insert date].

CHANGES MADE TO ADDRESS COMMENTS RECEIVED BY THE JOINT ADMINISTRATIVE PROCEDURES COMMITTEE ARE TO THE DELEGATION AGREEMENT AMONG THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND BROWARD COUNTY, INCORPORATED BY REFERENCE IN ADOPTED SUBSECTION (k) OF RULE 40E-4.091, FLA. ADMIN. CODE, AS FOLLOWS:

CHANGE NO. 1:

Section 10, paragraph C(4), is amended to read as follows:

(4) Processing and issuance or denial of requests for project specific variances under Section 373.414(17) sections 120.542 or 403.201 of the Florida Statutes for mixing zones, turbidity, and dissolved oxygen associated with ERP, WRM, or SWM permits for which authority is delegated to DPEP. The DPEP shall publish, or shall require a petitioner for a variance to publish notice, in the Florida Administrative Weekly and in a newspaper of general circulation in the area affected, of proposed agency action; and the DPEP shall afford interested persons an opportunity for a hearing on each application for a variance. If no request for hearing is filed with the DPEP within 14 days of published notice, the DPEP may proceed to final agency action without a hearing;

CHANGE NO. 2:

Section 14, paragraph C, is amended to read as follows:

C. The incorrect agency has begun processing an application or petition and transfer of the application or petition would be inefficient, and the activity is one that otherwise could be delegated under Section 373.441 of the Florida Statutes and Rule 62-344 of the Florida Administrative Code; or

TO OBTAIN A COPY OF THE DELEGATION AGREEMENT, AS AMENDED, CONTACT: Penelope Bell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, telephone 1(800)432-2045, Extension 6320, Suncom 229-6320 or (561)682-6320 or via email at pbell@sfwmd.gov

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Managed Care and Health Quality

RULE NO.: 59A-4.1075 RULE TITLE: Medical Directors

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 49, December 8, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 97-69R

RULE CHAPTER NO.: 62-113 RULE CHAPTER TITLE: Delegations

RULE NO.: 62-113.100 RULE TITLE: Purpose

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in Vol. 27, No. 14, April 6, 2001, issue of the Florida Administrative Weekly, in accordance with subparagraph 120.54(3)(d)1., F.S. The rule incorporates by reference a "Delegation Agreement among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County," which will implement a partial delegation of the Environmental Resource Permit program from the Department to Broward County. As a result of comments expressed in an April 25, 2001, letter from the Joint Administrative Procedures Committee, the Department proposes to amend two sections of the Delegation Agreement as follows:

Section 10, paragraph C(4), is amended to read as follows:

(4) Processing and issuance or denial of requests for project specific variances under Section 373.414(17) sections 120.542 or 403.201 of the Florida Statutes for mixing zones, turbidity, and dissolved oxygen associated with ERP, WRM, or SWM permits for which authority is delegated to DPEP. The DPEP shall publish, or shall require a petitioner for a variance to publish notice, in the Florida Administrative Weekly and in a newspaper of general circulation in the area affected, of proposed agency action; and the DPEP shall afford interested persons an opportunity for a hearing on each application for a variance. If no request for hearing is filed with the DPEP within 14 days of published notice, the DPEP may proceed to final agency action without a hearing;

Section 14, paragraph C, is amended to read as follows:

C. The incorrect agency has begun processing an application or petition and transfer of the application or petition would be inefficient, and the activity is one that otherwise could be delegated under Section 373.441 of the Florida Statutes and Rule 62-344 of the Florida Administrative Code; or

In addition to the above, the Notice of Rulemaking erroneously referred to the title of the Agreement as an "Operating Agreement." The correct title of the Agreement is "Delegation Agreement." Therefore the following change also is proposed to the rule as published:

62-113.100 Purpose.

- (1) No change.
- (2) Delegations to political subdivisions.
- (a) through (o) No change.

(p) #01-1: Delegation Operating Agreement Between the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County Regarding Implementation of Environmental Resource Permitting, Compliance, and Enforcement, under part IV, chapter 373, F.S., [insert date of execution].

- (3) No change.

The full text of the Delegation Agreement can be found at: <http://www8.myflorida.com/environment/law/waterprograms/wetlands/erp/draft/97-69r-ag.doc> There you will find both a “coded” version (showing the proposed changes in a struck-through and underlined format) and a “clean” version with the changes adopted.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Douglas Fry, Environmental Administrator, Florida Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, Florida 32399-2400, phone (850)921-9890, e-mail: Doug.Fry@dep.state.fl.us.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Retailer Double Bonus Commission Incentive RULE NO.: 53ER01-39
 SUMMARY OF THE RULE: A Retailer Double Bonus Commission Incentive will be conducted May 28, 2001, through June 24, 2001. During the Incentive period, eligible retailers shall receive, in addition to their regular 5% sales commission, a 5% bonus commission for each eligible dollar in sales (excluding FLORIDA LOTTO™ sales) that exceeds their established sales goal.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-39 Retailer Double Bonus Commission Incentive.

(1) Beginning May 28, 2001, through June 24, 2001, the Florida Lottery shall conduct a Retailer Double Bonus Commission Incentive (“Incentive”) for all eligible on-line and instant-only Florida Lottery retailers. During the Incentive period, eligible retailers shall receive, in addition to their

regular 5% sales commission, a 5% bonus commission for each eligible dollar in sales (excluding FLORIDA LOTTO™ sales) that exceeds their established sales goal.

(2) For purposes of this Incentive:

(a) Instant ticket sales are defined as instant ticket book settlements that are recorded by the Lottery’s gaming system.

(b) On-line sales are defined as all on-line game sales, excluding FLORIDA LOTTO, sold through the Lottery’s gaming system.

(c) The base period is defined as April 2, 2001, through April 29, 2001.

(d) The Incentive period is defined as May 28, 2001, through June 24, 2001.

(e) Retailer Eligibility. All retailers that became active on or before April 2, 2001, and remain active up to and throughout the Incentive period shall be eligible for a bonus commission and shall be included in the Incentive. Retailers whose locations experience a change of ownership, as defined in Rule 53ER00-21, Florida Administrative Code, during the Incentive period shall not be included in the Incentive.

(f) Sales Eligible for a Bonus Commission.

1. For an instant-only retailer that became active on or before April 2, 2001, (regardless of whether it became an on-line retailer after April 2, 2001) only the instant ticket sales that exceed its established sales goal during the Incentive period shall be eligible for, and included in, bonus commission calculations.

2. For an on-line retailer that became active on or before April 2, 2001, (regardless of whether it became an instant-only retailer after April 2, 2001) both instant and on-line sales, as applicable, excluding FLORIDA LOTTO, that exceed its established sales goal during the Incentive period shall be eligible for, and included in, bonus commission calculations.

(3) Double Bonus Commission. An eligible retailer will receive its regular 5% sales commission plus an additional 5% bonus commission, for a total sales commission of 10%, for each eligible dollar of lottery games sales, excluding FLORIDA LOTTO, that exceeds the retailer’s established sales goal described in subsection (4) below. Any settlement adjustments made during the Incentive period shall be included in final sales calculations.

(4) Retailer Sales Goals.

(a) Instant-only Retailer Sales Goals. The sales goal for a retailer that was an active instant-only retailer on or before April 2, 2001, will be an amount equal to the retailer’s instant ticket sales during the base period.

(b) On-line Retailer Sales Goals. The sales goal for a retailer that was an active on-line retailer on or before April 2, 2001, will be an amount equal to the retailer’s total instant and on-line sales, excluding FLORIDA LOTTO sales, during the base period.

(5) Payment of Bonus Commissions.

(a) Bonus commissions will appear as an adjustment on the retailer's Weekly Settlement Report within forty-five days after the end of the Incentive period. In the event an adjustment cannot be made due to termination of a retailer's contract, the bonus commission will be paid by check.

(b) Bonus commissions will be considered compensation to the retailer for Internal Revenue Service purposes. The Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Lottery and to award the remaining balance of the bonus commission, if any.

(c) Bonus commissions shall be subject to recoupment by the Lottery through an account adjustment for books of instant tickets that are settled and included in sales Incentive calculations and subsequently unsettled by the retailer after receiving payment of a bonus commission.

(d) Retailers whose Florida Lottery contracts are terminated or inactivated subsequent to the Incentive period but prior to the bonus commission award, shall be paid the bonus commission earned, provided the said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

(e) All retailer bonus commissions are subject to the availability of funds appropriated for retailer incentives. The amount of funds available for the Retailer Double Bonus Commission Incentive is \$2,000,000. In the event total bonus commissions earned exceed \$2,000,000 during the Incentive period, eligible retailers will be paid their bonus commissions earned on a pro-rata basis up to the \$2,000,000 available for this Incentive.

Specific Authority 24.105(10)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(10)(i), 24.112(1) FS. History—New 5-18-01.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 18, 2001

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for waiver received from Daryl Shone, on May 3, 2001. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 27, No. 16, dated April 20, 2001. No public comment was received. The petition requested a waiver of Rule 11B-27.002(3), F.A.C., pursuant to Section 120.542, F.S. Rule 11B-27.002(3), F.A.C., requires an officer

to become certified within four years of completing a basic recruit course. On May 3, 2001, the Criminal Justice Standards and Training Commission granted a variance or waiver to Daryl Shone in a final order, OGC File No.: VAR 01-2.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for waiver received from Stacie M. Preece, on May 3, 2001. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 27, No. 8, dated February 23, 2001. No public comment was received. The petition requested a waiver of Rule 11B-27.002(3), F.A.C., pursuant to Section 120.542, F.S. Rule 11B-27.002(3), F.A.C., requires an officer to become certified within four years of completing a basic recruit course. On May 3, 2001, the Criminal Justice Standards and Training Commission granted a variance or waiver to Stacie M. Preece in a final order, OGC File No.: VAR 01-1.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for waiver received from Bobby G. Paul, on May 3, 2001. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 27, No. 15, dated April 13, 2001. No public comment was received. The petition requested a waiver of Rule 11B-30.006(1)(a), F.A.C., pursuant to Section 120.542, F.S. Rule 11B-30.006(1)(a), F.A.C., requires an officer candidate to complete all basic recruit training prior to sitting for the state officer certification examination. On May 3, 2001, the Criminal Justice Standards and Training Commission granted a variance or waiver to Bobby G. Paul in a final order, OGC File No.: VAR 01-3.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7687.

WATER MANAGEMENT DISTRICTS

The Suwannee River Water Management District (District) announces its intent to deny a variance from the provisions of Rule 40B-4.3030(4)(a), Florida Administrative Code (F.A.C.), Barbara G. Wray, c/o Michael W. Woodward, Esq., 501 Atlantic Avenue, Interlachen, Florida 32148, to allow an already constructed deck along the Suwannee River to remain. This variance is sought by the applicant under Rule 40B-4.3030(4)(d), F.A.C. The District intends to deny said request for variance as the project is a violation of Rule

40B-4.3030(4)(a) and (e), F.A.C. Notice of petition for variance was published in the Florida Administrative Weekly on May 18, 2001.

A person whose substantial interests are or may be determined by the District's proposed decision has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District, or may choose to pursue mediation as an alternative remedy under Sections 120.569 and 120.573, Florida Statutes (F.S.), before the deadline for filing a petition. Choosing mediation will not adversely affect the rights to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57, F.S., and Rules 28-106.111 and 28-106.401-.405, F.A.C. Pursuant to Chapter 28-106, F.A.C., the petition must be filed at the office of the District Clerk at District Headquarters, 9225 County Road 49, Live Oak, Florida 32060, within 26 days of the District depositing notice of District decision in the mail (for those persons whom the District mails actual notice) or within 21 days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition for an administrative hearing is deemed filed upon delivery of the petition to the District Clerk at District headquarters in Live Oak, Florida. A petition must comply with Chapter 28-106, F.A.C. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, F.S., and Chapter 28-106, F.A.C.

If the Governing Board takes action which substantially differs from the notice of District decision, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Chapter 28-106, F.A.C., the petition must be filed at the office of the District Clerk at the address described above within 26 days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), or within 21 days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice.)

Pursuant to Section 120.68, F.S., a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, F.S., may seek review of the order pursuant to Section 373.114, F.S., by the Florida Land and Water Adjudicatory Commission, by filing a request for review with

the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of the rendering of District order.

Failure to observe the relevant time frames for filing a petition for judicial review or for Commission review as described above will result in waiver of that right to review.

The Petition for Variance and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060.

Requests for copies or inspection of these files should be made to Wynn McDonald, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, or telephone (386)362-1001 or 1(800)226-1066.

NOTICE IS HEREBY GIVEN THAT the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Variance under Section 120.542, Fla. Stat. (Order), dated May 9, 2001 to the School Board of Osceola County (School Board), located at 809 Bill Beck Blvd. Kissimmee, FL 34744 for a project known as Celebration High School in Osceola County. The Petition for variance was received by the SFWMD on March 23, 2001. Notice of receipt of the Petition requesting the variance was published in the Florida Administrative Weekly, Vol. 27, No. 14, on April 6, 2001. This Order provides a variance pertaining to the SFWMD rule requiring preservation of site groundwater recharge characteristics. Specifically, the Order grants a variance from Section 6.10(e) Basis of Review for Environmental Resource Permit Applicants- August 2001, incorporated by reference into Rule 40E-4.091(1)(a), Fla. Admin. Code. Generally, the Order sets forth the basis of the Governing Board decision to grant the variance, as follows: 1) the Governing Board found that the Petitioner provided reasonable assurances that the underlying purposes of the statute will be achieved by other means; and 2) the Order granting a variance from the subject rule is necessary to prevent the School Board from suffering substantial hardship as set forth in Section 120.542, Fla. Stat.

A copy of the Order can be obtained from: Penelope Bell, South Florida Water Management District, Office of Counsel, MSC 1410, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone number (561)682-6320 on Monday through Friday, during the hours of 8:00 a.m. to 5:00 p.m.; or by e-mail at pbell@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on May 14, 2001, the South Florida Water Management District (SFWMD) received a Petition for Waiver (Application 010514-2) from the Cocohatchee Nature Center for a project known as the Cocohatchee Nature Center, located in Collier County. The

petition seeks relief from Rule 40E-1.607, F.A.C., as allowed by Section 120.542, F.S., pertaining to the payment of the permit application processing fee for Application 991229-9 which is currently under review for an Environmental Resource Standard General Permit.

A copy of the petition may be obtained from Beth Colavecchio, (561)682-6905 or e-mail at bcolavec@sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk.

For additional information, contact Keith Rizzardi at the above address, or telephone (561)682-6423, or e-mail krizzar@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on May 9, 2001, the South Florida Water Management District (SFWMD) received a petition for waiver Michael B. Morsillo, for utilization of works or land of the SFWMD known as the Hillsboro Canal, Palm Beach County. The petition seeks relief from the Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent or semi-permanent encroachments within 40' of the top of the canal bank within works or lands of the District.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail at jsluth@sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-88 DAO-ROW), dated May 10, 2001 to Collier County Board of County Commissioners. The petition for waiver was received by the SFWMD on January 22, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 8, on February 23, 2001. No public comment was received. This Order provides a waiver of the application processing fees for two existing 48" RCP replacement culverts within Works of the District. Specifically, the Order grants a waiver from Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the

District within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which requires payment of Application Processing Fees. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent Collier County Board of County Commissioners from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299; or e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-89 DAO-ROW), dated May 10, 2001 to Dianne Torrijos. The petition for waiver was received by the SFWMD on February 23, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 11 on March 16, 2001. No public comment was received. This Order provides a waiver allowing existing steps to remain within the south right of way of C-24, St. Lucie County. Specifically, the Order grants a waiver from Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and semi-permanent encroachments within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent Dianne Torrijos from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299; or e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-90 DAO-ROW), dated May 10, 2001 to CMD Realty Investors, L.P. The petition for waiver was received by the SFWMD on March 2, 2001. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 12 on March 23, 2001.

No public comment was received. This Order provides a waiver for the installation of brick pavers and gravel walkway and proposed landscaping consisting of native trees and shrubs within the south right of way of the Hillsboro Canal, Broward County, beginning immediately east of I-95 and continuing easterly approximately 80 feet. Specifically, the Order grants a waiver from Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the placement of semi-permanent/permanent above-ground encroachments within 40 feet of the top of bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent CMD Realty Investors, L.P. from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone number (561)682-6299; or by e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2001-91 DAO-ROW), dated May 10, 2001 to Michael Azzizzi. The petition for waiver was received by the SFWMD on March 15, 2001. Notice of receipt of the Petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 14 on April 6, 2001. No public comment was received. This Order provides a waiver for an existing parallel fence at the top of bank, a portion of a raised stairway/platform, a gravel walkway and dock with stairs to remain within the north right of way of C-17, Palm Beach County. Specifically, the Order grants a waiver from Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and semi-permanent encroachments within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent Michael Azzizzi from suffering a substantial hardship and a violation of the principles of fairness.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, Telephone (561)682-6299, or e-mail jsluth@sfwmd.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to issue a variance (File No. VE-58-733) to the U.S. Army Corps of Engineers, from Rule 62-4.242(2)(a)2.b., Florida Administrative Code (F.A.C.) to allow a temporary elevation of turbidity, not to exceed 29 nephelometric turbidity units (NTUs) above background conditions, within the Sarasota Bay Estuarine System (Outstanding Florida Waters), measured at the edge of a 150 meter mixing zone or the edge of the nearest seagrass bed, whichever is closer. The variance is associated with the maintenance dredging of the New Pass Inlet Federal Navigation Channel (File No. 0039755-001-JC). The activity is located in the Gulf of Mexico at the entrance to New Pass and in Sarasota Bay, Sections 27 and 28, Township 36 South, Range 17 East, partially within Sarasota Bay Estuarine System (Outstanding Florida Waters), Class II Waters, prohibited for shellfish harvesting.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, 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 permit or even a denial of the application. Under Rule 62-110.106(4), 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, F.A.C.

In accordance with Rules 28-106.111(2) and 62-110.106(3)(a),(4), F.A.C., 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), F.S., 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), F.S., 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, F.S.

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; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and (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, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., 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 intent to issue constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., 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. The applicant, or any party within the meaning of Section 373.114(1)(a), F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1), F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the final order is filed with the Clerk of the Department.

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 DEP, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201. The "CONSOLIDATED NOTICE OF INTENT TO ISSUE JOINT COASTAL PERMIT AND AUTHORIZATION TO USE SOVEREIGN SUBMERGED LANDS" and the "DRAFT CONSOLIDATED JOINT COASTAL PERMIT AND INTENT TO GRANT SOVEREIGN SUBMERGED LANDS AUTHORIZATION" can be viewed at the Department's Internet Web site at: <http://www.dep.state.fl.us/beach/pendapps.htm>

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on May 7, 2001, a petition from Baker Service Station seeking a variance, pursuant to Section 120.542, F.S., from the requirement for closing out-of-service storage tank systems under Rule 62-761.800(2)(b)2., F.A.C. The petition has been assigned OGC case number 01-0775.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Rebecca Grace. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on May 9, 2001, a petition from Environmental Engineering Consultants, Inc., seeking a variance under Section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under Rule 62-522.300(3), Florida Administrative Code, for the use of

hydrogen peroxide and an iron catalyst to clean up sites that are contaminated with petroleum compounds, chlorinated solvents, or other hydrogen-based contaminants. The petition has been assigned OGC File No.: 01-0788.

Copies may be received from, and written comments submitted to, Department of Environmental Protection, Underground Injection Control Section, Mail Station 3530, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400; Attn: Cathy McCarty. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on May 9, 2001, a petition from Environmental Engineering Consultants, Inc., seeking a variance under Section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under Rule 62-522.300(3), Florida Administrative Code, for the use of calcium peroxide to clean up sites that are contaminated with gasoline, diesel fuel, and other chemicals containing primarily aromatic hydrocarbons. The petition has been assigned OGC File No.: 01-0790.

Copies may be received from, and written comments submitted to, Department of Environmental Protection, Underground Injection Control Section, Mail Station 3530, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400; Attn: Cathy McCarty. Comments must be received no later than 14 days from the date of publication of this notice.

The Department of Environmental Protection gives Notice of Agency Action to grant Solutia Inc.'s petition requesting a variance for its discharges to the Escambia River from the copper requirement as specified by Rules 62-302.530(24) and the pH requirements of 62-302.530(52), of the Florida Administrative Code (F.A.C.). The facility is located in Escambia County. The petition was made under Section 403.201(1)(a), Florida Statutes (F.S.) in partial fulfillment of the Interim Settlement Agreement and Covenant Not to Sue executed on April 25, 2000 of the challenge to the Department's Intent to Issue Permit by the Pensacola Gulf Coast Keepers, Inc. and four individuals (Petitioners).

The Department's file on this matter, OGC # 01-0528, 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, Wastewater Compliance Evaluation Section, 2600 Blair Stone Road, Room 202, Tallahassee, Florida.

The variance shall become effective upon issuance unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57 of the Florida Statutes before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's granting of the variance 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.

Petitions by the applicant or any of the parties listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the notice or within fourteen 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 fourteen 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 following address: Solutia Inc., P. O. Box 97, 3000 Old Chemstrand Road, Gonzalez, FL 32533 Attention: Mr. Joseph C. Ochsner, Plant Manager. The failure to file a petition 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. Any subsequent intervention (in a proceeding initiated by another party) 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.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the Department's case identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department's action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action the petitioner wants the Department to take.

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 of the Florida Administrative Code.

Because the administrative hearing process is designed to formulate agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573 of the Florida Statutes is not available for this proceeding.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice issued an Order Granting Variance From Rule filed on February 21, 2001, in response to a request for relief from Barbara Scharfschwerdt-Bodnar. The request, filed in mid-December 2000, was treated as a petition for emergency variance, but notice was not published in the Florida Administrative Weekly. Petitioner requested the variance from Florida Administrative Code Rule 64B17-9.001, in order to receive permission to take an additional six months in which to complete her continuing education requirements. Otherwise, the rule required completion of the continuing education credits within the 1999-01 biennium. Petitioner demonstrated a substantial hardship due to personal illness because she has cancer and has undergone multiple corrective surgeries. Therefore, the Board determined that the underlying purposes of the statute were still achieved with the granting of a six-month extension.

For a copy of the order, contact: Kaye Howerton, Board Executive Directory, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice issued an Order Granting Variance From Rule filed on February 26, 2001, in response to a request for relief from Lori M. Richardson. The letter from Petitioner, filed on December 21, 2000, was treated as a petition for emergency variance, but notice was not published in the Florida Administrative Weekly. Petitioner requested the variance from Florida Administrative Code Rule 64B17-9.001, in order to be granted permission to take additional time to complete her continuing education requirements. Otherwise, the rule required completion of the continuing education credits within the 1999-01 biennium. Petitioner demonstrated a substantial hardship due to personal illness because she sustained serious injury when she was struck by a car including

multiple fractures and head injury. Therefore, the Board determined that the underlying purposes of the statute were still achieved with the granting of a six-month extension.

For a copy of the order, contact: Kaye Howerton, Board Executive Directory, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has received a petition, filed on March 14, 2001, by Joann B. Gates, Ph.D, seeking a variance of Rule 64B19-11.003(5), with respect to the required seven years to be completed for her Ph.D. course of study. Written comments on this petition should be filed with Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kay Howerton, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on March 14, 2001, Florida Housing Finance Corporation ("Florida Housing") received a Petition for Variance from Form 7, Development Feasibility and Ability to Proceed, 2000 Combined Rental Cycle, from Pinnacle Housing Group, Inc. ("Petition"). Florida Housing received a withdrawal of the Petition on April 9, 2001. Based on the withdrawal of the Petition, Florida Housing entered an Order Closing File on May 10, 2001 accepting the withdrawal. Requests for copies or inspections of the withdrawal or the Order Closing File should be made to: Deanne Coughlin, Public Records Clerk, at the above address, telephone (850)488-4198, or electronic mail to Deanne.Coughlin@floridahousing.org.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Board of Directors, **Central West Florida Preservation, Inc.** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 14, 2001, 2:00 p.m.

PLACE: Ybor City Museum Society, 2009 N. 18th St., Tampa, FL 33605

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Tampa Regional Office, 1802 East 9th Avenue, Tampa, Florida 33605.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request special assistance.

The **Department of State, Division of Library and Information Services**, State Library Council announces public meetings to which all persons are invited:

DATES AND TIMES: Monday, June 11, 2001, 1:00 p.m. – 5:00 p.m.; Tuesday, June 12, 2001, 9:00 a.m. – 2:00 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, First Floor, Board Room, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: As authorized by Section 257.02, F.S., and Section 257.031, F.S., the State Library Council advises and assists the Division of Library and Information Services, Department of State, which administers the State Library, on its programs and activities.

A copy of the agenda may be obtained by contacting: Director, Division of Library and Information Services, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)487-2651 or Suncom 277-2651.

Pursuant to Chapter 286.26, F.S., any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of State, Division of Library and Information Services** announces a public review of the Library Services and Technology Act applications to which all persons are invited:

DATE AND TIME: Friday, June 22, 2001, 9:00 a.m. – 5:00 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, First Floor, Board Room, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review federal fiscal year 2001 grant applications for federal Library Services and Technology Act funds.

A copy of the agenda may be obtained by contacting: Barratt Wilkins, State Librarian, (850)487-2651 or Suncom 277-2651.

Any person deciding to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and that for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)487-2651 or TDD (850)922-4085.

NOTICE OF CORRECTION – The **Department of State, Division of Cultural Affairs** announces the correct address for a public meeting to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Friday, June 8, 2001, 9:30 a.m.

PLACE: 5th District Court of Appeals, Judges' Conference Room, 300 South Beach Street, Daytona Beach, FL 32114, (904)947-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review meeting to select artwork for Art-in-State-Buildings Project No. JB 9003/7000, 5th District Court of Appeals Addition, Daytona Beach, Volusia County, Florida.

A copy of the agenda may be obtained by contacting: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext. 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kirby Mole, (850)487-2980, Ext. 133. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

The **Department of State, Division of Cultural Affairs** announces a public meeting to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Tuesday, June 12, 2001, 9:00 a.m.

PLACE: Palm Beach County Health Department, Administration Building, 2nd Floor, Conference Room of Dr. Jean Malecki, Room 219, 826 Evernia Street, West Palm Beach, FL 33401, (561)355-3105

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review meeting to select artwork for Art-in-State-Buildings Project No. DOH 9706/1000, Palm Beach County Health Department, West Palm Beach, Florida

A copy of the agenda may be obtained by contacting: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext. 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

The Private Investigation, **Recovery and Security Advisory Council** announces a public meeting to which all persons are invited:

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

PLACE: Diamond Head Beach Resort, 2000 Estero Boulevard, Ft. Myers Beach, Florida, (941)765-7654

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Department of State, Division of Licensing, Attention: April Howard, Post Office Box 6687, Tallahassee, Florida 32314-6687.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to attend the meeting should contact the Director, Division of Licensing, not later than 48 hours prior to the meeting at the address given on the notice, telephone (850)488-6982.

DEPARTMENT OF INSURANCE

The Florida **Department of Insurance**, Blue Ribbon Panel on Bail Bond Reform announces a public meeting to which all persons are invited:

DATE AND TIME: June 15, 2001, 10:00 a.m.

PLACE: The Knott Building, Room 116, 111 West Saint Augustine Road, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regulatory issues related to Chapter 648, Florida Statutes, with the intent to make recommended legislative changes to the laws regarding bail bonds.

A copy of the agenda may be obtained by contacting: Sally Burt, Bail Bond Coordinator, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0320, (850)413-5660 or e-mail at burts@DOI.State.FL.US.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate at these meetings should contact Sally Burt, (850)413-5660, at least five (5) days prior to the meeting.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services**, Seed Investigation and Conciliation Council announces a public meeting to which all persons are invited:

DATE AND TIME: June 21, 2001, 1:30 p.m.

PLACE: Division of Plant Industry, Conner Building, 1911 Southwest 34th Street, Gainesville, Florida 32614, (352)372-3505

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seed Complaint Hearing Meeting.

A copy of the agenda may be obtained by contacting: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The **Department of Agriculture and Consumer Services**, Phase II Tobacco Certification Board announces a public meeting to which all persons are invited:

DATE AND TIME: June 19, 2001, 11:00 a.m.

PLACE: Room 209, Senate Office Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Phase II, Tobacco Certification Board will meet to make plans for the 2001 payment to Florida Tobacco Growers and Quota Holders.

If special accommodations are needed to attend this meeting because of a disability, please contact: Pleas Strickland, (850)488-5831.

The Florida **Department of Agriculture and Consumer Services**, **Division of Agricultural Water Policy** announces a public workshop to which all persons are invited:

DATE AND TIME: June 18, 2001, 9:00 a.m. – 12:00 Noon

PLACE: Indian River Research and Education Center, Institute of Food and Agricultural Sciences, 2199 South Rock Road, Ft. Pierce, FL 34945-3138, (561)468-3922

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to review a draft rule that adopts the Water Quality/Quantity BMPs for Indian River Area Citrus, establishes record keeping requirements and the procedures for landowners and leaseholders to submit a notice of intent to comply with Best Management Practices (BMPs) and interim measures.

A copy of the agenda may be obtained by contacting: Mr. Mark Jennings, Environmental Specialist III, Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Tallahassee, Florida 32301, (850)414-0056, Email: jenninm@doacs.state.fl.us

DEPARTMENT OF EDUCATION

The Florida **Department of Education**, Charter School Review Panel announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, June 8, 2001, 9:00 a.m. – 3:00 p.m. (Eastern Time)

PLACE: Broward County Northwest Regional Library, 3151 University Drive (corner of Sample Road and University Drive), Coral Springs, FL 33065, (954)341-3900

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Charter School Review Panel will examine a proposed charter school best practices manual, discuss recent actions by the Florida Legislature and review Florida's method of funding charter school capital needs. The meeting's agenda will be available approximately seven days prior to the meeting.

A copy of the agenda may be obtained by contacting: The Choice Office, 325 West Gaines Street, Room 522, Turlington Building, Tallahassee, Florida 32399, (850)414-0780 or Suncom 994-0780.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Karen L. Hines-Henry at the above address or telephone numbers.

The **Department of Education**, Occupational Access and Opportunity Commission RFP announces a public Review/Evaluation Workgroup to which all persons are invited:

DATE AND TIME: June 12, 2001, 9:00 a.m. – 12:00 Noon

PLACE: AmSouth Bank, Executive Board Room, 70 North Baylen, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review, discuss and approve recommendations for Invitation to Negotiate for Innovation and Expansion Projects.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, seven days before the meeting.

The Florida **Department of Education**, State Advisory Committee for the Education of Exceptional Students announces a public meeting to which all persons are invited:

DATES AND TIMES: Tuesday, June 12, 2001, 10:00 a.m. – 5:00 p.m.; Sub-committee meetings will be held as needed, Tuesday, June 12, 2001, 5:30 p.m. – 7:00 p.m.; Wednesday, June 13, 2001, 8:15 a.m. – 3:00 p.m.

PLACE: Radisson Hotel, 415 N. Monroe St., Tallahassee, Florida, (850)224-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Exceptional student education update and scheduled meeting of the State Advisory Committee, which is required under the Individuals with Disabilities Education Act (20 U.S.C. Chapter 33, as amended by Pub. L. 105-17) for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

A copy of the agenda may be obtained by contacting: State Advisory Committee, Bureau of Instructional Support and Community Services, Florida Department of Education, Room 614, Turlington Building, Tallahassee, Florida 32399-0400 or by calling the Bureau, (850)488-1570 or Suncom 278-1570.

Any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours in advance by calling the number indicated above.

The Florida **Board of Regents** announces a public telephone conference call meeting to which all persons are invited:

DATE AND TIME: June 15, 2001, 9:00 a.m.

PLACE: Florida Education Center, Conference Room, 15th Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of matters pertaining to the State University System.

A copy of the agenda may be obtained by contacting: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity, (850)201-7160 (Voice), (850)201-7164 (TDD), at least 7 days in advance, so that their needs can be accommodated.

The **Florida Art-In-State-Buildings Program** (FAMU) announces a public meeting to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Monday, June 11, 2001, 10:00 a.m.

PLACE: Florida A & M University, New Beginnings Child Care Center, Conference Room, Tallahassee, Florida 32307, (850)599-3267

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Orientation/Slide Review meeting to determine potential sales and media for artwork, establish project schedules and set the next meeting dates.

A copy of the agenda may be obtained by contacting: Kenneth Falana, User Agency Representative, Art-In-State-Buildings Program, Florida A & M University, Tallahassee, Florida 32307, (850)561-2842.

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. The Art-In-State-Buildings Program will not tape this meeting.

Pursuant to the provisions of the Americans with Disabilities, 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 Kenneth Falana, (850)561-2842. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

The **Duval County Research and Development Authority** announces a public business meeting to which all persons are invited:

DATE AND TIME: June 11, 2001, 12:00 Noon

PLACE: University of North Florida, University Center, Board of Regents Room, Gainesville, FL

PURPOSE: Regular Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Robert F. Fagin, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

The **Florida Rehabilitation Council** announces a public meeting to which all persons are invited:

MEETING: Florida Rehabilitation Council Conference Call

DATE AND TIME: June 6, 2001, 11:00 a.m. – 1:00 p.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696

GENERAL SUBJECT MATTER TO BE CONSIDERED: To develop FRC recommendations for the State Plan.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, Building A, 2002 Old St. Augustine Road, Tallahassee, FL 32399-0696, (850)488-6210.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Shawnee T. Sumpter at the Council address.

A copy of the agenda may be obtained by contacting: Vicki Welch, Extension 150 or her Assistant, Shawnee Sumpter, Extension 128.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advise that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Interagency Advisory Committee** for the School Emergency Plans Project announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 20, 2001, 8:30 a.m. – 2:00 p.m.

PLACE: Florida Department of Education, Room 1706, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Interagency Advisory Committee for the School Emergency Plans Project.

The Interagency Advisory Committee welcomes participation from any interested members of the public.

A copy of the agenda may be obtained by contacting: any person who desires a copy of the proceedings should arrange to tape the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise Felicia Elliott, Office of Safe Schools, Emergency Management Program, (850)414-7777, at least five calendar days before the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs**, Affordable Housing Study Commission announces a public meeting to which all persons are invited:

DATES AND TIMES: June 13, 2001, 1:00 p.m. – 5:30 p.m.; June 14, 2001, 8:30 a.m. – 1:00 p.m. (Times are subject to change)

PLACE: Hilton Garden Inn, 7300 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission is charged with developing recommendations to the Governor and Legislature to address the state's acute need for housing for very low, low, and moderate-income households. At this meeting the Commission will continue

work on a strategic plan for the state to ensure that decent, affordable housing is available for all residents by the year 2010.

A copy of the agenda may be obtained by contacting: Roshunda Rumph, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1609.

Any person requiring special accommodation due to disability or physical impairment should contact Roshunda Rumph, (850)922-1609, at least five calendar days prior to the meeting. People who are hearing impaired should contact Ms. Rumph using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Building Commission** announces a public meeting to which all persons are invited:

MEETING: Special Occupancy Technical Advisory Committee

DATE AND TIME: June 18, 2001, 9:00 a.m.

PLACE: Florida Department of Community Affairs, Kelly Training Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)487-1824

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider rules and regulations within Chapters 4, 30, 31 and 34 of the Florida Building Code relevant to building construction standards.

A copy of the agenda may be obtained by contacting: Bruce Ketcham, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or from the website at www.dca.state.fl.us/fhcd/fbc/.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they 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.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Betty Stevens, Department of Community Affairs (850)487-1824, at least five days before the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

NOTICE OF CHANGE – The Florida **Department of Law Enforcement** announces public meetings to which all persons are invited. This is a “revised” announcement.

DATES AND TIMES: Monday, June 11, 2001, 1:00 p.m. – 5:00 p.m., Rules Workshop to address the Violent Crime and Drug Control Council; Tuesday, June 12, 2001, 8:30 a.m. – 4:00 p.m., Regular Meeting

PLACE: The Embassy Suites Hotel, Orlando Downtown, San Juan Rooms 2 and 3, 191 East Pine Street, Orlando, Florida 32801, (407)841-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime Council and any other interested individuals will meet to hear presentations and discuss issues relating to violent crime.

A copy of the agenda may be obtained by contacting: Senior Management Analyst, Joyce Gainous-Harris, Florida Department of Law Enforcement, Division of Criminal Justice Professionalism Services, Post Office Box 1489, Tallahassee, Florida 32302 or by telephoning (850)410-8620.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 5 announces public hearings to which all persons are invited:

DATE AND TIMES: June 26, 2001, 4:30 p.m. – 6:30 p.m., Open House; 6:30 p.m., Public Hearing

PLACE: Holiday Inn-Altamonte, 230 W. SR 436, Altamonte Springs, FL

DATE AND TIMES: June 27, 2001, 4:30 p.m. – 6:30 p.m., Open House; 6:30 p.m., Public Hearing

PLACE: Orlando Expo Center, 500 W. Livingston Street, Orlando, FL

DATE AND TIMES: June 28, 2001, 4:30 p.m. – 6:30 p.m.; Open House; 6:30 p.m., Public Hearing

PLACE: Enterprise Elem. School, 211 Main Street, Enterprise, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: These hearings are being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects, of Project FIN Numbers 242486-1, 242592-1 and 242703-1, Federal Aid Number NH-4-2(186)79, otherwise known as Interstate 4. The limits of the project corridor are from Bee Line Expressway (SR 528) in Orange County, Florida to SR 472, in Volusia County, Florida.

A copy of the agenda may be obtained by contacting: Mr. Harold Webb, Project Manager, I-4 Public Involvement Office, 385 Center Pointe Circle, Suite 1303, Altamonte Springs, Florida 32701.

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given above or call toll free, 1(888)797-1616. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

DEPARTMENT OF CITRUS

The **Department of Citrus**, Citrus Abscission Registration Committee announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 14, 2001, 8:30 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update on abscission chemical registration planning, update on new abscission chemicals being used and other business that might come before the council for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

The **Department of Citrus**, Citrus Harvesting Research Advisory Council announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 14, 2001, 10:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on the 2000/2001 budget, discussion on mechanical pickup systems, action to be taken on 2000/2001 harvesting projects, update on abscission chemical registration planning, update on new abscission chemicals being used and other business that might come before the council for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, Building C, 2601 Blairstone Road, Tallahassee, Florida 32399-2450.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a public hearing to which all persons are invited:

Docket No. 991376-TL – Initiation of show cause proceedings against GTE Florida Incorporated for apparent violation of service standards.

DATE AND TIME: June 21, 2001, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the initiation of show cause proceedings against GTE Florida Incorporated for apparent violation of service standards, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on May 30, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a public hearing to which all persons are invited:

Docket No. 001810-TP – Request for arbitration concerning complaint of TCG South Florida and Teleport Communications Group against BellSouth Telecommunications, Inc. for breach of terms of interconnection agreement.

DATE AND TIME: June 22, 2001, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the request for arbitration concerning complaint of TCG South Florida and Teleport Communications Group against BellSouth Telecommunications, Inc. for breach of terms of interconnection agreement, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on May 30, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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

REGIONAL PLANNING COUNCILS

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: June 14, 2001, 9:30 a.m.
PLACE: Southwest Florida Regional Planning Council, Conference Room, 4th Floor, 4980 Bayline Drive, North Fort Myers, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Subcommittee Meeting of the Southwest Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Southwest Florida Regional Planning Council, P. O. Box 3455, North Fort Myers, Florida 33918-3455.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: June 21, 2001, 9:30 a.m.
PLACE: Southwest Florida Regional Planning Council, Conference Room, 4th Floor, 4980 Bayline Drive, North Fort Myers, FL 33917
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

All Council Subcommittee meetings will immediately follow the Council meeting.

A copy of the agenda may be obtained by contacting: Mr. Wayne E. Daltry, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he 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 based.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. Wayne Daltry, (941)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Daltry using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 2:00 p.m. – 4:00 p.m.

PLACE: Lauderhill City Hall, Multipurpose Room, 2000 City Hall Drive, Lauderhill, Florida 33313

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the organizational structure and future activities of the State Road 7/U.S. 441 Aesthetic and Economic Redevelopment Committee.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Treasure Coast Regional Planning Council**, Council’s Comprehensive Economic Development Strategy Committee announces a public meeting to which all persons are invited:

DATE AND TIME: June 14, 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 Comprehensive Economic Development Strategy 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 or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: June 15, 2001, 9:30 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: June 15, 2001, immediately following the Council meeting

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Treasure Coast Planning Council Energy 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 or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces public meetings to which all persons are invited:

DATE AND TIME: June 12, 2001, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business and conduct public hearings on regulatory and land acquisition matters. Public hearing regarding approval and execution of an agreement granting the U. S. Forest Service an Option to Purchase 2000 Acres +/- of the Sandlin Bay tract in Columbia County.

Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Montechoa Creek Conservation Easement, 938 acres in Alachua County, Florida, with funds from the Water Management Lands Trust Fund; also the proposed acquisition of the Butler Walker Aucilla River Tract, 127 acres in Jefferson County, Florida, with funds from the Water Management Lands Trust Fund; also the proposed acquisition of the Allen Mill Pond Addition, 232 acres in Lafayette County, Florida, with funds from the Water Management Lands Trust Fund; also the proposed acquisition of the Otter Sink Conservation Easement, 11,609 acres in Dixie County, Florida, with funds from the Water Management Lands Trust Fund.

DATE AND TIME: June 12, 2001, following Board Meeting

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Workshop.

A copy of the agenda(s) may be obtained by contacting: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (904)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Southwest Florida Water Management District** (SWFMWD) announces public meetings to which all persons are invited:

GOVERNING BOARD WORKSHOP

DATE AND TIME: Tuesday, June 12, 2001, 8:30 a.m.

PLACE: Museum of Science and Industry, 4901 E. Fowler Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of water management issues and policies currently before the Board.

The following June Basin Board Meetings have been cancelled:

Northwest Hillsborough Basin Board scheduled for Thursday, June 7, 2001; Pinellas-Anclote River Basin Board scheduled for Wednesday, June 13, 2001; Alafia River Basin Board scheduled for Thursday, June 14, 2001; Peace River Basin Board scheduled for Friday, June 15, 2001; Manasota Basin Board scheduled for Wednesday, June 20, 2001.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces a public hearing to which all persons are invited:

DATES AND TIMES: June 26, 2001, 9:00 a.m.; and may be continued June 27, 2001, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Governing Board Room, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands eligible to be considered for funding from the Water Management Lands Trust Fund (Save Our Rivers)/Florida Preservation 2000 Trust Fund which lands are further described as follows:

Part of the Green Swamp project comprised of one parcel referred to as SWF Parcel No. 10-200-1236 consisting of approximately 343± acres. The parcel lies in Section 30, Township 24 South, Range 25 East in Lake County, Florida.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting: Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

The District does not discriminate based on disability status. Anyone requiring reasonable accommodations under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, TTD only 1(800)231-6103.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communication media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: June 20, 2001, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida. All those wishing to attend may do so at the location listed above.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget and Finance Advisory Commission meeting to discuss SFWMD budget and finance-related matters.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information or those wishing to submit written or physical evidence may contact Marcie Daniel, Budget Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 27, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Loxahatchee River and Estuary Minimum Flows and Levels Scientific Peer Review Panel Public Workshop

Tentative agenda includes: Introduction, Overview of Section 373.042, F.S., Discussion of "Significant Harm," Presentation of Loxahatchee River and Estuary MFL Criteria, Public Comments on Draft MFL Criteria and Consideration of Alternative Technical Approaches for Establishing MFLs for the Loxahatchee River and Estuary, Panel Discussion, Demonstration of Internet "MFLs Bulletin Board," Organizational Meeting for Peer Review Panel to Prepare Draft Panel Report

A copy of the agenda may be obtained by contacting: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Kathy LaMartina, (561)682-6325, klamart@sfwmd.gov.

The **South Florida Water Management District** announces a meeting to conduct the public review of the Technical Documentation to Support Development of Minimum Flow Criteria for the Loxahatchee River and Estuary to which all persons are invited to view and in which all members of the public are encouraged to participate. The review will be conducted through the use of an internet accessible website.

DATE AND TIME: Web board available June 27, 2001 – September 1, 2001, Monday through Friday, 8:00 a.m. – 5:00 p.m.

PLACE: <http://www.sfwmd.gov/org/pld/proj/mfl/mfl/> For persons without access to the Internet, access to the website is available at the offices of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This site (<http://www.sfwmd.gov/org/pld/proj/mfl/mfl/>) will be used to allow public access to communications among the chairman and members of the independent peer review panel created to conduct a review of the Technical Documentation to Support Minimum Flow Criteria for the Loxahatchee River and Estuary, pursuant to Section 373.4592(4)(d), F.S.

Beginning on June 27, 2001, through September 1, 2001, interested parties may access ongoing communications among the peer review panelists, electronically stored communications and other public records associated with the Loxahatchee River and Estuary MFLs Document that are posted to this site. The public can provide comment on any aspect of the Document, particularly on relevant scientific or technical data and findings. Communications and documentation posted are preserved and can be accessed at anytime after they occur or are posted.

For information regarding this review, please write to the South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Kathy LaMartina, (561)682-6325. For assistance in obtaining computer access to this review, please write to the South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Nancy Demonstranti, (561)682-2563.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this review is asked to contact Tony Burns,

(561)682-6206, at least 48 hours before the review. If you are hearing or speech impaired, please contact the agency by calling TDD line, (561)697-2574.

The **South Florida Water Management District** announces a public meeting to which all persons are invited:

DATE AND TIME: June 28, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: St. Lucie River and Estuary Minimum Flows and Levels Scientific Peer Review Panel Public Workshop

Tentative agenda includes: Introduction, Overview of Section 373.042, F.S., Discussion of “Significant Harm,” Presentation of St. Lucie River and Estuary MFL Criteria, Public Comments on Draft MFL Criteria and Consideration of Alternative Technical Approaches for Establishing MFLs for the St. Lucie River and Estuary, Panel Discussion, Demonstration of Internet “MFLs Bulletin Board,” Organizational Meeting for Peer Review Panel to Prepare Draft Panel Report.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Kathy LaMartina, (561)682-6325, klamart@sfwmd.gov.

The **South Florida Water Management District** announces a meeting to conduct the public review of the Technical Documentation to Support Development of Minimum Flow Criteria for the St. Lucie River and Estuary to which all persons are invited to view and in which all members of the public are encouraged to participate. The review will be conducted through the use of an internet accessible website.

DATE AND TIME: Web Board available June 28, 2001 – September 1, 2001, Monday through Friday, 8:00 a.m. – 5:00 p.m.

PLACE: <http://www.sfwmd.gov/org/pld/proj/mfl/mfl/> For persons without access to the Internet, access to the website is available at the offices of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This site (<http://www.sfwmd.gov/org/pld/proj/mf/mfl/>) will be used to allow public access to communications among the chairman and members of the independent peer review panel created to conduct a review of the Technical Documentation to Support Minimum Flow Criteria for the St. Lucie River and Estuary, pursuant to Section 373.4592(4)(d), F.S.

Beginning on June 28, 2001, through September 1, 2001, interested parties may access ongoing communications among the peer review panelists, electronically stored communications and other public records associated with the St. Lucie River and Estuary MFL Document that are posted to this site. The public can provide comment on any aspect of the Document, particularly on relevant scientific or technical data and findings. Communications and documentation posted are preserved and can be accessed at anytime after they occur or are posted.

For information regarding this review, please write South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Kathy LaMartina, (561)682-6325. For assistance in obtaining computer access to this review, please write to the South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680 or call Nancy Demonstranti, (561)682-2563.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this review is asked to contact Tony Burns, (561)682-6206, at least 48 hours before the review. If you are hearing or speech impaired, please contact the agency by calling TDD line, (561)697-2574.

The South Florida Water Management District announces a public hearing required under Sections 373.59 and 373.139, Florida Statutes, to which all persons are invited:

Governing Board Meeting

DATE AND TIME: July 12, 2001, 8:50 a.m.

PLACE: District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

Part of the Kissimmee Chain of Lakes Project comprised of seventeen parcels referred to as SFWMD Tract Nos. 18-402-001, 18-402-002, 18-402-003, 18-402-005, 18-402-006, 18-402-019, 18-402-020, 18-402-037 – 038, 18-402-041, 18-402-044, 18-404-003, 18-404-004, 18-404-005, 18-406-002, 18-406-005 and 18-406-007 consisting of approximately 55.18 acres and lying in Sections 05, 07, 08, 17 and 18, Township 30 South, Range 30 East, and Sections 01 and 12, Township 30 South, Range 29 East in Polk County, Florida.

FAW Reference No. 2054

Part of the Critical CREW (Southern Corkscrew Regional Ecosystem Watershed) Project comprised of five parcels referred to as SFWMD Tract Nos. 09-003-767, 09-003-771, 09-003-780, 09-005-031 and 09-005-062 consisting of approximately 134 acres and lying in Sections 32 and 35, Township 47 South, Range 26 East, Lee County, Florida.

FAW Reference No. 2055

An Interlocal Agreement between the District and Palm Beach County, for the commitment of funds by the District to Palm Beach County, in an amount not to exceed \$1,000,000 to assist Palm Beach County in acquiring land interests in Unit 11.

FAW Reference No. 2056

Part of the East Coast Buffer-Everglades Buffer Strip Project comprised of eleven parcels referred to as SFWMD Tract Nos. W9-309-379, W9-309-483, W9-309-556, W9-309-583, W9-310-048, W9-310-079, W9-310-327, W9-310-433, W9-310-445, W9-310-448 and W9-310-595 consisting of approximately 2.95 acres and lying in Section 17, Township 54 South, Range 39 East in Miami-Dade County, Florida.

FAW Reference No. 2057

Additional information concerning specific parcels or interests can be obtained from: Blair R. LittleJohn, III, South Florida Water Management District, Post Office Box 24680, West Palm Beach, Florida 33416-4680, telephone(561)686-8800.

Appeals from any South Florida Water Management District Board decision requires a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For additional information, please contact Mr. Blair R. LittleJohn, III, Interim Division Director, Real Estate and Business Division, (561)686-8800.

REGIONAL UTILITY AUTHORITIES

The Withlacoochee Regional Water Supply Authority announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 20, 2001, 4:30 p.m.

PLACE: Ocala City Hall, City Council Chambers, 2nd Floor, 151 S. E. Osceola Ave., Ocala, FL 34471

GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

SPACEPORT FLORIDA AUTHORITY

The **Florida Commercial Space Financing Corporation**, Personnel Committee, Board of Directors announces a public teleconference meeting to which all persons are invited:

DATE AND TIME: June 6, 2001, 1:00 p.m. – 3:00 p.m.

PLACE: This is a telephone conference call meeting. The number to call is 1(800)939-8909, participant code 772327.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Personnel Committee will be discussing and reviewing the contract for the President's position.

A copy of the agenda may be obtained by contacting: The Florida Commercial Space Financing Corporation, Florida/NASA Business Incubation Center, 1311 N. Highway U.S. 1, Suite 129, Titusville, FL 32796.

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.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

For further information contact Ms. Judy Blanchard, (321)267-2877.

The **Florida Ports Council** announces a public meeting to which all persons are invited:

DATE AND TIME: June 14, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: Key West Hilton Resort and Marina, 245 Front Street, Key West, Florida 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Tara Vercellone, Florida Ports Council, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Tara Vercellone, (850)222-8028.

The **Florida Space Research Institute** (FSRI), Board of Directors announces a public meeting to which all persons are invited:

DATE AND TIME: June 19, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting's purpose will be to discuss FSRI programs and administrative issues.

A copy of the agenda may be obtained by contacting: Melissa Glover, (321)452-3418.

If any person decides to appeal any decision made by FSRI with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to secure a verbatim record of the proceedings, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact FSRI, at least seven days prior to the meeting.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a public meeting to which all persons are invited:

MEETING: SHINE (Serving Health Insurance Needs of Elders) Planning and Steering Committee

DATE AND TIME: Wednesday, June 13, 2001, 9:00 a.m. – 5:00 p.m.

PLACE: Sheraton Suites, Orlando Airport, 7550 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Elder Insurance Benefits, Counseling, Training, Education and Outreach techniques for the SHINE Program.

A copy of the agenda may be obtained by contacting: Shelia Kilpatrick, (850)414-2060.

The **State Long-Term Care Ombudsman Council** announces a public meeting for all districts in Florida to which all persons are invited:

DATE AND TIME: June 28, 2001, 9:00 a.m.

PLACE: North West Florida LTCOP

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

PLACE: Panhandle LTCOP

DATE AND TIME: June 21, 2001, 12:30 p.m.

PLACE: North Central Florida LTCOP

DATE AND TIME: June 14, 2001, 1:00 p.m.

PLACE: Withlacoochee Area LTCOP
 DATE AND TIME: June 19, 2001, 12:00 Noon
 PLACE: First Coast LTCOP
 DATE AND TIME: June 21, 2001, 1:30 p.m.
 PLACE: Mid 7 South Pinellas LTCOP
 DATE AND TIME: June 14, 2001, 1:30 p.m.
 PLACE: Pasco and North Pinellas LTCOP
 DATE AND TIME: June 19, 2001, 10:00 a.m.
 PLACE: West Central Florida LTCOP
 DATE AND TIME: June 7, 2001, 12:30 p.m.
 PLACE: East Central Florida LTCOP
 DATE AND TIME: June 5, 2001, 11:00 a.m.
 PLACE: Southwest Florida LTCOP
 DATE AND TIME: June 18, 2001, 2:30 p.m.
 PLACE: Treasure-Gold Coast LTCOP
 DATE AND TIME: June 12, 2001, 1:30 p.m.
 PLACE: Broward County LTCOP
 DATE AND TIME: June 19, 2001, 1:15 p.m.
 PLACE: South Dade and the FL Keys LTCOP
 DATE AND TIME: June 14, 2001, 10:30 p.m.
 PLACE: North Dade LTCOP
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Issues related to the Long-Term Care Ombudsman Program.
 A copy of the agenda may be obtained by contacting: State Long-Term Care Ombudsman Office, (850)488-6190.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration**, Comprehensive Health Information System Advisory Council announces a public meeting to which all persons are invited:
 DATE AND TIME: Monday, June 11, 2001, 10:00 a.m.
 PLACE: AHCA Headquarters, Building 3, Executive Conference Room, 2727 Mahan Drive, Tallahassee, Florida 32308
GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the collection, analysis and dissemination of health care data.
 A copy of the agenda may be obtained by contacting: Elizabeth Lee, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.
 Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Elizabeth Lee, (850)922-7704, at least five calendar days prior to the meeting.

The **Agency for Health Care Administration**, Prescribing Pattern Review Panel and the Drug Utilization Review Board announces a public meeting to which all persons are invited:
 DATE AND TIME: Saturday, June 16, 2001, 10:30 a.m. – 2:30 p.m.

PLACE: Airport Marriott, Tampa International Airport, Tampa, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Evaluation of prescribing patterns and profiles of prescribers for selected therapeutic classes in the Medicaid program.
 Any attendee requiring special accommodation because of a disability or physical impairment should contact the Marriott, (813)874-6084, at least five days prior to the meeting.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services**, Commission for Purchase from the Blind or Other Severely Handicapped announces a public meeting to which all persons are invited:
 DATE AND TIME: June 13, 2001, 10:00 a.m.
 PLACE: Florida ARF, Suite 205, 2475 Apalachee Parkway, Tallahassee, Florida 32301
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Industry Impact Review of Miami-Dade Police Training Office Janitorial Services Contract and Fair Market Price Determination and assignment of the following service contracts and products to qualified agencies for persons with disabilities through the provisions of Section 413.035, Florida Statutes:
 City of West Palm Beach Meter Cleaning; Department of Environmental Protection, St. George Island State Park Janitorial Services Contract; Department of Environmental Protection, St. George Island State Park Mowing Contract; Department of Transportation, District Two Asset Management Contract; Florida Fish and Wildlife Conservation Commission, Data Entry; Miami-Dade Justice Center Complex Janitorial Services Contract; Tri-County Commuter Rail Authority Powerline Road Janitorial Services Contract; brass scrubbers; extra large brass scrubbers; extra large stainless steel scrubbers; laser printer cartridges; paper weights with state seal; recycled paper products; tools and tool kits; trash can liners; and turkey snacks. Price adjustments of various service contracts and products and other matters related to the business of the Commission are also on the agenda.
 Written public comments relative to the above items are invited. Please mail comments to the address below prior to the scheduled meeting.
 A copy of the agenda may be obtained by contacting: RESPECT of Florida, 2475 Apalachee Parkway, Suite 205, Tallahassee, Florida 32301-4946, (850)942-0905.
SPECIAL ACCOMMODATION Any person requiring a special accommodation at the meeting because of a disability should call RESPECT, (850)942-0905, at least five (5) workdays prior to the meeting. If you are hearing or speech impaired, please contact RESPECT by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The **State Retirement Commission** announces a public hearing to which all persons are invited:

DATES AND TIME: June 11-12, 2001, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312 or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

The **Correctional Privatization Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 21, 2001, 2:00 p.m.

PLACE: Knott Building, corner of West Madison Street and Duval Street, Room 117, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of pertinent Commission business relating to the current and upcoming fiscal years.

A copy of the agenda may be obtained by contacting: Correctional Privatization Commission, Office of the Executive Director, 4050 Esplanade Way/Pepper Building, Suite 680, Tallahassee, Florida 32399-0950.

Any person who decides to appeal a decision of the Correctional Privatization Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Section 286.0105, Florida Statutes.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Correctional Privatization Commission, Office of the Executive Director, (850)921-4034, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Correctional Privatization Commission, Office of the Executive Director, by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces public official committee and general business meetings to which all persons are invited:

DATE AND TIME: June 13, 2001, 8:30 a.m. or shortly thereafter

PLACE: Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and General Business Meetings of the Board.

A copy of the agenda may be obtained by contacting: 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.

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.

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).

For further information, contact the 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 probable cause panel meeting to which portions or all will be closed to the public:

DATE AND TIME: June 13, 2001, 1:00 p.m.

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: 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.

A copy of the agenda may be obtained by contacting: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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.

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).

The **Department of Business and Professional Regulation**, to be conducted by the **Building Code Administrators and Inspectors Board** (Board) announces a public meeting to which all persons are invited:

MEETING: Building Code Administrators and Inspectors Board

DATE AND TIME: June 12, 2001, 8:00 a.m.

PLACE: The World Golf Village Renaissance Resort, 500 South Legacy Trail, St. Augustine, FL 32092, (904)940-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct an official meeting of the Building Code Administrators and Inspectors Board (Board). The Board will discuss Part(s) III, IV, V, VI, IX, XI, XII and XIII of the previously established May 17-18, 2001 Building Code Administrators and Inspectors Board (Board) meeting agenda.

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 Glenda Albritton, Building Code Administrators and Inspectors Board using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all persons are invited:

DATE AND TIME: June 6, 2001, 1:30 p.m – 5:00 p.m.

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819, (407)996-9700

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Bulk Product Piping Technical Advisory Committee to discuss revising release detection standards for underground bulk product piping.

A copy of the agenda may be obtained by contacting: John P. Svec, Department of Environmental Protection, 2600 Blair Stone Road, M.S. #4525, Tallahassee, FL 32399-2400 or by calling John Svec, (850)921-9003.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting 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**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 6:00 p.m.

PLACE: Guana Tolomato Matanzas National Estuarine Research Reserve, 9741 Ocean Shore Blvd., Town of Marineland, Florida 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The twenty member Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) meets regularly on the second Wednesday of the third month of each quarter. The MAG is composed of ten citizens, appointed by the three state legislators with overlapping jurisdictions with the reserve boundaries and ten representatives of the local, state and federal government entities with authority and responsibility in the reserve. They are the National Park Service; the Florida Park Service; the Florida Fish and Wildlife Conservation Commission; the St. Johns River Water Management District; the Florida Inland Navigation District; the Flagler County Board of County Commissioners; the St. Johns County Board of County Commissioners; the St. Augustine Port, Waterway and Beach Authority; the City of St. Augustine; and the Town of Marineland. The MAG works with the Florida Department of Environmental Protection (DEP) to implement the management plan adopted by the Governor and Cabinet for the GTMNERR.

The meeting agenda will include a vote on the addition of 2 new citizen members to be representatives of the Friends of Guana River State Park, the introduction of a new GTMNERR Administrative Assistant, discussion of a grand opening event for the new GTMNERR facility in the River to Sea Preserve at Marineland, and progress reports on a variety of GTMNERR activities.

A copy of the agenda may be obtained by contacting: Mr. Kenneth Berk, GTMNERR, 9741 Ocean Shore Blvd., Marineland, Florida 32080, (904)461-4054.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited:

DATE AND TIME: Thursday, June 21, 2001, 7:00 p.m. (EDT)

PLACE: Micanopy Town Hall, 706 Northeast Chokolka Boulevard, Post Office Box 137, Micanopy, Florida 32667

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present the proposed land management plan for Marjorie Kinnan Rawlings Historic State Park to the public.

A copy of the agenda may be obtained by contacting: Florida Department of Environmental Protection, Division of Recreation and Parks, Office of Park Planning, 3900 Commonwealth Boulevard, Mail Station #525, Tallahassee, Florida 32399-3000.

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 calling Valerie Rivers, Park Manager, Marjorie Kinnan Rawlings Historic State Park, (352)466-3672. If you are hearing or speech impaired, please contact the agency by calling 1(800)342-1335.

The Florida **Department of Environmental Protection, Division of Recreation and Parks**, DEP Advisory Group announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, June 22, 2001, 9:00 a.m. (EDT)

PLACE: Micanopy Town Hall, 706 Northeast Chokolka Boulevard, Post Office Box 137, Micanopy, Florida 32667

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present and review the proposed land management plan for Marjorie Kinnan Rawlings Historic State Park with the park Advisory Group.

A copy of the agenda may be obtained by contacting: Florida Department of Environmental Protection, Division of Recreation and Parks, Office of Park Planning, 3900 Commonwealth Boulevard, Mail Station #525, Tallahassee, Florida 32399-3000 or by calling the Office of Park Planning, (850)488-2200.

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 Valerie Rivers, Park

Manager, Marjorie Kinnan Rawlings Historic State Park, (352)466-3672. If you are hearing or speech impaired, please contact the agency by calling 1(800)342-1335.

DEPARTMENT OF HEALTH

The **Board of Clinical Laboratory Personnel**, Probable Cause Panel announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, June 15, 2001, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL, at Meet Me Number (850)921-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra Causey, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Clinical Laboratory Personnel, (850)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, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE OF CANCELLATION – The Florida **Board of Medicine**, Probable Cause Panel (South), announces a public meeting to which all persons are invited:

DATE AND TIME: June 8, 2001, 2:00 p.m.

PLACE: Miami International Airport Hotel, N. W. 20th Street, Lejune Road, Miami, FL 33299

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section, no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Medicine**, Probable Cause Panel (South) announces a public telephone conference call to which all persons are invited:

DATE AND TIME: June 8, 2001, 2:00 p.m.

PLACE: Meet Me Number (850)921-6455, Suncom 291-6455

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section, no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Department of Health, Board of Occupational Therapy Practice** and the Probable Cause Panel announces public meetings to which all persons are invited:

DATE AND TIME: June 18, 2001, 8:00 a.m. (EST) or soon thereafter, Probable Cause Panel; the General Board Meeting will commence immediately following the Probable Cause Panel or soon thereafter

PLACE: Department of Health, Room 301, 4042 Bald Cypress Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by the Probable Cause Panel; General Business Meeting; Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Probable Cause Panel (South) announces a public telephone conference call to which all persons are invited:

DATE AND TIME: June 22, 2001, 2:00 p.m.

PLACE: Meet Me Number (850)921-6455, Suncom 291-6455

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section, no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The **Board of Optometry** announces a public conference call meeting to which all persons are invited:

DATE AND TIME: Monday, June 11, 2001, 1:00 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL, at Meet Me Number (850)921-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda item may be obtained by contacting: Sherra W. Causey, Board of Optometry, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

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.

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, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Orthotists and Prosthetists**, Probable Cause Panel announces a conference call meeting to which all persons are invited:

DATE AND TIME: Monday, June 11, 2001, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL, at Meet Me Number (850)921-6455

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by contacting: Sherra Causey, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

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 form which the appeal is to be issued.

Any person requiring special accommodations 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 contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Psychology** announces a public meeting to which all persons are invited:

DATES AND TIME: June 1-2, 2001, 9:00 a.m. or soon thereafter

PLACE: The DoubleTree Guest Suites, 3050 N. Rocky Point Drive, Tampa, FL 33607, (813)888-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by contacting the board office, (850)245-4373.

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.

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

the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Miami-Dade County Health Department**, Tobacco-Free Miami-Dade Community Partnership announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 12:00 Noon – 2:00 p.m.

PLACE: ACS Winn-Dixie Hope Lodge, 1121 Northwest 14th Street, Miami, FL, (305)547-2210

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly meeting.

A copy of the agenda can be obtained by contacting: Christine Kelly, (786)845-0105.

If special accommodations are needed to attend this meeting because of a disability, please contact Christine Kelly as soon as possible.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, SunCoast Region announces a public meeting to which all persons are invited:

Pasco Community Alliance

DATE AND TIME: June 13, 2001, 2:00 p.m.

PLACE: Counsel Square II, Conference Room 150, 7601 Little Road, New Port Richey, FL

PURPOSE: To discuss implementation of community alliances in the SunCoast Region.

A copy of the agenda may be obtained by contacting: Mary Grizzle, State Office Building, Suite 414, 11351 Ulmerton Road, Largo, FL.

Persons needing accommodations to participate in these meetings should call at least 3 days in advance of the meeting, (727)588-7061 or TDD (727)588-6662.

The **Department of Children and Family Services**, Developmental Disabilities Program, Interagency Quality Council announces a public conference call to which all persons are invited:

DATE AND TIME: June 14, 2001, 10:00 a.m. – 10:30 a.m.

PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Building 3, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To vote on new memberships.

A copy of the agenda may be obtained by contacting: Michael Freeman, Developmental Disabilities Program Office, (850)488-4877, Ext. 118.

The **Department of Children and Family Services**, District 4 announces public meetings to which all persons are invited:

WHAT: Children and Families Community Alliance of NEFL
 DATE AND TIME: June 20, 2001, 2:30 p.m.

PLACE: Roberts Building, Auditorium, 5920 Arlington Expressway, Jacksonville, FL 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the 4 County Alliance.

WHAT: Nassau County Community Alliance

DATE AND TIME: June 18, 2001, 2:00 p.m.

PLACE: Nassau Children and Families Education Center, 479 Felmore Road, Yulee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Alliance.

COMMITTEE: Nomination Committee of the Children and Families' Community Alliance of NEFL

DATE AND TIME: June 13, 2001, 2:30 p.m. – 4:30 p.m.

PLACE: Roberts Building, Conference Room 1, Jacksonville, FL 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nomination of the Children and Families' Community Alliance of NEFL.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, P. O. Box 2417, Jacksonville, FL 32231-0083 (Attention: Debbi Thomas).

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Debbi Thomas, (904)723-2151, at least 48 hours in advance of the meeting. Hearing impaired please call (904)646-2859 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation**, Home Ownership Construction Loan Cycle, Review Committee for the 2000 competitive cycle announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 4, 2001, 10:00 a.m. – 12:00 Noon (Prior to scheduled meeting, interested parties are advised to confirm the meeting date and time by calling Florida Housing, (850)488-4197 or checking Florida Housing's website at www.floridahousing.org.)

PLACE: Florida Housing Finance Corporation, Seltzer Room, 6th Floor, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct discussions, reviews and make decisions in reference to the scoring of the 2000 Home Ownership Construction Loan Application Cycle.

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be 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 Debbie L. Moran, (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 which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Housing Finance Corporation**, Review Committee for the 2001 Elderly Housing Community Loan cycle announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 11, 2001, 10:00 a.m. (Prior to the scheduled meeting, interested parties are advised to confirm the meeting date and time by calling Florida Housing, (850)488-4197 or checking Florida Housing's website at www.floridahousing.org.)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct discussions, reviews and make decisions in reference to the scoring and preliminary ranking of the 2001 Elderly Housing Community Loan application cycle.

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be 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 Debbie L. Moran, (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, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") a public hearing to which all persons are invited:

DATE AND TIME: Tuesday, June 19, 2001, 10:00 a.m. (EST)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refund bonds previously issued to finance the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Cypress Run at Tampa Palms, a 408-unit multifamily residential rental development located at 15501 Bruce B. Downs Boulevard, Tampa, Hillsborough County, Florida 33647. The owner of the development is Cypress Run Project Investors, Ltd., c/o Whitney Capital Company, One Penn Plaza, Suite 1706, New York, NY 10119 or such successor in interest in which Whitney Capital Company, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$15,750,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being re-financed. Written comments should be received by Florida Housing, by 5:00 p.m. (EST), Monday, June 18, 2001, and should be addressed to the attention of Esrone McDaniels, Multifamily Bond Program Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Esrone McDaniels, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Florida Sturgeon Production Working Group** announces a public meeting to which all persons are invited:

DATE AND TIME: Tuesday, June 12, 2001, 10:30 a.m. – 1:00 p.m.

PLACE: University of Florida, Institute of Food and Agricultural Sciences Building, Conference Room, 7922 N. W. 71st Street, Gainesville, Florida 32653

GENERAL SUBJECT MATTER TO BE CONSIDERED: Eighth meeting of the Sturgeon Production Working Group pursuant to s. 370.31(4), F.S. to establish a state sturgeon aquaculture program to promote the commercial production and stock enhancement of sturgeon in Florida. At the meeting we will discuss sturgeon research funding priorities for FY 2001-2002. \$350,000 is available in the FWC budget for conservation and aquaculture research projects.

A copy of the agenda may be obtained by contacting: Anne Wakeford, Environmental Specialist, Florida Fish and Wildlife Conservation Commission, Florida Marine Research Institute, 100 Eighth Avenue, S. E., mail station: J2N-HUF, St. Petersburg, FL 33701-5095, (727)896-8626, Email: anne.wakeford@fwc.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please notify the Personnel Services Specialist, (850)488-2996 or 1(800)955-8771 (TDD), at least 7 calendar days prior to the event.

COUNTY OF SUMTER

The **County of Sumter** and the Florida **Department of Environmental Protection** announces a public meeting for the Florida Organics Recycling Center for Excellence to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 10:00 a.m. – 12:00 Noon

PLACE: Sumter County, Department of Public Works, 319 E. Anderson Avenue, Bushnell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of the technical advisory group for the Florida Organics Recycling Center for Excellence (FORCE) project being developed by Sumter County under a Department contract. Sumter County and the Department will seek guidance as the project starts and tasks associated with year one implementation begin.

A copy of the agenda may be obtained by contacting: Miriam Zimms, Kessler Consulting, Inc., 14620 N. Nebraska Ave., Bldg. D, Tampa, FL 33613, (813)971-8333, Extension 12.

If accommodation for a disability is needed to participate in this activity, please notify Miriam Zimms, (813)971-8333, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service at 1(800)955-8771 (TDD).

NEW RIVER SOLID WASTE ASSOCIATION

The **New River Solid Waste Association** announces a public meeting to which all persons are invited:

DATE AND TIME: June 14, 2001, 6:00 p.m.

PLACE: New River Regional Landfill Office, Raiford, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the New River Solid Waste Association. The 6:00 p.m. Board Meeting will be followed by a Finance Committee Meeting.

All persons deciding to appeal any decision of the New River Solid Waste Association with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

VISIT FLORIDA

The Florida **Commission on Tourism**, Visit Florida Finance Committee, Nature/Heritage Committee, Multi-Cultural Subcommittee, Partner Development Committee, Board of Directors and the Florida Commission on Tourism announces public meetings to which all persons are invited:

MEETING: Nature/Heritage Committee

DATE AND TIME: Wednesday, June 20, 2001, 8:00 a.m. – 9:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will past and future endeavors, hear regional updates and other business as necessary.

MEETING: Finance Committee

DATE AND TIME: Wednesday, June 20, 2001, 10:00 a.m. – 11:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review financial statements and other business as necessary.

MEETING: Multicultural Subcommittee

DATE AND TIME: Wednesday, June 20, 2001, 10:00 a.m. – 11:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subcommittee will review old business and discuss other business as necessary.

MEETING: Partner Development Committee

DATE AND TIME: Wednesday, June 20, 2001, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review future projects and discuss other business as necessary.

MEETING: Florida Commission on Tourism Workshop

DATE AND TIME: Wednesday, June 20, 2001, 3:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Commission on Tourism will hold a workshop for a presentation by Florida 2012.

MEETING: Visit Florida, Board of Directors

DATE AND TIME: Thursday, June 21, 2001, 9:30 a.m. – adjourned

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, on-going and developing issues, the FY 2001/02 budget and other matters.

MEETING: Florida Commission on Tourism

DATE AND TIME: Thursday, June 21, 2001, upon adjournment of the Visit Florida, Board of Directors meeting

PLACE: Adam’s Mark Hotel, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify the actions of the Visit Florida, Board of Directors and discuss other matters as necessary.

A copy of the agenda may be obtained by contacting: Susan Gale, Visit Florida, P. O. Box 1100, Tallahassee, Florida 32302-1100 or (850)488-5607, Ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact Visit Florida, at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact Visit Florida by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces a conference call and a public meeting to which all persons are invited:

Claim Review Committee Meeting

DATES AND TIME: June 27-29, 2001, 9:00 a.m. – 5:00 p.m.

PLACE: Embassy Suites, 100 Spectrum Boulevard, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review closed claims for discontinued FAJUA Servicing Carriers, draft committee report and any other matters that may come before the committee.

A copy of the agenda may be obtained by contacting: Lisa Blackwell Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308.

FLORIDA STATEWIDE ADVOCACY COUNCIL

The **Florida Statewide Advocacy Council** (FSAC) announces a video teleconference public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 27, 2001, 10:00 a.m.

PLACE: Department of Children and Family Services, Building 1, Room 305, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

LOCAL EMERGENCY PLANNING COMMITTEE

The District I, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited:

DATE AND TIME: July 25, 2001, 10:00 a.m.

PLACE: University of Florida, Escambia County Cooperative Extension Service Center, Hurricane Damage and Mitigation Center Room, 3740 Stefani Road, Cantonment, FL 32533

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the District I, Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: The Executive Director, West Florida Regional Planning Council, P. O. Box 486, Pensacola, Florida 32593-0486.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN THAT the Department of Banking and Finance, Division of Securities and Finance, issued a Final Order on May 18, 2001, disposing of the Petition for Declaratory Statement filed by Goodman & Nekvasil, P. A., of Clearwater, Florida, as counsel for Bernard Madden and Harold D. Schrag (File No. 3241-S-4/01). The Final Order stated that the First American Capital Trust promissory notes that were sold by Joseph A. Best, Charon Marie Bogner, Terry E. McCormic, Barbara C. Dillow and Jack C. Eaton were required to be registered pursuant to Section 517.07, F.S.

A copy of the Final Order can be obtained by contacting: Agency Clerk, Department of Banking and Finance, Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 or by calling (850)410-9896.

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance has issued an order disposing of the petition for declaratory statement filed by Wesley W. Hayes, Fire Marshal, Polk County, Florida, on March 27, 2001. The following is a summary of the agency's disposition of the petition:

It is not permissible for certified firesafety inspectors to conduct NFPA 25 inspections of fire protection systems under Section 633.541, Florida Statutes, and Section 4A-46.041, Florida Administrative Code. The only person permitted to engage in the business of "...layout, fabrication, installation, inspection, alteration, repair or service of a fire protection system..." and thus perform NFPA 25 inspections of fire protection systems under Section 633.541, Florida Statutes, are certified fire protection system contractors, certified under

Sections 633.521-633.547, Florida Statutes. By the same token, the only persons permitted to perform firesafety inspections for code enforcement purposes are certified firesafety inspectors, certified under Section 633.081, Florida Statutes.

Any person who engages in the business of "...layout, fabrication, installation, inspection, alteration, repair or service of a fire protection system..." without being certified under Sections 633.521-633.547, Florida Statutes, is subject to any applicable penalties provided in Chapter 633, Florida Statutes.

A copy of the order may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on May 14, 2001, from Edward P. Campbell. Petitioner is seeking amendment of Rule 33-401.401, Florida Administrative Code, to require segregation of non-smoking inmates from inmates who smoke.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections received a Petition to Initiate Rulemaking on May 17, 2001 from Willie Lee Harper. Petitioner is seeking amendment of Chapter 33, Florida Administrative Code, to require adoption of a policy that prohibits inmates from utilizing typewriters, computers or word processors on the grounds that this policy constitutes an unpromulgated rule.

A copy of the Petition may be obtained by contacting: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Capital City Country Club, Inc. vs. Department of Revenue;
Case No.: 01-1865RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

INVITATION TO BID

Sealed bids shall be received by the Florida State University Purchasing Department until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Purchasing Department
Suite A1400, University Center
Florida State University
Tallahassee, FL 32306-1055

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the Purchasing Agent identified in the bid number.

K 4279-2 Litepower Generator for Film School Truck

Public Bid Opening: 11:00 a.m., Wednesday, June 6, 2001
Suite A1400, University Center

Bid Documents: Purchasing Department
Florida State University

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Florida, for and on behalf of the Board of Regents, a public corporation of the State of Florida announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: BR-134/136, Project and Location: Genetics & Cancer Research Center and ICBR Biotechnology Laboratory Pavilion, University of Florida. The project consists of two separate programs that will be designed and constructed concurrently. For the Genetic & Cancer Research Center, the project consists of approximately 325,000 GSF state-of-the-art research, training and administrative operations spaces. The construction budget for this new facility is estimated to be \$63,807,000.00. For the ICBR Biotechnology laboratory Pavilion, the project consists of approximately 29,500 GSF of research, training and administrative operations spaces. The construction budget for this new facility is estimated to be \$5,648,600.00. The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$2,000,000.00 and will be provided as a part of Basic Services.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed "Professional Qualifications Supplement," the latest version. Applications on any other form will not be considered. Submittals of more than 50 pages (which includes the letter of interest) will be disqualified.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. Joint venture Agreement, if applicable. See instructions in PQS form.

Submit ten (10) copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for the University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted

vendor list. Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained by contacting:

Marsha Brewton, Office Manager
Facilities Planning and Construction Division
232 Stadium, P. O. Box 115050
Gainesville, FL 32611-5050
Telephone (352)392-1256
Fax (352)392-6378

Or visit our website at: www.facilities.ufl.edu

Submittals must be received in the Facilities Planning and Construction Division office, by 3:00 p.m. (Local Time), Thursday, July 12, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

Notice to Design-Build Firms

The Florida Hillel Council hereby requests, pursuant to the Consultants Competitive Negotiation Act, Section 287.055, Florida Statutes, Letters of Interest from Design-Build firms desiring to render Design-Build Services for the following project:

Center for Jewish Student Life on the campus
of University of South Florida

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, architectural/engineering services during construction; construction by a qualified contractor; and related surveys and testing. The project will consist of a 3500 square foot +/- building designed for future expansion with related site improvements.

Qualified Design-Build firms desiring considerations for this project must submit 6 brochures outlining the Design-Build teams' qualifications to provide service including, but not limited to, each firm's relevant experience on similar projects, specific experience of staff to be assigned to the project and experience working on the University of South Florida campus.

Brochures must be received at or before 5:00 p.m. (Local Time), June 8, 2001 at:

Hillel Foundation
Attention: Mr. David Bekhor
Building Committee Chairman
14240 N. 42nd Street, Room 1301
Tampa, FL 33613

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-602, Parking Garage I, located at Florida Atlantic University's Boca Raton Campus.

The project consists of site development and construction of a 1,000 car Parking Garage. The proposed five level Parking Garage will be located on Florida Atlantic University's Boca Raton Campus, on the east side of Broward Boulevard and on the north side of Volusia Street. The estimated construction cost is \$8,660,000.

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: Carla Capeletti, Office of the Associate Vice President to the University Architect, Florida Atlantic University, 777 Glades Road, Building T-10, Room 16, Boca Raton, Florida 33431, (561)297-2663, Fax (561)297-0224.

Five (5) bound copies of the required proposal data shall be submitted to: Mr. Tom Donaudy, Associate Vice President, Florida Atlantic University, 777 Glades Road, Building T-10, Room 16, Boca Raton, Florida 33431.

Submittals must be received at Facilities Planning Department, at the above address, by 5:00 p.m. (Local Time), Thursday, July 10, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

REGIONAL PLANNING COUNCILS

REQUEST FOR PROPOSALS

The Apalachee Regional Planning Council is accepting separate proposals from qualified agencies or firms to coordinate transportation services for the transportation disadvantaged in Calhoun and Wakulla Counties in Florida. The selected contractor(s) will be recommended as the designated Community Transportation Coordinators to the Florida Commission for the Transportation Disadvantaged. If approved by the Commission, the selected contractor(s) will provide or arrange transportation for the Transportation Disadvantaged System as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2, Florida Administrative Code.

The Complete Request for Proposal may be obtained from the: Apalachee Regional Planning Council, 20776 Central Avenue, East, Blountstown, Florida 32424, beginning June 1, 2001 and no later than June 29, 2001.

Proposals must be received by Friday, July 20, 2001, 12:00 Noon (Central Time), 1:00 p.m. (Eastern Time), at the office of the Apalachee Regional Planning Council.

WATER MANAGEMENT DISTRICTS

INVITATION TO BID

CONSTRUCTION OF ECONFINA CREEK CANOE LAUNCH PROJECT – ITB #01B-008

The Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, will receive sealed bids until 2:00 p.m. (EDT), July 10, 2001, for the construction

of a floating dock, guide piles and gangway and its attachment to an existing deck. The project site is located along the Econfina Creek in Bay County, Florida. All bids must conform to the instructions in the Invitation to Bid. Interested parties may obtain a copy of the complete bid package at the above address or by calling (850)539-5999.

A pre-bid meeting will be held at District Headquarters, Midway (10 miles west of Tallahassee on Highway 90), June 19, 2001, 2:00 p.m. (EDT). The opening of the bids is public. Provisions will be made to accommodate the handicapped provided the District is given at least 72 hours advance notice. All bids must comply with applicable Florida Statutes.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

ADVERTISEMENT FOR BIDS

LEGAL NOTICE IS HEREBY GIVEN THAT SEALED BIDS ARE REQUESTED FROM QUALIFIED BIDDERS, BY THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILY SERVICES, NORTHEAST FLORIDA STATE HOSPITAL, HEREINAFTER REFERRED TO AS THE OWNER, TO PROVIDE ALL BREAD PRODUCTS BEGINNING JULY 2001 THROUGH JUNE 2002.

BID OPENING DATE AND TIME: June 18, 2001, 1:00 p.m. (Local Time)

PLACE: Northeast Florida State Hospital, Purchasing Agent's Office, Building 19, 7487 South State Road 121, Macclenny, Florida 32063-9777

PROPOSAL: Bids must be submitted in full, in accordance with the requirements of the specifications, bidding and special conditions, which may be examined and obtained from:

PURCHASING AGENT: Claudia (Sissie) Crews, Purchasing Agent II, 7487 South State Road 121, Macclenny, Florida 32063-9777, (904)259-6211, Ext. 1121, Fax (904)259-8497

NOTE: Faxed Quotations Will Not Be Considered – Sealed Bids Only

The Northeast Florida State Hospital Reserves the right to refuse any and all bids when in the best interest of the State of Florida.

CONTRACT AWARD: The bid tabulation and notice of award will be posted June 22, 2001, 1:00 p.m. (Local Time), the location where the bids were opened. In the event that the bid tabulation and notice of award cannot be posted in this manner, then all bidders will be notified by certified United States mail, return receipt requested. If no protest is filed, the contract will be awarded to the qualified responsive low bidder in accordance with Rule 60D-5, F.A.C., by the owner.

ADVERTISEMENT FOR BIDS

LEGAL NOTICE IS HEREBY GIVEN THAT SEALED BIDS ARE REQUESTED FROM QUALIFIED BIDDERS, BY THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILY, NORTHEAST FLORIDA STATE HOSPITAL, HEREINAFTER REFERRED TO AS THE OWNER, TO PROVIDE THE ANNUAL REQUIREMENTS FOR MILK AND DAIRY PRODUCTS INCLUDING ICE CREAM BEGINNING JULY 1, 2001 THROUGH JUNE 30, 2002.

BID OPENING DATE AND TIME: June 18, 2001, 1:30 p.m.
PLACE: Northeast Florida State Hospital, Purchasing Agent's Office, Building 19, 7487 South State Road 121, Macclenny, Florida 32063-9777.

PROPOSAL: Bids must be submitted in full, in accordance with the requirements of the specifications, bidding and special conditions, which may be examined and obtained from:

PURCHASING AGENT: Claudia (Sissie) Crews, Purchasing Agent II, 7487 South State Road 121, Macclenny, Florida 32063-9777, (904)259-6211, Ext. 1121, Fax (904)259-8797

NOTE: Faxed Quotations Will Not Be Considered – Sealed Bids Only

The Northeast Florida State Hospital Reserves the right to refuse any and all bids when in the best interest of the State of Florida.

CONTRACT AWARD: The bid tabulation and notice of award will be posted June 22, 2001, 1:30 p.m. (Local Time), at the location where the bids were opened. In the event that the bid tabulation and notice of award cannot be posted in this manner, then all bidders will be notified by certified united states mail, return receipt requested. if no protest is filed, the contract will be awarded to the qualified responsive low bidder in accordance with Rule 60D-5, F.A.C., by the owner.

ADVERTISEMENT FOR BIDS

LEGAL NOTICE IS HEREBY GIVEN THAT SEALED BIDS ARE REQUESTED FROM QUALIFIED BIDDERS, BY THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILY SERVICES, NORTHEAST FLORIDA STATE HOSPITAL, HEREINAFTER REFERRED TO AS THE OWNER, TO PROVIDE VARIOUS GROCERY ITEMS NEEDED FOR THE PERIOD JULY 1, 2001 THROUGH DECEMBER 31, 2001.

BID OPENING DATE AND TIME: June 18, 2001, 2:00 p.m. (Local Time)

PLACE: Northeast Florida State Hospital, Purchasing Agent's Office, Building 19, 7487 South State Road 121, Macclenny, Florida 32063-9777.

PROPOSAL: Bids must be submitted in full, in accordance with the requirements of the specifications, bidding and special conditions, which may be examined and obtained from:

PURCHASING AGENT: Claudia (Sissie) Crews, Purchasing Agent II, 7487 South State Road 121, Macclenny, Florida 32063-9777, (904)259-6211, Ext. 1121, Fax (904)259-8497

NOTE: Faxed Quotations Will Not Be Considered – Sealed Bids Only

The Northeast Florida State Hospital Reserves the right to refuse any and all bids when in the best interest of the state of florida.

CONTRACT AWARD: The bid tabulation and notice of award will be posted June 22, 2001, 2:00 p.m. (Local Time), at the location where the bids were opened. In the event that the bid tabulation and notice of award cannot be posted in this manner, then all bidders will be notified by certified united states mail, return receipt requested. If no protest is filed, the contract will be awarded to the qualified responsive low bidder in accordance with Rule 60D-5, F.A.C., by the owner.

CANAVERAL PORT AUTHORITY

INVITATION TO BID

Sealed proposals will be received from pre-qualified bidders by the undersigned in the Commission Meeting Room at the office of the Canaveral Port Authority, 200 George King Blvd., Cape Canaveral, Florida 32920 for construction of SR 401 Overpass and the West Turning Basin Cruise Intermodal Gate until 2:00 p.m., June 14, 2001, at which time and place they will be publicly opened and read aloud. Project cost is estimated at approximately from \$15,000,000.00 to \$17,000,000.00; not including alternates if any. The Work is generally described as follows: Construct a fly-over bridge on S.R. 401. Make improvements to Charles M. Rowland Drive including utilities for water, reuse water, wastewater, stormwater, irrigation, landscaping and construction of parking and bus and car unloading facilities.

All work performed shall be in accordance with the Contract Documents pertaining thereto, which may be examined at the office of Gee & Jenson, Engineers Architects-Planners, Inc., 730 Mullet Road, Unit A, Cape Canaveral, Florida 32920 or at the office of the Canaveral Port Authority, May 14, 2001 and thereafter.

Copies of the Contract Documents, including blank bid forms may be obtained May 14, 2001 and thereafter at the office of Gee & Jenson, Inc., upon payment of \$250.00 for each set which amount will not be refundable.

Make checks payable to Canaveral Port Authority and send to Gee & Jenson, E.A.P., 730 Mullet Road, Unit A, Cape Canaveral, FL 32920

Bid sets may be picked up at the offices of Gee & Jenson, E.A.P. at the address above.

A certified or cashier's check on a national or state bank or a bid bond in a sum not less than five percent (5%) of the amount of the base bid, made payable to the Canaveral Port Authority shall accompany each proposal as a guarantee that the bidders

will not withdraw from the competition after the opening of proposals. In the event the contract is awarded to the bidder, he will be required to furnish a Public Construction Bond before entering into a contract. Failing to do so may result in the Owner retaining the bid bond for liquidated damages. Proposals shall be prepared, addressed and submitted in compliance with detailed instructions as set forth in the Contract Documents.

The Owner reserves the right to reject all proposals with or without cause, to waive technical errors and informalities and to accept the proposal which in its judgement best serves the Owner.

Bidders must be pre-qualified by the Florida Department of Transportation for the type of work contemplated.

The Canaveral Port Authority
By _____
Barbara Smith
Assistant Secretary

BREVARD COUNTY PROPERTY APPRAISER

REQUEST FOR PROPOSAL

The Brevard County Property Appraiser seeks professional photogrammetric services to generate aerial photography products consisting of original negatives, contact prints, mylar enlargements and digital ortho-rectified images in .tif and .tfr format on CD-ROM or UNIX tape format covering all of Brevard County with the exception of the Kennedy Space Center and Patrick Air Force Base. Firms interested in responding to this request must be on the Florida Department of Revenue's Approved Bidders List, and must provide: specific company experience in providing the aerial photography products listed; the methodology to be used; the list of key personnel to be permanently assigned to the project; a guarantee to fly, photograph and deliver products of the specified area by March 1, 2002; and proof of professional liability insurance. Qualified firms must apply for consideration NLT June 22, 2001, 5:00 p.m. All correspondence and requests for RFP copies are to be directed to: Gary Ridenour, Director of Geographic Information and Mapping, Brevard County Property Appraiser's Office, P. O. Box 429, Titusville, FL 32781-0429, (321)264-6707, Fax (321)264-6983.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

PUBLIC NOTICE

The Division of Historical Resources announces that it is soliciting applications for State grant-in-aid assistance for historic preservation projects.

Approximately \$1 million will be available for acquisition and development, survey and planning and community education projects.

The deadline for filing applications is August 31, 2001 and applications must be delivered to the Bureau of Historic Preservation office, by 5:00 p.m., that day or clearly postmarked or show evidence of submission to an express mail service on or before that date.

Further information may be obtained from: Grants and Education Section, Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or call (850)487-2333.

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 notices. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Section 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 22, 2001):

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Coast to Coast Credit Union, 8916 Sabal Industrial Blvd., Tampa, Florida 33619-1326

Expansion Includes: Employees of Genesis Marketing Research, Inc.

Received: May 17, 2001

Name and Address of Applicant: Gulf States Credit Union, 9405 South Highway 17-92, Maitland, Florida 32751

Expansion Includes: Employees and members of the Florida Pest Control Association, Inc., and the employees of the association members.

Received: May 17, 2001

IN RE:

GRAYSTONE NASH, INC. Administrative Proceeding
Retirement Accounts, Inc., 2968-S-6/00

F/B/O Judith

Burganger Treer, individually
and as Joint Tenant with Leonid
Treer with right of survivorship

Respondent.

_____ /

NOTICE OF INTENT TO ENTER A FINAL ORDER
APPROVING RECOVERY FROM THE SECURITIES
GUARANTY FUND AND NOTICE OF RIGHTS

The State of Florida Department of Banking and Finance, Division of Securities and Investor Protection (the "Department"), being authorized and directed to administer and to accept and pay claims against the Securities Guaranty Fund (the "Fund"), codified in Sections 517.131 and 517.141, Florida Statutes, does hereby give Notice of its intention to enter a Final Order approving the application of Retirement Accounts, Inc. F/B/O Judith Burganger Treer, individually and as Joint Tenant with Leonid Treer with right of survivorship ("Treer" and "Claimant") for payment from the Fund for violations of the Florida Securities and Investor Protection Act by Respondent Graystone Nash, Inc.

The Securities Guaranty Fund is disbursed as provided in Section 517.141, Florida Statutes, to a person who is adjudged by a court of competent jurisdiction to have suffered monetary damages as a result of a dealer, investment advisor or associated person having violated Sections 517.07 or 517.301, Florida Statutes.

STATEMENT OF FACTS

1. Under the provisions of the Florida Securities and Investor Protection Act (the "Act"), the Department is charged with the responsibility and duty of administering the fund, which includes the duty to approve or deny applications for payment from the Fund, as set forth in Section 517.141(3)(a), Florida Statutes.
2. At all times material hereto, Graystone Nash, Inc. ("Graystone") was registered pursuant to Chapter 517, Florida Statutes (CRD No. 10635).
3. On December 30, 1999, the Department received a letter from Latona and Isenberg Attorneys at Law providing notice to the Department that the Claimant was making a claim against the Securities Guaranty Fund for acts committed by Graystone. With the letter and subsequent letters, the Department was provided with the following:
 - a. A copy of the Final Judgment Following Default from the Circuit Court in and for the Seventeenth Judicial Circuit, in and for Broward County, Florida, Case No. 94-10909, awarding \$27,056.25 for damages, \$200.00 for costs, and \$21,999.22;
 - b. A copy of the Complaint from the Circuit Court in and for the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida Case No. CL 92-7320AJ, alleging violations of Section 517.301, Florida Statutes, against Graystone by Claimants;
 - c. A copy of a writ of execution to levy on the property of Graystone from the Clerk of the Court in and for the Seventeenth Judicial Circuit, in and for Broward County, Florida and the receipt for the writ from the Broward County Sheriff's Office; and

- d. An affidavit signed by Anthony Garrett, Esq., in which he states that he has searched for the assets of Graystone and has been unable to locate any real or personal property liable to be levied upon in satisfaction of the judgement.

CONCLUSIONS OF LAW

4. The requirements for perfecting a claim to the Fund are found in Sections 517.131 and 517.141, Florida Statutes.
5. Based upon the foregoing Statement of Facts, the Department concludes that the Claimant satisfied the requirements in Section 517.131, Florida Statutes, in that:
 - a. Treer has been adjudged by the Circuit Court in and for the Seventeenth Judicial Circuit, in and for Broward County, Florida, Case No. 94-10909, to have suffered \$27,056.25 in damages resulting from Graystone's violations of Section 517.301, Florida Statutes;
 - b. The Claimant has attempted to collect from the judgement debtor, but it has not recovered any amount from the Respondent or any other source in satisfaction of these damages;
 - c. At all times material hereto, Respondent was licensed under Chapter 517, Florida Statutes; and
 - d. The act for which Claimant seeks recovery occurred after January 1, 1979.
6. Each Claimant is limited to recovering the amount equal to the unsatisfied portion of his or her judgment or \$10,000, whichever is less, as set forth in Section 517.141(1), Florida Statutes.
7. The total claims may not exceed \$100,000, and all claims will be prorated based upon the ratio that the person's claim bears to the total claims filed, as set forth in Section 517.141(2), Florida Statutes.
8. Section 517.141(3), Florida Statutes, provides that no payment from the Fund shall be made until 2 years after the first claim has been determined by the Department to be eligible for payment from the Fund. This subsection further provides that any additional claims or potential claims filed with or approved by the Department during the two year period shall also be considered by the Department and provision made for further prorations concerning such additional claims, if any, two years hence.
9. It is the conclusion of the Department that the two claims amounting to a total of \$20,000 have been paid from the Securities Guaranty Fund as the result of the Respondent's conduct. Therefore, the two year period described in Section 517.141, Florida Statutes, shall not apply.

PROPOSED FINAL ORDER

Upon due consideration of the factual statement set forth above and the law applicable thereto, NOTICE is hereby given that the Department intends to and will issue a Final Order substantially as follows, subject only to the Notice of Rights attached hereto and made a part hereof:

1. The Department hereby approves Treer's claim in the amount of \$10,000;
2. Treer shall assign any right, title and interest in the debt to the Department to the extent of and prior to any payment by the Department from the Fund.

NOTICE OF RIGHTS

Notice is hereby given that the Respondent may request a hearing on the Notice of Intent to enter a Final Order Approving Recovery from the Securities Guaranty Fund to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. Requests for such a hearing must comply with the provisions of Florida Administrative Code 28-106.201, and must be filed with:

Clerk
 Office of the Comptroller
 Department of Banking and Finance
 Legal Section
 101 East Gaines Street
 The Fletcher Building, Room 526
 Tallahassee, Florida 32399-0350

within twenty-one (21) days after Respondent receives a copy of this Notice of Intent to enter a Final Order Approving Recovery from the Securities Guaranty Fund and Notice of Rights, otherwise Respondent shall be deemed to have waived all rights to such hearing. Should Respondent request such a hearing, it is further advised that at such hearing it will have the right to offer testimony, either written or oral; to call and cross-examine witnesses; and to have subpoena and subpoenas duces tecum issued on his behalf.

_____/s/
 Thomas Cibula
 Assistant General Counsel
 Office of the Comptroller
 101 East Gaines Street
 The Fletcher Building, Suite 526
 Tallahassee, Florida 32399-0350
 (850)410-9896

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of Less
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Dynasty Motorcar Corporation, intends to allow the establishment of GEM of Destin LLC d/b/a EV of Destin, as a dealership for the sale of IT vehicles at 14071-C Hwy. 98, E., Destin (Okaloosa County), Florida 32541, on or after April 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of GEM of Destin LLC d/b/a EV of Destin are: dealer operator(s) and principal investor(s): Anthony and Mary Derck, 227 Wilderness Way, Grayton Beach, FL 32459.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Howard Wilson, V.P., World Wide Sales and Marketing, Dynasty Motorcar Corporation, 800 McCurdy Road, Kelowna, BC, Canada V1X 2P7.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Dynasty Motorcar Corporation, intends to allow the establishment of Richard Cucchi's Caddy Carts, Inc., as a dealership for the sale of IT vehicles, at 510 Paul Morris Drive, Englewood (Sarasota County), Florida 34223, on or after April 15, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Richard Cucchi's Caddy Carts, Inc. are: dealer operator(s) and principal investor(s): Richard Cucchi, 4150 Hibiscus, Venice, FL 34293.

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: Howard Wilson, V.P., World Wide Sales and Marketing, 800 McCurdy Road, Kelowna, BC, Canada V1X2P7.

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.

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 Section 62-17.211(4), Florida Administrative Code, concerning:

City of Lakeland McIntosh Power Plant
Request for Modification of Conditions of Certification
PA 74-06H
OGC Case No. 99-2254
Polk County, Florida

Pursuant to Section 403.516, Florida Statutes, and Section 62-17.211(4), Florida Administrative Code, the Department proposes to modify the Conditions of Certification. On July 23, 1999, the City of Lakeland filed a request to amend the Conditions of Certification pursuant to Section 403.516(1)(b), Florida Statutes to delete a condition requiring evaluation of treated sewage effluent for use in the cooling towers.

A copy of the proposed modification order is available from: Hamilton S. Oven, P. E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. #48, Tallahassee, Florida 32399-2400, (850)487-0472.

POINT OF ENTRY

Pursuant to Section 403.516, Florida Statutes, and Section 62-17.211(5), Florida Administrative Code, 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 of the Department, 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 Section 403.516(1)(c), Florida Statutes, 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.

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT TREATMENT, COLLECTION, TRANSMISSION, MAJOR REHABILITATION, AND REUSE FACILITIES

The Florida Department of Environmental Protection has determined that the City of Port Orange's proposed Wastewater Project will not have a significant adverse impact on the environment. The total project cost is estimated at \$19,355,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. A full copy of the Florida Finding of No Significant Impact can be obtained by contacting: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

DEPARTMENT OF HEALTH

On May 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 Richard Tyson, M.D., license number ME 0021992. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 17, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension/Restriction with regard to the license of Susan Wetterhall license number RN 2801312. Susan Wetterhall's last known address is 1465 South Davis Avenue, Bartow, Florida 33838. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8)

and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 17, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Shirley Barnett, RN license number RN 3030432. Stephen's last known address is: Post Office Box 380381, Miami, Florida 33238-0381. 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 May 17, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Kathleen Sperry, LPN license number PN 1243791. Sperry's last known address is: 1856 Wheeler Road, North Palm Beach, FL 33408. 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.

CITY OF CLEWISTON

CITY MANAGER – City of Clewiston, FL. (Population 6,500). Salary range: \$50,000 to \$70,000 plus benefits. Chief administrative official for the city. Directs and coordinates administration of city government in accordance with the policies determined by the five-member city commission elected at large.

The City's current budget is \$18 million; 115 full-time employees; full-service city.

Must possess skills and abilities including but not limited to: public works, fiscal management and intergovernmental relation experience; superior organization management and consensus-building skills; ability to formulate, submit and administer budgets; proficient in the use of computers and able to function in a sophisticated computer environment. Must be able to keep the city commission fully advised as to its financial condition and forecast future needs of the city.

Minimum qualifications: A bachelor's degree from an accredited college or university in public administration, government, accounting, business administration or related field and three years of professional experience as a city manager or related field with high level of management and supervisory experience.

Submit resume, cover letter and five professional references to: Interim City Manager Iva Pittman, City of Clewiston, 115 West Ventura Avenue, Clewiston, FL 33440. Position is open until filled. Under Florida Public Records Law, resumes are subject to disclosure. EOE/ADA/DFWP.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN May 14, 2001
 and May 18, 2001

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LEGAL AFFAIRS

2-37.010	5/16/01	6/5/01	27/15	
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DEPARTMENT OF INSURANCE

4-191.036	5/14/01	6/3/01	27/7	
4-191.043	5/15/01	6/4/01	27/14	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
4-191.046	5/14/01	6/3/01	27/7	
4-191.048	5/14/01	6/3/01	27/7	
4-191.073	5/14/01	6/3/01	27/7	

DEPARTMENT OF EDUCATION
Florida A and M University

6C3-10.117	5/14/01	6/3/01	Newspaper	
6C3-10.130	5/14/01	6/3/01	Newspaper	
6C3-10.133	5/14/01	6/3/01	Newspaper	
6C3-10.143	5/14/01	6/3/01	Newspaper	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
6C3-10.230	5/14/01	6/3/01	Newspaper	
6C3-10.233	5/14/01	6/3/01	Newspaper	
6C3-10.337	5/14/01	6/3/01	Newspaper	

STATE BOARD OF ADMINISTRATION

19-8.010	5/14/01	6/3/01	27/7	27/16
19-8.029	5/14/01	6/3/01	27/7	27/16

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

41-2.006	5/14/01	6/3/01	27/5	27/14
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Code Administrators and Inspector

61G19-9.003	5/16/01	6/5/01	27/6	27/16
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Dentistry

64B5-12.020	5/18/01	6/7/01	27/11	27/15
64B5-14.003	5/18/01	6/7/01	27/11	27/15

Board of Osteopathic Medicine

64B15-19.002	5/18/01	6/7/01	27/11	
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Board of Psychology

64B19-11.003	5/16/01	6/5/01	27/15	
64B19-12.001	5/16/01	6/5/01	27/15	

Section XIV
List of Rules Affected

Section XIV List of Rules Affected				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.				4-5.074	27/15		
w – Signifies Withdrawal of Proposed Rule(s)				4-124.003	27/17		
c – Rule Challenge Filed				4-124.004	27/17		
v – Rule Declared Valid				4-124.005	27/17		
x – Rule Declared Invalid				4-124.006	27/17		
d – Rule Challenge Dismissed				4-124.007	27/17		
dw – Dismissed Upon Withdrawal				4-124.008	27/17		
Rule No.				4-124.009	27/17		
	Proposed	Amended	Adopted	4-124.012	27/17		
	Vol./No.	Vol./No.	Vol./No.	4-124.012	27/17		
				4-124.026	27/17		
				4-141.0016	21/2c		
				4-149	24/3c		
				4-149.001	24/3c		
				4-149.001	23/45	26/22	
				4-149.002	24/46	26/22	
				4-149.002	23/45	26/22	
				4-149.003	24/46	26/22	
				4-149.003	23/45	26/22	
				4-149.004	24/46	26/22	
				4-149.004	23/45	26/22	
				4-149.005	24/46	26/22	
				4-149.005	23/45	26/22	
				4-149.006	24/46	26/22	
				4-149.006	23/45	26/22	
				4-149.007	24/46	26/22	
				4-149.007	23/45	26/22	
				4-149.008	24/46	26/22	
				4-149.008	23/45	26/22	
				4-149.009	24/46	26/22	
				4-149.009	23/45	26/22	
				4-149.010	24/46	26/22	
				4-149.010	23/45	26/22	
				4-149.020	24/46	26/22	
				4-149.020	23/45	26/22	
				4-149.021	24/46	26/22	
				4-149.021	23/45	26/22	
				4-149.022	24/46	26/22	
				4-149.022	23/45	26/22	
				4-149.023	24/46	26/22	
				4-149.023	23/45	26/22	
				4-149.024	24/46	26/22	
				4-149.024	23/45	26/22	
				4-149.101	24/46	26/22	
				4-149.101	23/45	24/31	
				4-149.102	24/3c		
				4-149.102	24/3c		
				4-149.102	24/46	26/22	
				4-149.102	23/45	24/31	
				4-149.102	23/45	26/12	
				4-149.102	23/45	26/22	
				4-1	24/3c		
				4-1	24/3c		
				4-1	24/46	26/22	
				4-1	26/44c		
				4-1	27/16c		
				4-1	27/18c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.103	23/45	24/31 26/12 26/22		4-149.111	23/45	24/31 26/12 26/22	
	24/3c 24/3c				24/3c 24/3c		
4-149.104	24/46 23/45	26/22 24/31 26/12 26/22		4-149.112	24/46 23/45	26/22 24/31 26/12 26/22	
	24/3c 24/3c				24/3c 24/3c		
4-149.105	24/46 23/45	26/22 24/31 26/12 26/22		4-149.113	24/46 24/3c 24/3c	26/22	
	24/3c 24/3c			4-149.114	24/3c		
4-149.106	24/46 23/45	26/22 24/31 26/12 26/22		4-149.115	24/3c		
	24/3c 24/3c			4-149.116	24/3c		
	24/46	26/22		4-149.117	24/3c		
	24/3c 24/3c			4-149.118	24/3c		
	24/46	26/22		4-149.119	24/3c		
	23/45	26/12 26/22		4-149.120	23/45	24/31 26/12 26/22	
	24/3c 24/3c						
4-149.107	24/46 23/45	26/22 24/31 26/12 26/22		4-149.121	24/3c 24/3c 24/46 23/45	26/22 24/31 26/12 26/22	
	24/3c 24/3c						
4-149.108	24/46 23/45	26/22 24/31 26/12 26/22			24/3c 24/3c 24/46	26/22	
	24/3c 24/3c			4-149.122	23/45	24/31 26/12 26/22	
	24/46	26/22					
4-149.109	23/45	24/31 26/12 26/22		4-149.123	24/3c 24/3c 24/46 23/45	26/22 24/31 26/12 26/22	
	24/3c 24/3c						
4-149.110	24/46 23/45	26/22 24/31 26/12 26/22			24/3c 24/3c 24/46	26/22	
	24/3c 24/3c			4-149.124	24/3c		
	24/46	26/22		4-149.125	24/3c		
4-149.1105	23/45	24/31		4-149.126	24/3c		
	24/3c			4-149.127	24/3c		
		26/22		4-149.128	24/3c		
		24/31		4-149.129	24/3c		
				4-149.130	24/3c		

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4-149.131	24/3c			4-166.020	27/22		
	24/3c			4-166.022	27/22		
4-149.132	24/3c			4-166.023	27/15		27/21w
	24/3c				27/17		
4-149.1325	24/20	24/20		4-166.026	27/15		27/21w
4-149.133	24/3c				27/17		
	24/3c			4-166.027	27/15		27/21w
4-149.190	23/45	26/22			27/17		
	24/3c			4-166.028	27/15		27/21w
	24/46	26/22			27/17		
4-154	27/3			4-166.029	27/22		
4-154.112(1)(b)	27/17c			4-167.002	27/14		
4-154.402	26/25			4-175.007	27/21		
4-154.403	26/25			4-175.009	27/21		
4-154.404	26/25			4-176.022	25/33	26/24	
4-154.405	26/25			4-184.015	27/21		
4-154.406	26/25			4-184.016	27/21		
4-154.407	26/25			4-184.019	27/21		
4-154.4071	26/25			4-184.022	27/21		
4-154.408	26/25			4-186.001	27/21		
4-154.411	26/25				27/21		
4-154.412	26/25			4-186.002	27/21		
4-154.502	26/25			4-186.003	27/21		
4-154.503	26/25			4-186.006	27/21		
4-154.504	26/25			4-186.008	27/21		
4-154.506	26/25			4-186.012	27/21		
4-154.507	26/25			4-186.014	27/21		
4-154.508	26/25			4-191.036	27/7		27/22
4-154.511	26/25			4-191.043	27/14		27/22
4-154.512	26/25			4-191.046	27/7		27/22
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4-154.515	26/25			4-191.073	27/7		27/22
4-154.516	26/25			4-192.013	27/9		27/18
4-154.517	26/25			4-192.023	27/9		27/18
4-154.518	26/25			4-192.033	27/9		27/18
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4-154.520	24/3c			4-193.065	26/41		
4-155.001	27/9		27/20	4-203.024	27/21		
4-155.003	27/9		27/20	4-203.029	27/21		
4-157.001	23/10	23/42		4-203.033	27/21		
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4-157.017	23/10	23/42		4-223.002	27/9		27/16
4-157.022	23/10	23/42		4-223.003	27/9		27/16
4-157.022(1)(b)	23/19c			4-223.004	27/9		27/16
4-157.022(1),(2)(c),(4)	23/52c			4-223.005	27/9		27/16
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4-157.022(3)	23/19c			4-223.007	27/9		27/16
4-157.022(4)	23/19c			4-223.008	27/9		27/16
4-157.022(5)	23/19c			4-223.009	27/9		27/16
4-157.023	23/10	23/42		4-223.010	27/9		27/16
4-157.023(1)(b)	23/52c			4-223.011	27/9		27/16
4-166.001	27/22			4-223.019	27/9		27/16

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4-223.022	27/9		27/16	4A-3.009	27/12		
4-223.023	27/9		27/16	4A-3.011	27/12		
4-223.024	27/9		27/16	4A-3.012	27/12		
4-223.025		22/12	27/16	4A-21.102	27/14		
	27/9		27/16	4A-21.103	27/14		
4-223.026	27/9		27/16	4A-21.104	27/14		
4-223.027	27/9		27/16	4A-21.106	27/14		
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	27/9		27/16	4A-21.108	27/14		
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4-223.030	27/9		27/16	4A-21.110	27/14		
4-223.031	27/9		27/16	4A-21.113	27/14		
4-223.032		24/51	27/16	4A-21.114	27/14		
	27/9		27/16	4A-21.203	27/14		
4-223.033	27/9		27/16	4A-21.238	27/14		
4-223.034	27/9		27/16	4A-21.240	27/14		
4-223.035		22/12	27/16	4A-21.241	27/14		
	27/9		27/16	4A-21.242	27/14		
4-223.036	27/9		27/16	4A-21.245	27/14		
4-223.037	27/9		27/16	4A-21.249	27/14		
4-228.010	26/35	27/9	27/17	4A-21.251	27/14		
4-228.020	26/35	27/9	27/17	4A-21.302	27/14		
4-228.030	26/35	27/9	27/17	4A-21.303	27/14		
4-228.040	26/35	27/9	27/17	4A-21.304	27/14		
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4-228.080	26/35	27/9	27/17	4A-28.016	27/12		
4-228.090	26/35	27/9	27/17	4A-36.100	27/12		
4-228.100	26/35	27/9	27/17	4A-36.101	27/12		
4-228.110	26/35		27/17	4A-36.102	27/12		
4-228.120	26/35		27/17	4A-36.103	27/12		
4-228.130	26/35		27/17	4A-36.105	27/12		
4-228.140	26/35		27/17	4A-36.106	27/12		
4-228.150	26/35	27/9	27/17	4A-36.107	27/12		
4-228.160	26/35	27/9	27/17	4A-36.108	27/12		
4-228.170	26/35		27/17	4A-38.020	27/12		
4-228.180	26/35	27/9	27/17	4A-38.021	27/12		
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4-228.210	26/35	27/9	27/17	4A-38.024	27/12		
4-228.220	26/35	27/9	27/17	4A-38.026	27/12		
		27/11	27/17	4A-38.028	27/12	27/18	
4-228.230	26/35	27/9	27/17	4A-38.030	27/12		
4-228.240	26/35		27/17	4A-41.001	27/12		
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9B-1.028	27/12			11-2.004	27/17		
9B-1.030	27/12			11B-14.002	27/17		
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9C-600.002	26/33			11B-20.0012	27/17		
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9J-8.004	22/39			11B-20.0017	27/17		
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9K-7.003	27/14		27/21	11B-27.006	27/17		
9K-7.004	27/14		27/21	11B-27.013	27/17		
9K-7.005	27/14		27/21	11B-30.0061	27/17		
9K-7.006	27/14		27/21	11B-30.0062	27/17		
9K-7.007	27/14		27/21	11B-30.0063	27/17		
9K-7.008	27/14	27/19		11B-30.007	27/17		
9K-7.009	27/14	27/19		11B-30.0071	27/17		
9K-7.010	27/14			11B-30.008	27/17		
9K-7.011	27/14			11B-30.009	27/17		
9K-7.012	27/14			11B-30.010	27/17		
9K-7.013	27/14			11B-30.011	27/17		
9K-8.001	27/14		27/21	11B-30.012	27/17		
9K-8.002	27/14		27/21	11B-30.013	27/17		
9K-8.003	27/14		27/21	11B-30.014	19/40		
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9K-8.005	27/14		27/21	11B-35.001	27/17		
9K-8.006	27/14		27/21	11B-35.0011	27/17		
9K-8.007	27/14		27/21	11B-35.002	27/17		
9K-8.008	27/14		27/21	11B-35.0021	27/17		
9K-8.009	27/14		27/21	11B-35.0022	27/17		
9K-8.010	27/14		27/21	11B-35.0023	27/17		
9K-8.011	27/14		27/21	11B-35.0024	27/17		
9K-8.012	27/14		27/21	11B-35.003	27/17		
9K-8.013	27/14		27/21	11B-35.004	27/17		
9K-8.014	27/14		27/21	11B-35.006	27/17		
9M-1.002	27/10			11B-35.007	27/17		
9M-1.003	27/10			11B-35.008	27/17		
9M-1.004	27/10			11B-35.010	27/17		
9M-1.0045	27/10			11C-6.004	27/17		
9M-1.005	27/10	27/16		11D-6.003	27/17		
9M-1.007	27/10			11D-8.002	27/17		
9M-1.009	27/10			11D-8.003	27/17		
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10D-6.046(7)(f)2.	20/11c			11D-8.006	27/17		
10M-9.001	22/1			11D-8.007	27/17		
10M-9.026	22/1			11D-8.0075	27/17		
10M-9.045	22/1			11D-8.008	27/17		

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14-10.0051	27/16			18-24.008	27/15		
14-10.006	27/16						
14-10.007	27/16			STATE BOARD OF ADMINISTRATION			
14-15.002	26/46	27/11	27/19	19-8.010	27/7	27/16	27/22
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14-22.0011	27/12	27/21		19-10.001	27/5	27/12	27/18
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14-22.008	27/12	27/21		19-10.003	27/21		
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14-22.012	26/44c			CITRUS			
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14-75.003	27/14			20-71.004	27/7		27/16
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14-75.0051	27/14			20-71.006	27/7		27/16
14-75.0052	27/14			20-72.009	27/7		27/16
14-75.0053	27/14			20-111.001	27/10		27/20
14-75.0071	27/14			20-111.0021		25/19	27/20
14-75.008	27/14				27/10		27/20
14B-1.001	26/3	26/24		20-111.003	27/10		27/20
14B-1.002	26/3	26/24		20-111.004	27/10		27/20
14B-1.003	26/3	26/24		20-111.007	27/10		27/20
14B-1.004	26/3	26/24		20-111.008	27/10		27/20
14B-1.005	26/3	26/24					
14B-1.006	26/3	26/24		PROFESSIONAL REGULATION			
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17-671.310	15/32			EXECUTIVE OFFICE OF THE GOVERNOR			
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33-3.0081	25/35	25/43		33-601.717	26/48		
33-3.0082	25/35	25/43		33-601.718	26/48		
33-3.0084	25/35	25/43		33-601.719	26/48		
33-3.0085	25/35	25/43		33-601.720	26/48		
33-3.015	21/43			33-601.721	26/48		
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33-22.009	17/12			33-601.725	26/48		
33-22.011	17/12			33-601.726	26/48		
33-25.031	20/11c			33-601.727	26/48		
33-32.021	19/5			33-601.728	26/48		
33-32.022	19/5			33-601.729	26/48		
33-38.001	25/35	25/43		33-601.730	26/48		
33-38.003	25/35	25/43		33-601.731	26/48		
33-38.005	25/35	25/43		33-601.732	26/48		
33-38.006	25/35	25/43		33-601.733	26/48		
33-38.009	25/35	25/43		33-601.734	26/48		
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33-208.101	27/4	27/16	27/22w	33-602.401(2)(b)	26/39c		
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33-302.106	27/3			38E-2.003	27/20		
33-302.107	27/21			38E-3.007	27/20		
33-302.109	27/21			38E-5.003	27/20		
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38F-55.003	27/14				27/10c		
38F-55.004	27/14			40C-40.381	27/3		
38F-55.005	27/14			40C-41	27/10c		
38F-55.006	27/14			40C-41.063	27/3		
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38F-55.012	27/14			40C-42.029	27/3		
38F-55.013	27/14	27/19		40C-400.201	21/48	21/48	
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40C-9.041	27/1			40D-2.621	20/48		
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40C-9.280	27/1			40E-1.510	20/18	21/36	
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40C-9.340	27/1			40E-1.607	19/43		
40C-9.350	27/1			40E-1.612	20/18	21/36	
40C-9.360	27/1			40E-1.614	20/18	21/36	
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53ER01-6			27/7	59A-7.020	20/25		
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59E-7.014	27/10	27/19		61B-39.002	22/33		
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59F-1.002	20/33			61C-3.002	22/23	22/36	
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