

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Title Insurance Rates
 RULE NO.: 4-186.003

PURPOSE AND EFFECT: To decrease title insurance by 9%.

SUBJECT AREA TO BE ADDRESSED: Actuarial analysis resulting from our data collection for 1994, 1995 and 1996 indicated title insurance rates were 9% too high. Savings for the consumer will result in an average of a \$52 savings in title insurance premiums on each \$100,000 transaction.

SPECIFIC AUTHORITY: 624.308(1), 626.9611, 627.782 FS.

LAW IMPLEMENTED: 626.9541(1)(h)3.a., 627.777, 617,782, 627.783, 627.7831, 627.7841, 627.7845 FS.

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

TIME AND DATE: 10:00 a.m., March 25, 1999

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: W. M. Senter, Insurer Services, Department of Insurance

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White at (850)922-3110, ext. 4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-186.003 Title Insurance Rates.

The following are risk rate premiums to be charged by title insurers in this state for the respective types of title insurance contracts. To compute any insurance premium on a fractional thousand of insurance (except as to minimum premiums), multiply such fractional thousand by the rate per thousand applicable, considering any fraction of \$100.00 as a full \$100.00.

(1) Owner's and Leasehold Rates

(a) The risk premium for original owner's or leasehold insurance shall be:

	Per Thousand
From \$0 to \$100,000 of liability written	<u>\$5.23</u> \$5.75
From \$100,000 to \$1 million, add	<u>\$4.55</u> \$5.00
Over \$1 million and up to \$10 million, add	<u>\$2.73</u> \$3.00
Over \$10 million, add	<u>\$2.05</u> \$2.25

Minimum Premium for all conveyances
 except multiple conveyances \$100.00

Minimum Premium for multiple conveyances
 on the same property (e.g., timesharing) \$60.00

(b) No change.

(2) Owner's, Mortgage, and Leasehold Reissue Rates.

(a) The reissue risk premium charge for Owner's, Mortgage, and Leasehold Title insurance policies shall be:

	Per Thousand
Up to \$100,000 of liability written	<u>\$3.00</u> \$3.30
Over \$100,000 and up to \$1 million, add	<u>\$2.73</u> \$3.00
Over \$1 million and up to \$10 million, add	<u>\$1.82</u> \$2.00
Over \$10 million, add	<u>\$1.37</u> \$1.50
Minimum Premium	\$100.00

(b) No change.

(c) No change.

(3) No change.

(4) Mortgage Title Insurance Rates

(a) The risk premium for mortgage title insurance shall be:

	Per Thousand
From \$0 to \$100,000 of liability written	<u>\$5.23</u> \$5.75
From \$100,000 to \$1 million of liability written, add	<u>\$4.55</u> \$5.00
Over \$1 million and up to \$10 million, add	<u>\$2.73</u> \$3.00
Over \$10 million, add	<u>\$2.05</u> \$2.25
Minimum Premium	\$100.00

Minimum Premium for multiple conveyances on the same property (e.g., timesharing) \$60.00

(b) No change.

(5) through (13) No change.

Specific 624.308(1), 626.9611, 627.782 FS. Law Implemented 626.9541(1)(h)3.a., 627.777, 627.782, 627.783, 627.7831, 627.7841, 627.7845 FS. History-New 9-17-71, Amended 12-28-73, Repromulgated 12-24-74, Amended 4-12-82, 12-23-82, Formerly 4-21.03, Amended 6-25-86, 2-26-90, 7-26-90, 2-27-91, Formerly 4-21.003, Amended 2-13-95.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 97-35R

RULE CHAPTER TITLE: Management of Uplands Vested

RULE CHAPTER NO.: 18-2

PURPOSE AND EFFECT: At the May 12, 1998 meeting, the Board of Trustees directed the Department of Environmental Protection to modify chapter 18-2 to address under what conditions a public or private entity may use uplands owned by the Board of Trustees to implement mitigation projects required for issuance of a permit under chapter 161 of the Florida Statutes or part IV of chapter 373 of the Florida Statutes. Chapter 18-21 of the Florida Administrative Code,

Sovereignty Submerged Lands Management, is proposed to be modified similar to and concurrent with the changes proposed herein for chapter 18-2. During the rule development process, the Department may decide to amend any or all of the rule sections contained in chapter 18-2 of the Florida Administrative Code.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment will include the standards and criteria that must be met when mitigation is proposed to be conducted on state-owned uplands as a requirement for issuance of a permit under chapter 161 of the Florida Statutes or part IV of chapter 373 of the Florida Statutes. In addition, the proposed rules will include a prohibition against implementing a mitigation bank as provided in sections 373.4135-.4136 of the Florida Statutes and chapter 62-342 of the Florida Administrative Code, on state-owned uplands.

SPECIFIC AUTHORITY: 253.03, 253.08, 270.11 FS.

LAW IMPLEMENTED: 253.022, 253.03, 253.034, 253.11, 253.42-.44, 253.51-.61, 270.08, 270.11 FS.

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

TIME AND DATE: 1:00 p.m., Wednesday, March 24, 1999

PLACE: Department of Environmental Protection, Twin Towers, Room 609, 2600 Blairstone Road, Tallahassee, Florida 32399-2400

TIME AND DATE: 1:00 p.m., Thursday, March 25, 1999

PLACE: St. Johns River Water Management District, Orlando Field Office, Wekiva Conference Room, 618 East South Street, Orlando, Florida 32803

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Constance Bersok, Environmental Administrator, Bureau of Submerged Lands and Environmental Resources, MS 2500, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)921-9858

A copy of the agenda may be requested in writing, by telephone at 850-921-9858, or electronic mail (bersok_c@dep.state.fl.us). If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)487-1855 or (800)955-8771 (TDD), at least seven days before the meeting.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

18-2.017 Definitions.

When used in this rule chapter, the following shall have the indicated meaning unless the context clearly indicates otherwise:

(1) through (50) No change.

(51) "Restoration planning document" means any plan whose purpose is comprehensive management of water quality or natural resources, such as a management plan under section 253.034, F.S.; a surface water and improvement plan under section 373.451, F.S.; an aquatic preserve plan under section 18-20.013, F.A.C.; a regional water supply plan under section 373.0361(5), F.S.; or an ecosystem management plan or agreement.

(51) through (67) renumbered (52) through (68) No change.

Specific Authority 253.03 FS. Law Implemented 253.022, 253.034 FS. History--New 6-4-96, Amended.

18-2.018 Policies, Standards, and Criteria for Evaluating, Approving, or Denying Request to Use Uplands.

Applications to use Trustees-owned uplands and decisions to approve or reject such applications will be based on all of the following:

- (1) No change.
- (2) General Policies
- (a) through (p) No change.

(q) Mitigation required for issuance of a permit under chapter 161, F.S., or Part IV of chapter 373, F.S., on state-owned uplands shall meet the following criteria:

1. Mitigation shall be consistent with the restoration and enhancement objectives identified in any restoration planning document that exists for those state lands;

2. The mitigation design shall be approved by the land manager when a managing agency has been assigned;

3. The needed enhancement or restoration is not funded at the time the site is considered for the mitigation project. Mitigation may replace previously funded restoration or enhancement only if the funding is redirected to other restoration or enhancement activities on state-owned lands; and

4. Mitigation shall not be used to remedy unauthorized activities on state-owned uplands unless enforcement remedies are not available or cannot fully restore the damage caused by the unauthorized activities;

(r) Mitigation banking, as provided for in sections 373.4135-.4136, F.S., and chapter 62-342, F.A.C., on state-owned uplands is prohibited.

(3) No change.

Specific Authority 253.03, 270.08, 270.11 FS. Law Implemented 253.03, 253.034, 253.11, 253.51-61, 253.42-44, 270.08, 270.11 FS. History--New 6-4-96, Amended.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 97-37R

RULE CHAPTER TITLE: Sovereignty Submerged Lands Management

RULE CHAPTER NO.: 18-21

PURPOSE AND EFFECT: At the May 12, 1998 meeting, the Board of Trustees directed the Department of Environmental Protection to modify chapter 18-21 to address under what conditions a public or private entity may use sovereign submerged lands owned by the Board of Trustees to implement mitigation projects required for issuance of a permit under chapter 161 of the Florida Statutes or part IV of chapter 373 of the Florida Statutes. Chapter 18-2 of the Florida Administrative Code, Management of Uplands Vested in the Board of Trustees, is proposed to be modified similar to and concurrent with the changes proposed herein for chapter 18-21. During the rule development process, the Department may decide to amend any or all of the rule sections contained in chapter 18-21 of the Florida Administrative Code.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment will include the standards and criteria that must be met when mitigation is proposed to be conducted on sovereign submerged lands owned by the Board of Trustees as a requirement for issuance of a permit under chapter 161 of the Florida Statutes or part IV of chapter 373 of the Florida Statutes. In addition, the proposed rules will include a prohibition against implementing a mitigation bank as provided in sections 373.4135-4136 of the Florida Statutes and chapter 62-342 of the Florida Administrative Code, on sovereign submerged land.

SPECIFIC AUTHORITY: 253.03, 253.0345, 253.73 FS.

LAW IMPLEMENTED: 253.002, 253.01, 253.02, 253.03, 253.034, 253.0345, 253.04, 253.041, 253.12, 253.1221, 253.141, 253.51, 253.61, 253.67, 253.68, 253.72, 253.74, 253.75, 253.77 FS.

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

TIME AND DATE: 1:00 p.m., Wednesday, March 24, 1999

PLACE: Department of Environmental Protection, Twin Towers, Room 609, 2600 Blairstone Road, Tallahassee, Florida

TIME AND DATE: 1:00 p.m., Thursday, March 25, 1999

PLACE: St. Johns River Water Management District, Orlando Field Office, Wekiva Conference Room, 618 East South Street, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Constance Bersok, Environmental Administrator, Bureau of Submerged Lands and Environmental Resources, MS 2500, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)921-9858.

A copy of the agenda may be requested in writing, by telephone at (850)921-9858, or by electronic mail (bersok_c@dep.state.fl.us). If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)487-1855 or (800)955-8771 (TDD), at least seven days before the meeting.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

18-21.003 Definitions.

When used in these rules, the following definitions shall apply unless the context clearly indicates otherwise:

(1) through (46) No change.

(47) "Restoration planning document" means any plan whose purpose is comprehensive management of water quality or natural resources, such as a management plan under section 253.034, F.S.; a surface water and improvement plan under section 373.451, F.S.; an aquatic preserve plan under section 18-20.013, F.A.C.; a regional water supply plan under section 373.0361(5), F.S.; a marine sanctuary plan under U.S. Marine Protection, Research and Sanctuaries Acts of 1972 and 1990; a national estuary program plan under the Clean Water Act of 1987; a national estuarine research reserve plan under section 315 of the Coastal Zone Management Act of 1972 (15 CFR Part 921); or an ecosystem management plan or agreement.

(47) through (57) renumbered (48) through (58) No change.

Specific Authority 253.03(7), 253.0345 FS. Law Implemented 253.002, 253.02, 253.03, 253.0345, 253.1221, 253.67, 253.77 FS. History--New 9-26-77, Formerly 16C-12.01, 16Q-17.01, Amended 3-27-82, 8-1-83, 2-25-85, Formerly 16Q-21.03, 16Q-21.003, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 3-20-94, 10-15-98.

18-21.004 Management Policies, Standards, and Criteria.

The following management policies, standards, and criteria shall be used in determining whether to approve, approve with conditions or modifications, or deny all requests for activities on sovereign submerged lands.

(1) General Proprietary

(a) through (j) No change.

(k) Mitigation required for issuance of a permit under chapter 161, F.S., or Part IV of chapter 373, F.S., on sovereign submerged lands, except for mitigation proposed by a riparian upland owner or riparian lessee of a single family residence within his or her riparian area, shall meet the following criteria:

1. Mitigation shall be consistent with the restoration and enhancement objectives identified in any restoration planning document that exists for sovereign submerged lands;

2. The mitigation design shall be approved by the land manager when a managing agency has been assigned;

3. The needed enhancement or restoration is not funded at the time the site is considered for the mitigation project. Mitigation may replace previously funded restoration or

enhancement only if the funding is redirected to other restoration or enhancement activities on sovereign submerged lands in the same waterbody; and

4. Mitigation shall not be used to remedy unauthorized activities on sovereign submerged lands unless enforcement remedies are not available or cannot fully restore the damage caused by the unauthorized activities.

(l) Mitigation banking, as provided for in sections 373.4135-4136, F.S., and chapter 62-342, F.A.C., on sovereign submerged lands is prohibited.

Specific Authority 253.03, 253.73 FS. Law Implemented 253.03, 253.034, 253.04, 253.041, 253.141, 253.51, 253.61, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History--New 3-27-82, Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 10-15-98,

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Procedural 40D-1

RULE TITLES: RULE NOS.:
Permit Processing Fee 40D-1.607
Forms and Instructions 40D-1.659

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate changes to Chapter 40D-1, F.A.C., necessitated by the repeal of Chapter 40D-45, F.A.C., and the creation of a Noticed General Permit for certain minor mining activities.

SUBJECT AREA TO BE ADDRESSED: The rule development will address revisions to various sections of Chapter 40D-1, listed above, that will require amendment concurrent with the District's proposed repeal of Chapter 40D-45 and the development of a Noticed General Permit for certain minor mining activities.

SPECIFIC AUTHORITY: 373.044, 373.046, 373.109, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.046, 373.085, 373.109, 373.113, 373.219, 373.337, 373.413, 373.4135, 373.414, 373.416, 373.419, 373.421, 373.427 FS.

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

TIME AND DATE: 5:30 p.m., March 16, 1999

PLACE: Southwest Florida Water Management District's Tampa Service Office, Board Room, 7601 U.S. Highway 301, North, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen E. West, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, extension 4651

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

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact: Dianne Lee, (352)796-7211 or 1(800)423-1476, extension 4658; TDD 1(800)231-6103; FAX (352)754-6878, SUNCOM 663-6878.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Individual Environmental

Resource Permits 40D-4
RULE TITLES: RULE NOS.:

Definitions 40D-4.021
Permits Required 40D-4.041
Exemptions 40D-4.051
Alteration of Exempt Projects 40D-4.054

Publications and Agreements Incorporated
by Reference 40D-4.091
General Conditions 40D-4.381

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate changes to Chapter 40D-4, F.A.C., necessitated by the repeal of Chapter 40D-45, F.A.C., and the creation of a Noticed General Permit for certain minor mining activities.

SUBJECT AREA TO BE ADDRESSED: The rule development will address the various sections of Chapter 40D-4, listed above, that will require amendment concurrent with the District's proposed repeal of Chapter 40D-45 and the development of a Noticed General Permit for certain minor mining activities.

SPECIFIC AUTHORITY: 120.54(8), 373.044, 373.046, 373.113, 373.118, 373.149, 373.171, 373.414, 373.414(9) FS.

LAW IMPLEMENTED: 373.042, 373.046, 373.103(8), 373.114, 373.403, 373.406, 373.409, 373.413, 373.414, 373.414(9), 373.416, 373.426, 373.427, 373.429, 373.441 FS.

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

TIME AND DATE: 5:30 p.m., March 16, 1999

PLACE: Southwest Florida Water Management District's Tampa Service Office, Board Room, 7601 U.S. Highway 301, North, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen E. West, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, extension 4651

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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Standard General Environmental 40D-40
Resource Permits
RULE TITLE: RULE NO.:
Conditions for Issuance of Standard
General Permit for Minor Surface Water 40D-40.301
Management Systems
PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate changes to Chapter 40D-40, F.A.C., necessitated by the repeal of Chapter 40D-45, F.A.C., and the creation of a Noticed General Permit for certain minor mining activities.
SUBJECT AREA TO BE ADDRESSED: The rule development will address various sections of Chapter 40D-40, listed above, that will require amendment concurrent with the District's proposed repeal of Chapter 40D-45 and the development of a Noticed General Permit for certain minor mining activities.
SPECIFIC AUTHORITY: 373.044, 373.113, 373.118 FS.
LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.427 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 5:30 p.m., March 16, 1999
PLACE: Southwest Florida Water Management District's Tampa Service Office, Board Room, 7601 U.S. Highway 301, North, Tampa, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen E. West, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, extension 4651
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact: Dianne Lee, (352)796-7211 or 1(800)423-1476, extension 4658; TDD 1(800)231-6103; FAX (352)754-6878, SUNCOM 663-6878.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Environmental Resource Permits 40D-400
RULE TITLE: RULE NO.:
General Permit for New Mining and
New Mining Related Site Activities (Unassigned)
for a Small Barrow Pit
PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to create a Noticed General Permit for certain minor mining activities.
SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the development of a Noticed General Permit for certain minor mining activities.
SPECIFIC AUTHORITY: 373.044, 373.113, 373.118 FS.
LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.419 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 5:30 p.m., March 16, 1999
PLACE: Southwest Florida Water Management District's Tampa Service Office, Board Room, 7601 U.S. Highway 301, North, Tampa, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen E. West, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, extension 4651
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.
The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact: Dianne Lee, (352)796-7211 or 1(800)423-1476, extension 4658; TDD 1(800)231-6103; FAX (352)754-6878, SUNCOM 663-6878.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Works or Lands of the District	40E-6
RULE TITLES:	RULE NOS.:
Part I	
Policy and Purpose	40E-6.011
Definitions	40E-6.021
Implementation	40E-6.031
Consent Required	40E-6.041
Exemptions	40E-6.051
Publications Incorporated by Reference	40E-6.091
Part II – Permits	
Subpart A – Notice General Permits	
Content of Application	40E-6.101
Conditions for Issuance of Notice General Permits	40E-6.121
Subpart B – Standard Permits	
Content of Application	40E-6.201
Conditions for Issuance of Standard Permits	40E-6.221
Subpart C – General Provisions	
Conditions for Issuance of Permits	40E-6.301
Access to Works and Lands of the District; Closures	40E-6.311
Duration of Permits	40E-6.321
Modification of Permits	40E-6.331
Revocation of Permits	40E-6.341
Transfer of Permits	40E-6.351
Financial Assurances and Insurance	40E-6.361
Limiting Conditions	40E-6.381
Part III – Emergencies	
Emergency Authorization	40E-6.451
Emergency Measures	40E-6.481
Unlawful Use	40E-6.491
Part IV – Violations	
Unlawful Use and Civil Penalties	40E-6.501
Self Help	40E-6.521
Part V – Processing Fees	
Permit Application Processing Fees	40E-6.601

PURPOSE AND EFFECT: The proposed rule incorporates changes to the South Florida Water Management District’s Right of Way Occupancy Permitting program. These changes are intended to allow the District to better respond to customer and community desires for use of the works or lands of the District without compromising the District’s ability to perform necessary routine and emergency operation and maintenance.

SUBJECT AREA TO BE ADDRESSED: The proposed rule streamlines the permitting and enforcement process including the introduction of a general permit category, maximizing the opportunities for consistent shared uses of works or lands of the District, including greenways and linear parks, and adjustment of the economic impact of certain permit application processing fees.

SPECIFIC AUTHORITY: 373.044, 373.109, 373.113, 373.129, 373.1395 FS.

LAW IMPLEMENTED: 120.60, 120.68, 196.199, 373.016, 373.044, 373.083, 373.085, 373.086, 373.103, 373.109, 373.113, 373.117, 373.118, 373.119, 373.129, 373.1395, 373.439, 373.603, 373.609, 373.613, 373.616, 373.3131, 380.06, 403.0877, 471.003 FS., Chapters 25209 and 25270, Laws of Florida.

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

TIME AND DATE: 7:00 p.m., March 24, 1999

PLACE: South Florida Water Management District, Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rosie Byrd, Staff Administrative Resource Associate, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6262 or (561)682-6262; internet: rbyrd@sfwmd.gov.

Although Governing Board meetings, hearings and workshops 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. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PART I

(Substantial rewording of Rule 40E-6.011 follows. See Florida Administrative Code for present text.)

40E-6.011 Policy and Purpose.

(1) This chapter governs the use of or connection to works or lands of the District. Conditions and criteria are established to ensure that uses are compatible with the construction, operation, and maintenance of such works or lands.

(2) Due to the critical importance of works and lands of the District in providing flood protection and other benefits, it is considered essential that the District retain complete dominion and control over the use of such works or lands, including those subject to occupancy permits. The District acts in a proprietary capacity in acquiring lands or interests therein for utilization as works of the District. These rules are based upon proprietary concepts of property law. A “permit” to utilize works or lands of the District is a contract between the District and the “permittee,” whereby the permittee obtains a license which is revocable at will, except as otherwise provided herein. All risk of loss regarding expenditures in furtherance of the permitted use is borne by the permittee. The District retains

complete discretion as to the manner, if any, in which works or lands of the District shall be utilized, and nothing in these rules is intended to limit that discretion.

(3) An exception to subsection (2), above, is made for governmental entities and utilities, which may have their consent to utilize District works or lands revoked only for cause, pursuant to the criteria set forth in this chapter.

(4) The District has determined that an unencumbered 40 foot wide strip of right of way, measured from the top of bank landward, is required in order for the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community. In this 40 foot right of way, subject only to limited exceptions provided in this rule, the District shall not authorize any above ground facilities or other.

(5) The requirement for the unencumbered 40 foot right of way shall be applicable regardless of the District's quality of title to the right of way and regardless of the width of the overbank right of way.

(6) In the past, the District has authorized certain above ground facilities and uses on its rights of way within the 40 foot right of way, as set forth in subsection (4), above. However, over time and with experience gained in disaster

preparation, operation and recovery, the District has determined that these previously authorized above ground facilities and uses are now inconsistent with the current and future operation and maintenance needs of the District. These facilities and uses have also been determined by the District to increase the operation and maintenance costs (for both routine and emergency operation and maintenance activities) and pose a significant additional physical burden on District staff. Accordingly, no future authorizations by the District shall allow above ground facilities or uses within that 40 foot right of way, and all previous authorizations for facilities and uses shall be expressly limited to minimize their adverse impact on District operations and maintenance. Specifically, such authorizations shall not be modified or transferred, and shall be subject to the revocation provisions set forth herein as determined necessary by the District in order to meet its current and future operation and maintenance responsibilities to provide adequate flood protection to the community.

(7) In order to effectively and efficiently evaluate proposed installations of above ground facilities and uses, the District has segmented the canal and rights of way into five (5) operational zones shown on the diagram below:

INSERT FIGURE 1

*The District's rights of way vary in width, and may be either less than forty feet or more than forty feet in width. Accordingly, in those cases when the right of way is less than forty feet, only those zones depicted above would be applicable to the actual width of the right of way.

The specific above ground facilities and uses which are consistent with the District's operation and maintenance needs, and which will generally be authorized are set forth in Rules 40E-6.121 and 40E-6.221, F.A.C.. Those facilities and uses not specifically identified as being consistent with the District's operation and maintenance needs for the respective zones have been determined by the District to be inconsistent with District operation and maintenance needs and no District authorization shall be granted.

(8) Due to the varying widths and physical limitations of the rights of way obtained by the District for the canals of the Big Cypress Basin, maintenance of the Basin canals is currently performed with different equipment than is utilized throughout the remainder of the District. Based on the differing maintenance needs of the Big Cypress Basin, application of the five operational zones, as set forth in subsection (7), above, will be reviewed on a case by case basis taking into account the width of overbank right of way, the accessibility of the right of way to land-based maintenance equipment and any site specific conditions that would impact the Basin's ability to operate and maintain the canal which is the subject of a particular application.

(9) The District reserves sole authority to make a determination that portions of the District's rights of way are inaccessible for routine maintenance activities due to a variety of physical limitations. While a determination that a certain segment of right of way is presently unusable for routine land-based maintenance activities and relaxation of the restrictions in zones 2, 3, 4, and 5 may be allowed, such determination shall be at the sole discretion of the District and does not obviate the need for individuals with proposed or existing facilities within these areas to obtain permits from the District. Further, the District reserves the right to enter these areas to conduct emergency operations or to require the removal of any encroachments that are inconsistent with these rules at such time as maintenance access is perfected through the area.

(10)(a) The District has further determined that certain facilities and uses meeting specific minimum criteria for various right of way zones shall more efficiently be granted authorization with a limited review by District staff, since these specific facilities and uses do not adversely impact the District's ability to operate and maintain the District's right of way and works of the District. Such authorizations shall be administered by the provisions of Rules 40E-6.101 and 40E-6.121, F.A.C., as a notice general permit. The District will incur less expense in the review of notice general permit

applications, and, therefore the application processing fee associated with such facilities and uses shall reflect accordingly, as set forth herein.

(b) If multiple uses are being requested and any of those uses require a standard permit, all authorizations shall be requested under the standard permit application and a notice general permit will not be required.

(11) It is further the policy of the District to allow, without charge for admission or use, public, passive recreational uses of District owned rights of way, given legally sufficient District property interests. However, nothing contained herein shall limit the District's ability to, either temporarily or permanently, limit or otherwise preclude public access to certain portions of District works and lands, such as structures and associated facilities.

(12) In managing its canal and levee system the District must, from time to time, change its criteria and permit requirements based on regional and site specific conditions. Applicants are cautioned that the information provided by District staff is based on the best available information at the time the information is conveyed, but is subject to change. This is particularly true when applicants delay months or years in submitting an application for permit. Therefore the rules, criteria and requirements in effect at the time a formal application is received for review will be applied to the permit application.

Specific Authority 373.044, 373.113, 373.1395 FS. Law Implemented 373.016, 373.083(1), 373.085, 373.086, 373.118, 373.129, 373.1395, 373.616, 373.6161 FS. History--New 9-3-81, Amended 12-29-86, Formerly 16K-5.01(1), Amended _____.

40E-6.021 Definitions.

(1) The term "above ground facilities" when used in these rules is intended to mean any and all physical improvements or uses, whether man-made or natural (e.g. vegetation), that are extended above the existing surface of the ground.

(2) The term "Community Landscape Plan" when used in these rules is intended to mean a landscape scheme approved by the Governing Board that provides for use of the District's right of way for landscaping to a greater extent in certain zones than otherwise provided for by this rule.

(3) The term "change of ownership" when used in these rules is intended to mean the sale, purchase, or transfer of beneficial ownership of property adjacent to the District's right of way relative to a right of way occupancy permit; or in the case of utilities, bridges, or other such public facilities, the sale, purchase, or transfer of responsibility.

(4) The term "easement" when used in these rules is intended to mean the District's legal interest in the land for a specific limited use, such as construction, operation and maintenance of a canal or levee, access, stock piling of spoil material, or flowage of the land of another.

(5) The term “fee” ownership when used in these rules is intended to mean absolute and unconditional ownership by the District.

(6) The term “financial assurances” when used in these rules is intended to mean a cash bond to be held by the District in a non-interest bearing account, a performance bond issued by a licensed bonding company, a letter of credit issued by a financial institution authorized to do business in the State of Florida, or other such instrument approved by the District.

(7) The term “marina” when used in these rules is intended to mean a docking facility for three (3) or more watercraft.

(8) The term “modification” when used in these rules is intended to mean the addition or deletion of any facilities or uses not specifically authorized by the original permit.

(9) The term “notice general permit” when used in these rules is intended to mean a contractual license to occupy the works or lands of the District for specific types of proposed uses, with limited review by District staff, as set forth herein, and not requiring Governing Board approval.

(10) The term “owner” when used in these rules is intended to mean the individual or entity legally responsible for the ownership and control of the proposed facility or authorized use.

(11) The term “passive recreational use” when used in these rules is intended to mean conventional leisure activities, with minimal land or water resource impacts, which include such uses as walking, jogging, hiking, bicycling, fishing, nature appreciation, and equestrian use. Passive recreational use shall not include the use of motorized vehicles, with the exception of motorized wheelchairs necessary for use by disabled persons.

(12) The term “permit transfer” when used in these rules is intended to mean the changing of responsibility for the permit authorization from one person or entity to another.

(13) The term “right of way” when used in these rules is intended to mean those lands acquired by the District in fee, easement, or other type of grant, for the purpose of operations and maintenance of the District’s canal and levee system, spoil areas, Stormwater Treatment Area’s (STA’s), and access and other easements.

(14) The term “right of way occupancy permit” when used in these rules is intended to mean a contractual license to occupy the works or lands of the District, either by a notice general permit or a standard permit.

(15) The term “STA” when used in these rules is intended to mean the District’s Everglades Nutrient Removal Project (“ENR”), as well as those areas currently, or in the future, designated by the District as Stormwater Treatment Area’s.

(16) The term “standard permit” when used in these rules is intended to mean a contractual license to occupy the works or lands of the District for all uses not covered by a notice general permit, with a full review by District staff, as set forth herein, and requiring Governing Board approval.

(17) The term “top of bank” when used in these rules is intended to mean the point at which the flat or nearly level ground surface transitions down to the channel along the side slope of the canal bank.

(18) The term “tree” when used in these rules is intended to mean not only the trunk of the tree, but the farthest part of the canopy of the tree at maturity as well.

(19) The term “utility” when used herein means companies actually providing essential water, electric, telephone, sewer, or natural gas services. All other services shall be considered non-essential.

(20) The term “violator” when used in these rules is intended to mean any persons or entities acting contrary to the provisions of Chapter 373, F.S., these rules, as well as the provisions of any permit issued pursuant to these rules.

(21) The term “Works of the District” when used in these rules is intended to mean the canals, levees, structures, lands, water bodies, and other associated facilities which have been adopted as such by the District’s Governing Board.

(22) The term “Zone 1” when used in these rules is intended to mean the canal channel from the top of bank to the opposite top of bank, as depicted in Figure 1.

(23) The term “Zone 2” when used in these rules is intended to mean the point on the right of way from the top of bank to a point five (5) feet landward, as depicted in Figure 1.

(24) The term “Zone 3” when used in these rules is intended to mean the point on the right of way from a point five (5) feet landward from top of bank to a point twenty (20) feet landward, as depicted in Figure 1.

(25) The term “Zone 4” when used in these rules is intended to mean the point on the right of way from a point twenty (20) feet landward from top of bank to a point forty (40) feet landward, as depicted in Figure 1.

(26) The term “Zone 5” when used in these rules is intended to mean any right of way located further than forty (40) feet from the top of bank, as depicted in Figure 1.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086 FS. History—New

(Substantial rewording of Rule 40E-6031 follows. See Florida Administrative Code for present text.)

40E-6.031 Implementation.

(1) The effective date for the program established in this chapter is _____.

(2) All permits issued prior to the effective date of these rules shall remain in effect, except as provided herein.

(3) All applications, including permit application processing fees, for permits received by the District prior to the effective date of these rules shall be processed using the criteria set forth in Volume V, Criteria Manual for Use of Works of the District – Permit Information Manual, adopted December 24, 1991.

(4) All applications, including permit application processing fees, received by the District on or after the effective date of these rules shall be subject to the provisions of these rules and the criteria adopted pursuant to these rules as set forth in Rule 40E-6.091, F.A.C.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.086 FS. History—New 9-3-81, Amended 12-29-86, _____.

(Substantial rewording of Rule 40E-6.041 follows. See Florida Administrative Code for present text.)

40E-6.041 Consent Required.

(1) Unless expressly exempt by law or District rule, an right of way occupancy permit, either a notice general permit or a standard permit, must be obtained prior to connecting with, placing structures in or across, discharging into or making use of the works of the District and any additional lands or real property interest owned by the District, including the Stormwater Treatment Areas (STA's). Works or lands of the District subject to this requirement appear in the document listed in Rule 40E-6.091, F.A.C.

(2) All other use and occupancy of District works or lands must be consistent with the purposes and objectives of Ch. 373, F.S. and Title 40E, F.A.C.

(3) These rules do not apply to property managed by the District pursuant to Chapter 40E-7, Part V, Florida Administrative Code.

(4) These rules do not apply to the Seminole Tribe of Indians of Florida at such time as there exists a District approved agreement specifically addressing the use and management of District rights of way between the District and the Seminole Tribe of Indians of Florida.

(5) Except when works or lands of the District have been affirmatively opened to public vehicular use, an occupancy permit must be obtained prior to traveling on or across such works or lands.

(6) A conceptual approval for the use of works of the District may be obtained by processing a right of way occupancy permit application in conjunction with the request for a letter of conceptual approval only if the letter of conceptual approval is requested pursuant to section 380.06(9)(b), F.S.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086, 380.06(9)(b), 373.118 FS. History—New 9-3-81, Amended 2-29-86, 12-24-91, _____.

(Substantial rewording of Rule 40E-6.051 follows. See Florida Administrative Code for present text.)

40E-6.051 Exemptions.

(1) The following uses are exempt from permitting under this chapter where such facilities and uses comply with the criteria contained in the document listed in Rule 40E-6.091(1), F.A.C.:

(a) the planting or maintenance of native or common turf grasses;

(b) drain lines (pool, roof, air-conditioning);

(c) low lying groundcover in certain zones;

(d) irrigation lines, flush or pop-up sprinklers, draft lines;

(e) not-for-profit, organized boat races, regattas and similar activities; and

(f) passive recreational use.

(2) An exemption from these rules shall not relieve any person or entity from compliance with other District permit requirements and any applicable permit requirements of federal, state and local government.

(3) The District is not responsible for the repair of or claims of damage to any facilities and uses which may incur damage resulting from the District's utilization of its rights of way or use by third parties. Improvements placed within the right of way are done so at the sole risk of the owner.

(4) The District is not responsible for any personal injury or property damage which may directly or indirectly result from the use of water from the District's canal or any activities which may include use or contact with water from the District's canal, since the District periodically sprays its canals for aquatic weed control purposes and uses substances which may be harmful to human health or plant life.

(5) Based upon the proprietary nature of the District's right of way occupancy permit program, the District reserves the right to require permits for previously exempt activities which no longer further the objectives of Ch. 373, F.S. and Title 40E, F.A.C., as presently existing or as modified in the future.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086 FS. History—New 12-24-91, Amended _____.

40E-6.091 Publications Incorporated by Reference.

(1) 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 – ~~December, 1994~~ _____", which includes separate and distinct criteria developed to address the unique characteristics and operational needs of the respective areas for the Okeechobee Basin, the Big Cypress Basin, and the STA's, is hereby published by reference and incorporated into this Chapter.

(2) District lands and works subject to this Chapter are adopted by the Governing Board in accordance with the provisions of section 373.086, F.S. The District's lands and works are listed in the document referenced in subsection (1) and are hereby published by reference and incorporated into this Chapter.

(3) The document listed in subsection (1) is published by the District and available upon request.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086, 403.0877 FS. History—New 9-3-81, Amended 12-29-86, 12-24-91, Formerly 16K-5.01(3), Amended _____.

PART II – PERMITS

SUBPART A – NOTICE GENERAL PERMITS

40E-6.101 Content of Application.

(1) Applications for permits required by this ~~Subpart Chapter~~ shall be filed with the District. The application shall contain the following information:

(a) Form ~~NGP-1 RC-1~~ “Application to the South Florida Water Management District for Right of Way Notice General Permit” effective date _____ ~~April 1987~~, which is hereby incorporated by reference and which may be obtained at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406;

(b) The applicant’s name and address including zip code and phone number;

(c) ~~All~~ The owner’s names and complete address’ and phone numbers if applicant or user is other than the owner(s);

(d) The project location relative to County, Section, Township and Range; Lot, Block and Subdivision; or a metes and bounds description;

(e) A description of the portion of the works or lands of the District to be used;

(f) Whether the proposed use is a modification, or an existing use, or is a new use;

(g) A description of the proposed use of or encroachment on portion of the works or lands of the District and in which zone, as depicted in Figure 1, the proposed use will be located to be used;

(h) ~~Six~~ Three copies of a scaled or fully dimensioned 8 1/2” x 11” drawing, reflecting the proposed use in plan and elevation views, related to the applicable work of the District, and tied to a known reference point in the immediate area of the proposed use. Larger drawings and/or aerial photographs may be required, if necessary to adequately show the location and nature of the proposed use. ~~Except when exempt pursuant to Section 471.003, F.S., drawings for bridge crossings shall be signed and sealed by a Florida registered professional engineer.~~ A property survey, indicating the location of the District right of way boundary line, shall also be provided, unless waived pursuant to prior written request by the applicant.

1. All drawings shall utilize English units of measure or a combination of both English and metric units of measure. Vertical datum shall be National Geodetic Vertical Datum (1929), North American Vertical Datum (1988), or Mean Sea Level and the datum utilized shall be specified on the drawing(s).

2. All drawings for seawalls or bulkheads and subaqueous or pile-supported crossings shall be supported with cross sections of the existing channel. Unless waived or modified by the District pursuant to prior written request by the applicant, soundings for the cross sections shall be taken at 10 foot intervals from top of bank to top of bank and shall be tied to both canal/levee right of way lines. For subaqueous or pile

supported crossings a minimum of 3 cross sections shall be supplied by the applicant; one at the point where the proposed crossing crosses the centerline of the canal; and one each upstream and downstream of the crossing at points determined by the District. For seawall or bulkhead projects the District shall determine the number of cross sections required but said cross sections will be no more frequent than one cross section per every 25 feet of proposed bulkheading. Cross sections shall be plotted to the same horizontal and vertical scale using standard 10 x 10 cross section paper or similar CAD format. The cross sections shall have superimposed upon them the design section for the canal at the location and existing cross sectional area below the design water surface shall be accurately calculated by the applicant and printed on or adjacent to each cross section.

3. Except where exempt pursuant to section 471.003, F.S., drawings for bridge crossings and bulkhead or seawall installations shall be signed and sealed by a Florida registered professional engineer.

(i) Information sufficient to demonstrate that the proposed use meets the criteria established in the document referred to in Rule 40E-6.091, F.A.C.; and

(j) The estimated length of time needed for completion of the proposed work once construction has begun.

(2) Applications shall be signed by both the owner(s) the applicant or an and authorized agent, if applicable.

(3) Applications shall not be considered complete until such time as all required information as set forth in subsections (1) and (2), above, and insurance and financial assurances in accordance with Rule 40E-6.361, F.A.C., have been received by the District.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085(1), 373.086, 373.117, 373.118, 471.003 FS. History–New 9-3-81, Amended 12-1-82, 12-29-86, 12-24-91, _____.

40E-6.121 Conditions for Issuance of Notice General Permits.

(1) The District has determined that certain uses shall be authorized under a notice general permit when the proposed location is in an authorized operational zone and the criteria established in the Basis of Review, incorporated by reference in 40E-6.091, F.A.C., have been met. These uses are set forth in the Permit Index Chart included in the Basis of Review. Any facilities currently existing cannot be authorized by a notice general permit and must receive authorization through the standard permit application process or be promptly removed from the District’s right of way.

(2) Due to the nature of the projects, the following facilities and uses cannot be authorized by a Notice General Permit:

- (a) Roadway and highway projects;
- (b) Marinas and public boat launching facilities;
- (c) Linear Parks;

(d) Permanent buildings and other above-ground structures;

(e) Crude oil and petroleum product pipelines;

(f) Other such facilities or uses.

(3) In determining whether a notice general permit should be issued, the District shall consider whether the proposed activity complies with the criteria set forth in Rule 40E-6.091, F.A.C.

(4) Except for utilities, both essential and non-essential, an applicant must own or lease the land adjacent to or served by the portion of the works or lands of the District involved.

(5) In addition to the requirements and restrictions set forth in subsections (1) to (4), the District, due to its proprietary interest in its lands and works, possesses and exercises all the rights and remedies available to owners of real property through statutory and common law.

(6) Except for Governing Board approved Community Landscape Plans, any and all above ground facilities located within the clear 40 foot wide right of way, as set forth in Rule 40E-6.011(4), F.A.C., or within the right of way at locations where the right of way is less than 40 feet wide, as measured from the top of the canal bank, are prohibited.

(7) The notice general permit provisions of this rule are not intended to apply to the notice general permit provisions in District Chapter 40E-62, F.A.C.

(8) The limiting conditions set forth in Rule 40E-6.361, F.A.C., shall be incorporated into every Notice General Permit issued.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.083(1), 373.085, 373.086, 373.118 FS. History—New

SUBPART B – STANDARD PERMITS

40E-6.201 Content of Application.

(1) Applications for permits required by this Subpart shall be filed with the District. The standard permit application shall contain the following information:

(a) Form SP-1 “Application to the South Florida Water Management District” effective date _____, which is hereby incorporated by reference and which may be obtained at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406;

(b) The applicant’s name and address including zip code and phone number;

(c) All owner’s name and complete address if applicant or user is other than the owner;

(d) The project location relative to County, Section, Township and Range; Lot, Block and Subdivision; or a metes and bounds description;

(e) A description of the portion of the works or lands of the District to be used;

(f) Whether the proposed use is a modification of an existing use, or is a new use;

(g) A description of the proposed use of or encroachment on works or lands of the District and in which zone, as depicted in Figure 1, the proposed use will be located;

(h) Six copies of a scaled or fully dimensioned 8 1/2” x 11” drawing, reflecting the proposed use in plan and elevation views, related to the applicable work of the District, and tied to a known reference point in the immediate area of the proposed use. Larger drawings and/or aerial photographs may be required, if necessary to adequately show the location and nature of the proposed use. A property survey, indicating the location of the District right of way boundary line, shall also be provided, unless waived pursuant to prior written request by the applicant.

1. All drawings shall utilize English units of measure or a combination of both English and metric units of measure. Vertical datum shall be National Geodetic Vertical Datum (1929), North American Vertical Datum (1988), or Mean Sea Level and the datum utilized shall be specified on the drawing(s).

2. All drawings for seawalls or bulkheads and subaqueous or pile-supported crossings shall be supported with cross sections of the existing channel. Unless waived or modified by the District pursuant to prior written request by the applicant, soundings for the cross sections shall be taken at 10 foot intervals from top of bank to top of bank and shall be tied to both canal/levee right of way lines. For subaqueous or pile supported crossings a minimum of 3 cross sections shall be supplied by the applicant; one at the point where the proposed crossing crosses the centerline of the canal; and one each upstream and downstream of the crossing at points determined by the District. For seawall or bulkhead projects the District shall determine the number of cross sections required but said cross sections will be no more frequent than one cross section per every 25 feet of proposed bulkheading. Cross sections shall be plotted to the same horizontal and vertical scale using standard 10 x 10 cross section paper or similar CAD format. The cross sections shall have superimposed upon them the design section for the canal at the location and existing cross sectional area below the design water surface shall be accurately calculated by the applicant and printed on or adjacent to each cross section.

3. Except where exempt pursuant to section 471.003, F.S., drawings for bridge crossings and bulkhead or seawall installations shall be signed and sealed by a Florida registered professional engineer.

(i) Information sufficient to demonstrate that the proposed use meets the criteria established in the document referred to in Rule 40E-6.091, F.A.C.; and

(j) The estimated length of time needed for completion of the proposed work once construction has begun.

(2) Applications shall be signed by both the owner(s) and authorized agent, if applicable.

(3) Applications shall not be considered complete until such time as all required information as set forth in subsections (1) and (2), above, and insurance and financial assurances in accordance with Rule 40E-6.361, F.A.C., have been received by the District.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085(1), 373.086, 373.117, 471.003 FS. History—New

40E-6.221 Conditions for Issuance of Standard Permits.

(1) The District has determined that certain uses shall be authorized under a standard permit when located in an authorized zone and comply with the criteria established in the Basis of Review, incorporated by reference in Rule 40E-6.091, F.A.C. These uses are set forth in the Permit Index Chart included in the Basis of Review.

(2) In determining whether standard permit should be issued, the District shall consider whether the proposed activity:

(a) interferes with the present or future construction, alteration, operation or maintenance of the works or lands of the District;

(b) is consistent with the policy and objectives of Chapter 373, F.S., including the legislative declaration of policy contained in section 373.016, F.S.

(c) has an actual or potential negative impact upon environmentally sensitive areas, which include: wetlands; endangered or threatened species habitat; aquatic preserves; Outstanding Florida Waters; Class I or Class II waters; federal, state and privately owned parks and wildlife management areas; designated areas of critical state concern; lands purchased by federal, state and local governments for the purpose of environmental protection, water resource protection and aesthetics; and lands which contain native terrestrial plant species in significant amounts. Environmentally sensitive areas include areas on and off-site that are affected by activities which occur on, or are initiated from, the works of the District;

(d) degrades water quality within the receiving water body or fails to meet the provisions of Ch. 373, F.S., the state water policy, and Title 40E, F.A.C.;

(e) involves a discharge of wastewater from a new wastewater source or an increased discharge from an existing wastewater source;

(f) will discharge debris or aquatic weeds into works of the District or cause erosion or shoaling within the works of the District;

(g) is supported by financial assurances, which will ensure that the proposed activity will be conducted in accordance with Chapter 373, F.S. and Chapter 40E-6, F.A.C.;

(h) interferes with scientific activities;

(i) presents an increased liability risk to the District;

(j) meets the general and specific criteria in the Basis of Review which is incorporated by reference in Rule 40E-6.091, F.A.C.;

(k) interferes with actual or potential public use of the District's works or lands, including public recreational or other facilities not within the District's works;

(l) meets applicable criteria in Chapters 40E-61 and 40E-62, F.A.C.

(3) The District shall consider a permit applicant's past and present violation of any District rules or permit conditions, including enforcement action, when determining whether the applicant has provided reasonable assurances that District standards will be met.

(4) Activities which can be carried out through the District's real property acquisition and disposal policy will not be eligible for a permit under this chapter.

(5) The District may also consider the cumulative impact of allowing the proposed use, and shall deny uses which appear insignificant with regard to the above criteria, based upon the cumulative impact of allowing similar uses in the affected area. The cumulative impact of projects or activities not using or proposing to use District works or lands may also be considered.

(6) The structural integrity of bridges across District works or lands shall be certified by a professional engineer registered in the State of Florida, except as provided in section 471.003, F.S.

(7) In those instances where the District does not own the underlying fee simple title, applicants may be required to show the necessary legal interest from the owner of the underlying fee. The District does not, however, assume any duty to protect the legal rights of the underlying fee owner.

(8) In general, no commercial uses will be allowed on District rights of way. In the event such a use is allowed, the District may enter into a lease therefor and charge a fee. However, when the anticipated annual income from a lease is less than \$500.00, the use, if allowed, will be authorized by a Standard Permit and no lease shall be required. There shall, however, be no presumption against allowing commercial use of the District right of way by utilities.

(9) Except for utilities, both essential and non-essential, an applicant must own or lease the land adjacent to or served by the portion of the works or lands of the District involved.

(10) In addition to the requirements and restrictions set forth in Subsections (1) through (9), the District, due to its proprietary interest in its lands and works, possesses and exercises all the rights and remedies available to owners of real property through statutory and common law.

(11) All of the items set forth in subsections (1) through (6) and (8) through (10), above, shall be considered by the District in those instances where the proposed use is located upon lands owned in fee simple by the District.

(12) The District may deny a proposed use based upon its property interest or upon any of these items set forth in subsections (1) and (11), above.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.083(1), 373.085, 373.086, 373.117, 471.003 FS. History—New _____.

SUBPART C GENERAL PROVISIONS

40E-6.301 Conditions for Issuance of Permits.

Specific Authority 373.044 FS. Law Implemented 373.016, 373.083(1), 373.085, 373.086, 373.093 FS. History—New 9-3-81, Amended 12-29-86, 12-24-91, Repealed _____.

40E-6.311 Access to Works and Lands of the District: Closures.

(1) Consistent with the District’s policy to allow for public access, without charge, to publicly owned lands, access to Works and Lands of the District by the public is generally allowed for passive recreational uses.

(2) Works and Lands of the District shall be closed to public use, either temporarily or permanently, under the following conditions:

- (a) when necessary for public safety during wildfires or prescribed burns;
- (b) when necessary for scientific activities;
- (c) when necessary for construction, operation or maintenance activities;
- (d) when necessary during emergency conditions such as floods, severe weather events, or wildfire danger for public safety and the protection of the natural resources; and
- (e) when there is an insufficient District property interest to allow for such public use or access by the general public.

(3) When necessary on a permanent basis to protect natural, historic or archaeological resources, or for ongoing scientific activities, such closures shall require advance public notice and approval by the Governing Board.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.083(1), 373.085, 373.086, 373.119, 373.1395 FS. History—New _____.

(Substantial rewording of Rule 40E-6.321 follows. See Florida Administrative Code for present text.)

40E-6.321 Duration of Permits.

(1) Permits issued prior to the effective date of _____ and do not comply with the Basis of Review incorporated by reference in Rule 40E-6.091, F.A.C., shall expire upon the change of ownership of the property. These authorizations shall not be transferred to a new property owner and must be immediately removed from the District’s right of way unless a new permit application has been submitted and approved by the District.

(2) Unless revoked or otherwise modified the duration of an occupancy permit is:

(a) as set forth in the permit, including the special conditions to the permit; or

(b) after construction is complete, perpetual, unless revoked.

(3) Permits authorizing construction expire automatically on the date indicated on the face of the permit, unless a written request for extension is received by the District on or before the expiration date. If an extension has not been requested prior to the expiration of the permit, a new application, including the application processing fee, must be submitted. Upon the expiration of a permit, all construction activities must cease until the new permit has been issued. Extensions of the construction period may be granted administratively, or in cases involving litigation, environmental, water resource, or other impact, shall be referred to the Governing Board for final action. The District shall decline to extend a permit authorizing construction if the proposed use is no longer consistent with the objectives of the District or other provisions of these rules.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086 FS. History—New 9-3-81, Amended 12-29-86, Formerly 16K-5.07, 40E-6.321, Amended _____.

(Substantial rewording of Rule 40E-6.331 follows. See Florida Administrative Code for present text.)

40E-6.331 Modification of Permits.

(1) Applications for permit modifications required by this Chapter shall be filed by formal application, including the permit modification application fee, with the District.

(2) Applications for modification to permitted uses shall be reviewed using the same criteria as new applications, pursuant to Rules 40E-6.091, 40E-6.121, and 40E-6.221, F.A.C.

(3) Letter modifications may be issued by District staff, provided the requested modification:

- (a) does not substantially alter the permit authorization;
- (b) does not interfere with construction, operation and maintenance of District lands or works; and

(c) is otherwise consistent with the purposes and policies of Chapter 373, F.S. and Chapter 40E-6, F.A.C.

(4) Under sections 373.083 and 373.085, F.S., the District is authorized to modify a permit when it determines that the currently permitted use has become inconsistent with the factors and conditions enumerated in Rules 40E-6.121 and 40E-6.221, F.A.C.

(5) Permit modifications may be initiated by the District in accordance with the provisions of Chapter 40E-1, F.A.C.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.083(1), 373.085, 373.086 FS. History—New 9-3-81, Amended 12-29-86, 12-24-91, Formerly 16K-5.11(1), Amended _____.

(Substantial rewording of Rule 40E-6.341 follows. See Florida Administrative Code for present text.)

40E-6.341 Revocation of Permits.

(1) Under sections 373.083 and 373.085, F.S., the District is authorized to revoke a right of way occupancy permit under any of the following circumstances:

(a) the permittee or his agent has committed any of the acts enumerated in Rule 40E-1.609, F.A.C.;

(b) the permitted use interferes or will interfere with the construction, alteration, operation, or maintenance of present or proposed works or lands of the District;

(c) the permittee has failed to immediately comply with an emergency or other order issued pursuant to Rules 40E-1.611 and 28-107.005, F.A.C.;

(d) the permitted use is no longer consistent with the factors and conditions enumerated in Rules 40E-6.121 and 40E-6.221, F.A.C., the provisions of Chapter 373, F.S., Title 40E, F.A.C., and the state water policy, Chapter 62-40, F.A.C.;

(e) is inconsistent with any provision of this rule, or any subsequent revisions to this rule, including any provision of the Basis of Review, incorporated by reference in Rule 40E-6.091, F.A.C.; or

(g) the permitted use is no longer consistent with District policy, based upon a change in District policy.

(2) Right of Way Occupancy permits are subject to immediate revocation by the District's Executive Director with the concurrence of the Governing Board if an emergency condition exists and the continued exercise of the permit might endanger lives, human safety or property.

(3) Revocations for reasons specified in subsection (1) shall be conducted in accordance with the procedures specified in Rules 40E-1.609 and 28-107.004, F.A.C. Emergency revocations under subsection (2) shall be conducted in accordance with the procedures specified in Rule 28-107.005, F.A.C.

(4) Revocation shall be effective as provided in the notice. Notice of revocation shall be provided by certified mail or personal service. If the permittee declines to accept notice or is otherwise unavailable, the District shall post notice on the premises and follow the constructive notice procedure set forth in section 120.60(5), F.S. The permitted use shall be removed within a reasonable time, which shall be specified in the notice of revocation.

(5) The provisions herein shall take precedence over the general revocation provisions, applicable to all District permits, provided for in Rule 40E-1.609, F.A.C., as the permit program governing use of works and lands of the District is a proprietary based program. To the extent there is any conflict between the general provisions of Chapter 40E-1, F.A.C., the specific provisions of Chapter 40E-6, F.A.C., shall prevail.

Specific Authority 373.044, 373.113 FS. Law Implemented 120.60(5), 373.083(1), 373.085, 373.086, 373.129 FS. History—New 9-3-81, Amended 12-29-86, 12-24-91, Formerly 16K-5.07(3),(4), Amended _____.

(Substantial rewording of Rule 40E-6.351 follows. See Florida Administrative Code for present text.)

40E-6.351 Transfer of Permits.

(1) As the District has no control over the sale or transfer of real or personal property, it is the sole obligation of a permittee to disclose the existence of a Right of Way Occupancy Permit, its terms and conditions, to prospective purchasers.

(2) Right of Way Occupancy Permits will be considered for transfer when:

(a) The request is otherwise consistent with the provisions of these rules and Chapter 373, F.S.

(b) The applicant demonstrates that the permitted use still qualifies for a permit under Rules 40E-6.121 or 40E-6.221, F.A.C.

(c) The applicant agrees to abide by the provisions of Chapter 373, F.S., this chapter, and the terms and conditions of the permit, including these rules, including the standard limiting conditions, and criteria which are applicable at the time of the request for transfer.

(d) The adjoining land use has not changed.

(e) The request for transfer is accompanied, when required, with the correct fee.

(f) The applicant agrees to record a Notice of Permit in the official records of the county clerk's office as specified by the District.

(g) In cases where unauthorized facilities or uses have been added that are not included in the permit authorization, a permit transfer request must also be accompanied by a request for modification pursuant to Rule 40E-6.331, F.A.C.

(3) Right of Way Occupancy Permits will be transferred without a fee when the request for transfer is received within twelve (12) months from the change of ownership, as evidenced by the date of transfer of ownership appearing in the deed or other instrument of conveyance.

(4) Requests for transfer of Right of Way Occupancy Permits shall be assessed a fifty (\$50.00) dollar processing fee when the request is received by the District more than twelve (12) months from the date of change of ownership but prior to eighteen (18) months from the change of ownership, as evidenced by the date of transfer of ownership appearing in the deed or other instrument of conveyance.

(5) Transfers requested more than 18 months from the date of change of ownership shall be denied and require the submission of an application and the appropriate application processing fee.

(6) All transfers require a field inspection and shall not become effective until such inspection is conducted and confirms all existing facilities are permitted and all uses comply with the criteria in Rule 40E-6.091, F.A.C., and the conditions of issuance in Rules 40E-6.121 or 40E-6.221, F.A.C. If additional facilities are present, no transfer will be

allowed unless the unauthorized facility or use is removed immediately and the right of way restored. Applicants must submit a new standard permit application, along with the appropriate application processing fee, for all additional facilities not removed and not currently authorized by a Right of Way Occupancy Permit.

(7) The District staff shall not issue transfers until all financial assurance and insurance requirements, if any, have been provided and accepted by the District staff.

Specific Authority 373.044, 373.109, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086, 373.109 FS. History—New 9-3-81, Amended 12-29-86, Formerly 16K-5.10, 16K-5.11(2), 16K-5.12, Amended _____.

40E-6.361 Financial Assurances and Insurance.

(1) The District may require the applicant requesting a right of way occupancy permit to provide and maintain financial assurances to the District and its successors, in the form of a cash bond to be held by the District in a non-interest bearing account, a performance bond issued by a licensed bonding company, a letter of credit issued by a financial institution authorized to do business in the State of Florida, or other such instrument approved by the District to ensure full compliance with terms of the permit, including the proper construction, operation, and maintenance of the facility. The amount and type of financial assurance shall be determined by the District.

(a) In instances where the District authorizes use of its rights of way as a temporary haul or access road, which does not include crossing over District structures or associated facilities, the amount of the financial assurance shall be Five Thousand (\$5,000.00) Dollars per half mile or multiple thereof, with a minimum amount of Five Thousand (\$5,000.00) Dollars.

(b) In instances where the District authorizes the construction of a private bridge on or across the District's right of way, the amount of the financial assurance shall be based upon a professional engineer's or certified demolition company's itemized estimate, to be provided by and paid for by the applicant, of the cost of the demolition of the bridge, removal of the debris, and restoration of the right of way. Such estimates shall be reviewed and approved by District staff.

(c) In instances where the District authorizes the installation of a water or sewer force main installation on or across the District's right of way other than those constructed by governmental entities, the amount of the financial assurance shall be based upon a professional engineer's or certified demolition company's itemized estimate, to be provided by and paid for by the applicant, of the cost of the demolition of the water or sewer force mains, removal of the debris, and restoration of the right of way. Such estimates shall be reviewed and approved by District staff. Upon acceptance by the governmental entity of the facility and the issuance of a permit transfer by District staff, such financial assurances shall be released.

(d) Any other uses of the District's right of way authorized by the District are subject to adequate financial assurances as determined necessary and reasonable by District staff based upon a complete review of the unique circumstances and the potential liability, both personal injury and property damage, and environmental risks involved with the specific authorized use.

(2) In addition to the provision for financial assurances as provided in subsection (1), above, the District may require liability insurance, naming the District as an additional insured, in such amount and type as the District staff determines necessary. All insurance must be written by a company duly authorized to do business in the State of Florida or provided pursuant to a self insurance program consistent with the requirements of Florida law.

(3) Any applicable financial assurance or insurance requirement set forth above shall be maintained as a condition of the continued validity of the right of way occupancy permit.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086, 373.103 FS. History—New _____.

(Substantial rewording of Rule 40E-6.381 follows. See Florida Administrative Code for present text.)

40E-6.381 Limiting Conditions.

The District's authorization to utilize lands and other works constitutes a revocable license (including both notice general permits and standard permits). In consideration for receipt of that license, permittees shall agree to be bound by the following standard limiting conditions, which shall be included within all permits issued pursuant to this chapter:

(1) All structures on District works or lands constructed by permittee shall remain the property of permittee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition. Permittees are advised that other federal, state and local safety standards may govern the occupancy and use of the District's lands and works. The District assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused to others by any such failure.

(2) Permittee solely acknowledges and accepts the duty and all associated responsibilities to incorporate safety features, which meet applicable engineering practice and accepted industry standards, into the design, construction, operation and continued maintenance of the permitted facilities/authorized use. This duty shall include, but not be limited to, permittee's consideration of the District's regulation and potential fluctuation, without notice, of water levels in canals and works, as well as the permittee's consideration of upgrades and modifications to the permitted facilities/authorized use which may be necessary to meet any future changes to applicable engineering practice and accepted industry standards. Permittee acknowledges that the District's review and issuance of this permit, including, but not limited

to, any field inspections performed by the District, does not in any way consider or ensure that the permitted facilities/authorized use is planned, designed, engineered, constructed, or will be operated, maintained or modified so as to meet applicable engineering practice and accepted industry standards, or otherwise provide any safety protections. Permittee further acknowledges that any inquiries, discussions, or representations, whether verbal or written, by or with any District staff or representative during the permit review and issuance process, including, but not limited to, any field inspections, shall not in any way be relied upon by permittee as the District's assumption of any duty to incorporate safety features, as set forth above, and shall also not be relied upon by permittee in order to meet permittee's duty to incorporate safety features, as set forth above.

(3) Permittee agrees to abide by all of the terms and conditions of this permit, including any representations made on the permit application and related documents. This permit shall be subject to the requirements of Chapter 373, F.S., and Chapter 40E-6, F.A.C., including all subsequent rule and criteria revisions. Permittee agrees to pay all removal and restoration costs, investigative costs, court costs and reasonable attorney's fees, including appeals, resulting from any action taken by the District to obtain compliance with the conditions of the permit or removal of the permitted use. If District legal action is taken by staff counsel, "reasonable attorney's fees" is understood to mean the fair market value of the services provided, based upon what a private attorney would charge.

(4) This permit does not create any vested rights, and except for governmental entities and utilities, is revocable at will upon reasonable prior written notice. Permittee bears all risk of loss as to monies expended in furtherance of the permitted use. Upon revocation, the permittee shall promptly modify, relocate or remove the permitted use and properly restore the right of way to the District's satisfaction. In the event of failure to so comply within the specified time, the District may remove the permitted use and permittee shall be responsible for all removal and restoration costs.

(5) This permit does not convey any property rights nor any rights or privileges other than those specified herein and this permit shall not, in any way, be construed as an abandonment or any other such impairment or disposition of the District's property rights. The District approves the permitted use only to the extent of its interest in the works of the District. Permittee shall obtain all other necessary federal, state, local, special district and private authorizations prior to the start of any construction or alteration authorized by the permit. Permittee shall comply with any more stringent conditions or provisions which may be set forth in other required permits or other authorizations. The District, however, assumes no duty to ensure that any such authorizations have

been obtained or to protect the legal rights of the underlying fee owner, in those instances where the District owns less than fee.

(6) Unless specifically prohibited or limited by statute, Permittee agrees to indemnify, defend and save the District (which used herein includes the District and its past, present and/or future employees, agents, representatives, officers and/or Governing Board members and any of their successors and assigns) from and against any and all lawsuits, actions, claims, demands, losses, expenses, costs, attorneys fees (including but not limited to the fair market value of the District's inhouse attorneys' fees based upon private attorneys' fees/rates), judgments and/or liabilities which arise from or may be related to the ownership, construction, maintenance or operation of the permitted use and/or the possession, utilization, maintenance, occupancy and/or ingress and egress of the District's right of way which arise directly or indirectly and/or are caused in whole or in part by the acts, omissions and/or negligence of the District and/or of third parties. Permittee agrees to provide legal counsel acceptable to the District if requested for the defense of any such claims.

(7) The District does not waive sovereign immunity in any respect.

(8) The permittee shall not engage in any activity regarding the permitted use which interferes with the construction, alteration, maintenance or operation of the works of the District, including:

(a) discharge of debris or aquatic weeds into the works of the District;

(b) causing erosion or shoaling within the works of the District;

(c) planting trees or shrubs or erecting structures which limit or prohibit access by District equipment and vehicles, except as may be authorized by the permit. Permittee shall be responsible for any costs incurred by the District resulting from any such interference;

(d) leaving construction or other debris on the District's right of way or waterway;

(e) damaging District berms and levees;

(f) the removal of District owned spoil material;

(g) removal of or damage to District locks, gates, and fencing;

(h) opening of District rights of way to unauthorized vehicular access; or

(i) running or allowing livestock on the District's right of way.

(9) The District is not responsible for any personal injury or property damage which may directly or indirectly result from the use of water from the District's canal or any activities which may include use or contact with water from the

District's canal, since the District periodically sprays its canals for aquatic weed control purposes and uses substances which may be harmful to human health or plant life.

(10) Permittee shall allow the District to inspect the permitted use at any reasonable time.

(11) Permittee shall allow, without charge or any interference, the District, its employees, agents, and contractors, to utilize the permitted facilities before, during and after construction for the purpose of conducting the District's, routine and emergency, canal operation, maintenance, and construction activities. To the extent there is any conflicting use, the District's use shall have priority over the permittee's use.

(12) This permit is a non-exclusive revocable license. Permittee shall not interfere with any other existing or future permitted uses or facilities authorized by the District.

(13) The District has the right to change, regulate, limit, schedule, or suspend discharges into, or withdrawals from, works of the District in accordance with criteria established by the Big Cypress Basin, the District, and/or the U. S. Army Corps of Engineers for the works of the District.

(14) If the use involves the construction of facilities for a non exempt water withdrawal or surface water discharge, the applicant must apply for and obtain a water use or surface water management permit before or concurrently with any activities which may be conducted pursuant to the right of way occupancy permit.

(15) The District shall notify the local ad valorem taxing authority of the lands affected by the permitted use, where the permittee owns the underlying fee and derives a substantial benefit from the permitted use. The taxing authority may reinstate such lands on the tax roll. Failure to pay all taxes in a timely manner shall result in permit revocation. Such permit revocation shall not alleviate the responsibility of the permittee to pay all taxes due and payable.

(16) Permittee shall provide prior written notice to their successors in title of the permit and its terms and conditions.

(17) Permittee shall record a Notice of Permit through filing the appropriate notice agreed to by the District in the public records of the county or counties where the project is located and by providing the District with proof of filing or through an equivalent procedure. All costs associated with this requirement shall be the responsibility of the permittee. Governmental entities and utilities are not subject to this provision.

(18) This permit is contingent upon compliance with the recording of the Notice of Permit. Failure to provide proof of the recording of the Notice of Permit will result in the permit becoming invalid on its own terms, the removal of any existing facilities within the right of way, restoration of the right of way to the District's satisfaction, at the permittee's expense, and the possible assessment of civil penalties.

(19) Permittee shall be responsible for the repair or replacement of any existing facilities located within the District's right of way which are damaged as a result of the installation or maintenance of the authorized facility.

(20) All obligations under the terms of this permit authorization and any subsequent modifications hereto shall be joint and several as to all owners.

(21) It is the responsibility of the permittee to make prospective bidders aware of the terms and conditions of this permit. It shall be the responsibility of the permittee's contractors to understand the terms and conditions of this permit and govern themselves accordingly.

(22) It is the responsibility of the permittee to bring to the attention of the District any conflict in the permit authorization or permit conditions in order that they may be resolved prior to the start of construction. In resolving such conflicts the District's determination will be final.

Specific Authority 373.044, 373.113 FS. Law Implemented Chapters 25209 and 25270, Laws of Florida, 196.199(1), 373.083(1), 373.085(1), 373.086, 373.103, 373.109, 373.129, 373.1395, 373.603, 373.609, 373.613 FS. History--New 9-3-81, Amended 5-30-82, 12-29-86, 12-24-91, Formerly 16K-5.01(2), 16K-5.02(2), 16K-5.03(2), 16K-5.04(4), 16K-5.05, 40E-6.381, Amended _____.

PART III – EMERGENCIES

(Substantial rewording of Rule 40E-6.451 follows. See Florida Administrative Code for present text.)

40E-6.451 Emergency Authorization.

(1) Permission to begin use of works or lands of the District prior to the issuance of a permit shall be granted pursuant to Rule 40E-1.6115 and 40E-0.108, F.A.C.

(2) All requests for emergency authorizations must be submitted with both the emergency application processing fee set forth in Rule 40E-6.601(2)(h), F.A.C., in addition to the applicable standard permit application processing fee set forth in Rules 40E-6.601(2)(d) through (g), F.A.C.

(3) In order to be eligible for an emergency permit authorization the applicant must have already filed a standard permit application with the District or simultaneously file a standard permit application with the District.

(4) In addition to the required standard permit application contents, the applicant must also file a written statement with the District which fully explains the basis and circumstances which support and justify the request for emergency authorization.

(5) Mere carelessness or lack of planning on the part of the applicant shall not be sufficient grounds to warrant the granting of an emergency authorization.

(6) The Executive Director may grant an emergency authorization pursuant to section 373.119(2), F.S.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086, 373.119, 373.439 FS. History--New 9-3-81, Amended 12-29-86, 7-1-98, Formerly 16K-5.09, 40E-6.451, Amended _____.

40E-6.481 Emergency Measures ~~Actions~~.

(1) In addition to the provisions of Rule 40E-6.521, F.A.C., permitted uses are also subject to immediate alteration, repair or removal if an emergency condition exists and the continued exercise of the permitted use might endanger lives or property.

(2) In such event the permittee shall immediately comply with any written or oral instructions from the District regarding alteration, repair or removal of the permitted use. ~~The District shall provide written instructions, unless prevented by emergency conditions.~~

(3) If the permittee fails to remove, alter or repair a permitted use when so ordered by the District, the District may repair, alter or remove it at the permittee's expense.

(4) Permittee may request an administrative hearing regarding the emergency order in accordance with the procedures set forth in ~~Rule 28-107.004 40E-1.609(8), F.A.C.~~

(5) In addition to the provision of Rule 40E-6.521, F.A.C., unpermitted uses are also subject to the provisions of this section.

(6) In no circumstances shall the District be responsible for any claims or damages caused in whole or in part, from any necessary emergency removal, alteration, or repair of any permitted or unpermitted use.

(7) All permitted and unpermitted uses are subject to the specific terms of an Emergency Order(s) which may be issued by the District.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(1), 373.085, 373.086, 373.119, ~~373.439~~ FS. History—New 9-3-81, Amended 12-29-86, 7-1-98, Formerly 16K-5.08, 40E-6.481, Amended _____.

40E-6.491 Unlawful Use.

Specific Authority 373.044, 373.113, 373.129 FS. Law Implemented 120.68, 373.083(1), 373.085, 373.086 FS. History—New 9-3-81, Amended 12-29-86, Formerly 16K-5.08, ~~Repealed~~ _____.

PART IV – VIOLATIONS

40E-6.501 Unlawful Use and Civil Penalties.

(1) It shall be unlawful to connect with, place structures in or across, or otherwise make use of works or lands of the District without a Right of Way Occupancy Permit. The District may use any remedy available to it under Florida common law and statutory law and the District's rules, to remove or cause the unpermitted use to be removed, as well as the assessment of civil penalties pursuant to this rule.

(2) It shall be unlawful for any permittee to violate the provisions of Chapter 373, F.S., Chapter 40E-6, F.A.C., or the terms and conditions of a Right of Way Occupancy Permit. The District may use any remedy available to it under Florida common law and statutory law and the District's rules, to remove or cause the unpermitted use to be removed, as well as the assessment of civil penalties pursuant to this rule. The

District may at its discretion, in furtherance of the purposes of Chapter 373, F.S., allow the permitted use to be brought into compliance with the permit by means of a permit modification.

(3) Damage to works or lands of the District resulting from the violations specified in subsections (1) and (2), above, shall, within the timeframes and in a manner consistent with the District's requirements, be repaired by the violator to the satisfaction of the District, however, the District reserves the right to make any and all necessary repairs, the full cost of which shall be the responsibility of the violator.

(4) Violators shall be responsible for payment of civil penalties up to \$10,000.00 per day, per violation, pursuant to section 373.129, F.S., investigative costs and the District's attorney's fees (including appeals).

(5) Factors considered in the assessment of civil penalties shall be:

- (a) habitual violator;
- (b) threat to health, safety, and welfare (flooding);
- (c) immediacy of threat;
- (d) severity of impact (size of drainage basin);
- (e) potential for damage to surrounding property;
- (f) threat to District staff if self-help used
- (g) exposure of District to other liabilities;
- (h) environmental impact;
- (i) water quality; and
- (j) unusual circumstances.

(6) Vessels which are being occupied or used as a temporary or permanent residence or business, or other vessels which have an adverse impact on the District's ability to construct, operate, and maintain its canals and structures, will not be permitted within District works or lands.

(7) The planting of any non-native vegetation not included on the District's designated plant list within District works or lands will not be permitted.

(8) The abandonment of personal property within District works or lands will not be permitted.

(9) Use of the works or lands of the District as a temporary or permanent place of residence or shelter will not be permitted.

(10) It shall be unlawful for any person or entity to remove any spoil, without authorization from the District, and the District specifically reserves any and all rights to pursue such violations in both criminal and civil proceedings, in addition to the provisions contained herein.

Specific Authority 373.044, 373.113, 373.129 FS. Law Implemented 120.68, 373.083(1), 373.085, 373.086, 373.603, 373.609, 373.613 FS. History—New _____.

40E-6.521 Self Help.

(1) Unlawful uses or facilities placed within the works or lands of the District are subject to removal and restoration at the District's discretion with no guarantee of salvageability. In

no circumstances shall the District be responsible for any claims or damages caused, in whole or in part, from any self help removal and restoration of any unlawful uses or facilities.

(2) When employing self help, the District is not required to provide any notice of its intended action.

(3) The District may seek to recover removal and restoration costs, investigative costs, and attorneys fees and costs (including appeals) incurred in carrying out self help done to resolve the unlawful use of District works and lands.

Specific Authority 373.044, 373.113, 373.129 FS. Law Implemented 120.68, 373.083(1), 373.085, 373.086, 373.603, 373.609, 373.613 FS. History—New

PART V – PROCESSING FEES

40E-6. 601 Permit Application Processing Fees.

(1) A permit application processing fee is required and shall be paid to the District when applications are filed pursuant to District rules to connect with and make use of the works and lands of the District. An application shall not be processed until the appropriate application fee is submitted. These fees are assessed in order to defray the cost of evaluating, processing, and mailing required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure of any person to pay the applicable fees established herein is grounds for the denial of an application.

(2) Based upon years of experience in reviewing applications for District right of way occupancy permits, the District has determined that applications for existing facilities or uses require additional staff time and resources (as compared to proposed facilities) in order to thoroughly review and inspect, and this differential shall be reflected in the application processing fees for all right of way occupancy permit authorizations as set forth herein.

(3) The fee for permit applications reviewed pursuant to Chapter 40E-6, F.A.C., are as follows:

(a) Notice General Permit Application, Notice General Permit Modification Application relating to a single family residential use (Category NGP-1) – No Fee.

(b) Notice General Permit Application, Notice General Permit Modification Application for uses proposed by developers, builders, homeowners associations and condominium associations relating to more than one individual lot or dwelling unit (Category NGP-2).....\$150.00.

(c) Notice General Permit Application, Notice General Permit Modification Application relating to bridges, excluding culvert bridges (Category NGP-3).....\$900.00.

(d) Standard Permit Application, Standard Permit Modification Application relating to a single family residential use which does not meet Notice General Permit Criteria (Category SP-1).....\$75.00.

(e) Standard Permit Application, Standard Permit Modification Application relating to uses by homeowners associations and condominium associations and do not meet Notice General Permit Criteria (Category SP-2).....\$300.00.

(f) Standard Permit Application, Standard Permit Modification Application relating to uses by developers, builders, corporate entities, utilities, county, state, or local entities, as well as all other uses not covered in Categories SP-1, SP-2 and SP-4 (Category SP-3).....\$625.00.

(g) Standard Permit Application, Standard Permit Modification Application relating to uses involving bridges, linear parks, greenways, similar park and recreation projects, marinas and associated facilities (Category SP-4).....\$1750.00.

(h) Application for emergency authorization pursuant to Rule 40E-6.401, F.A.C.....\$275.00.

(i) Transfer Fees are set forth in Rule 40E-6.351, F.A.C., above.

(4) Notwithstanding the provisions set forth in this rule, upon request, the District shall waive any and all right of way occupancy permit application processing fees for right of way occupancy permit applications submitted by the governing body of a governmental entity only if provided with a resolution or other documentation as to the reciprocity commitment of the respective governmental entity applying for the right of way occupancy permit and clearly establishing that governmental entity's reciprocal waiver of any and all fees required for the District to carry out canal operation, maintenance, and construction activities for the District.

(5) Notwithstanding the provisions set forth in this rule, no permit application processing fee will be required from utilities or other necessary service providers, where the permitted facility or use of the works or lands of the District is required to supply utility or other necessary service to an existing or proposed District facility.

(6) The above permit application processing fees shall not apply to either the Seminole Tribe of Florida or the Miccosukee Tribe of Indians of Florida for facilities and uses located exclusively within the boundaries of their respective reservations or included in leases with the District.

Specific Authority 373.044, 373.109, 373.113 FS. Law Implemented 373.109, 373.083(1), 373.085, 373.086 FS. History—New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Renewal of Active Status License

RULE NO.:

Fee for Veterinarians 61G18-12.005

PURPOSE AND EFFECT: The Board proposes to amend the existing rule to reduce the renewal fee of active status license to \$160.00.

SUBJECT AREA TO BE ADDRESSED: Renewal of Active Status License Fee for Veterinarians.

SPECIFIC AUTHORITY: 474.206, 474.211 FS.
LAW IMPLEMENTED: 474.211, 474.2065 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:30 a.m., March 24, 1999
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL 32310
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Currie, Executive Director, Board of Veterinary Medicine, Department of Business and Professional Regulation, Northwood Mall, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-12.005 Renewal of Active Status License Fee for Veterinarians.
The fee for biennial renewal of an active status license shall be \$260.00 \$160.00.

Specific Authority 474.206, 474.211 FS. Law Implemented 474.211, 474.2065 FS. History--New 11-14-79, Amended 3-1-84, Formerly 21X-12.05, Amended 12-14-87, 7-26-89, Formerly 21X-12.005, Amended 2-6-95.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Resource Management

DOCKET NO.: 98-62R

RULE CHAPTER TITLE: Regulation of Oil & Gas Resources:
RULE CHAPTER NO.:

Wetlands and Submerged Lands 62C-30
RULE TITLE: Operations Within Coastal Waters 62C-30.007

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

SUBJECT AREA TO BE ADDRESSED: Offshore exploration.

SPECIFIC AUTHORITY: 377.22, 377.24 FS.
LAW IMPLEMENTED: 377.21, 377.22, 377.241, 377.2425, 377.243, 377.371(1) FS.

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

TIME AND DATE: 9:30 a.m., April 13, 1999
PLACE: Conference Room A, Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Carolyn Stringer, Florida Geological Survey, 903 West Tennessee Street, Tallahassee, Florida 32304-7700, (850)487-2219

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62C-30.007 Operations Within Coastal Waters.

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

(1) Each Drilling Permit Application shall include an Organization Report, Application Fee, Surety, and 25 copies of the following items: Application to Drill, Location Map, Location Plat, Site Construction Plan, Site Inspection Report, Hurricane Plan, Well Design and Construction Plan, H2S Contingency Plan, Well Testing Plan, Oil Spill Contingency Plan, Environmental Impact Report, and an Economic Impact Report. Each of these items is discussed below.

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

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

(c) Surety: File a bond or other form of legal surety as required under Section 377.2425(1)(c), F.S., together with an explanation of how the surety amount was derived. This surety shall be sufficient to cover all potential costs based on the following criteria:

1. Maximum Oil Spill. Calculate the maximum potential oil spill by assuming a maximum possible blowout rate based on the following criteria: 1) duration of 120 days; 2) the producing zone is completely penetrated by the well bore; 3) zero skin damage; 4) maximum potential porosity, permeability, and formation pressure and; 5) 35º API oil.

2. Adverse Hydrochloric/Atmospheric Conditions. Assume 12 knot winds for the entire 120 day period resulting in maximum adverse impact to adjacent environments along the coast.

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

4. Projected Cleanup Costs. Prepare and submit a professional estimate of the Projected Cleanup Costs based upon the above assumptions. Include every cost that would result from such a spill, including on the water recovery, shoreline recovery, waste disposal, personnel and equipment, land-based support of any kind for each phase of cleanup activity, and direct cleanup costs borne by third parties (e.g. USCG, FDEP). Describe the entire cleanup process and explain the rationale for any assumptions used in the estimate and include references.

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

(e) Location Map. Provide a navigational chart or other area map of sufficient scale to show the general location of the well and surrounding area. The map should show all important physical features which help fix the location relative to nearby natural resources, Florida's coastline, and offsetting political subdivisions. This map shall include barrier islands, military zones, shipping lanes, navigational markers and hazards, disposal areas, artificial reefs, coastal towns, county lines, river mouths, drilling unit boundaries, proposed support vessel and helicopter routes, shore facilities, area well locations, parks, nature preserves, and major natural features such as seagrass beds, reefs, live and hardbottom areas, and other known marine communities. The surface hole shall be plotted and labeled with well name, latitude-longitude coordinates, and proposed vertical depth. If the applicant proposes significant directional or horizontal well bore deviation, the map shall also delineate the well trace and bottom hole location.

(f) Location Plat. File a location plat constructed by a registered surveyor and drawn to a scale sufficiently large, preferably 1:3000, to show the information described below. The plat may be based on LORAN, GPS, or any other equally accurate and appropriate method and shall show the elevation and the exact surface location, bottom hole location, surface trace of the proposed well, drilling unit boundaries and all prominent seabed features (shipwrecks, oyster reefs, hardbottoms, etc.) within the drilling unit. Bearings and distances to adjacent wells, proposed locations, unleased acreage, and important seabed features shall also be designated on the plat.

(g) Site Construction Plan. File a Site Construction Plan with Plat drawn to a scale of no more than 1:2000 and showing rig orientation; location of rig feet; pilings; anchors; landings for support vessels, barges, and helicopters; and prominent seabed features, including potential geologic hazards which fall within 1000 feet of the rig. The Plan shall include a written description of moving in and rigging up, construction necessary prior to spudding, and potential impacts on the safflower. Include any drawings, illustrations, specifications, or other information necessary to fully clarify the Plan.

(h) Site Inspection Report. File a complete, site specific, professional, biological-ecological-geological survey of the drilling pad and all seabottom within 1,000 meters of the proposed wellbore. The Report shall include a detailed photodocumentation survey together with a complete written report of all findings.

1. Photodocumentation. Each photodocumentation survey shall be conducted along at least 12 transects, each 1,000 meters long and 30 degrees from adjacent transects, radiating away from the proposed wellbore. Both television and still color photos of sufficient quality to accurately characterize the seabottom shall be taken. Still photos, encompassing a standard surface area of approximately .25 m², shall be taken along each transect at intervals of no more than 200 meters. Should a live bottom area be encountered along any transect, representative still photographs and continuous, narrated, video documentation of the entire live bottom area, regardless of distance from the transect, shall be taken. In addition, complete video documentation with explanatory audio track shall be provided for the full length of each transect.

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

(i) Hurricane Plan. File a Hurricane Plan fully describing the rigs ability to withstand category five hurricanes and listing procedures to be employed at the drill site in the event of such a hurricane. Should the applicant wish to use the same Plan for subsequent wells, he/she may include the Plan by reference in later applications. However, all applications shall include a section entitled "Hurricane Plan" and shall state that a previously submitted plan will be used and shall identify both the plan and the application under which the plan was first submitted.

(j) Well Design and Construction Plan. Submit a Well Design and Construction Plan fully explaining how the well will be drilled and equipped or plugged and abandoned. A copy of the Drilling Prognosis provided the rig superintendent may be provided for this purpose, otherwise submit complete Casing and Cementing, Drilling, Drilling Mud, Blowout Prevention and Well Control, and Plugging and Site Restoration Programs, all with sufficient detail and specifications to insure quality control and to demonstrate that all Plan components meet petroleum industry and Department standards.

(k) H₂S Contingency Plan. Submit a complete H₂S Contingency Plan for controlling H₂S should it be encountered. This plan must deal with all aspects of H₂S control and must meet industry standards. In addition, the plan must model H₂S dispersion in sufficient detail to determine with reasonable certainty the minimum safe distance (breathable concentration of H₂S) from the rig in the event of a worst case release. For modeling purposes, use an H₂S concentration of 26% and a contour interval of 5 ppm.

(l) Well Testing Plan. Explain how the well will be tested and what will be done with produced fluids. Describe the flare system, transport mode and route, landfalls, shore facilities with construction details, etc. At the applicant's request, this requirement may be waived if the applicant wishes to apply for a drilling permit only and return at a later date for an Operating Permit to transport test fluids.

(m) Oil Spill Contingency Plan. Submit an Oil Spill and Contingency Plan for the prevention, control, and removal of a 42,000 gallon model spill and designate the person responsible for implementing the plan. Include Quality Control, Zero Discharge, Spill Trajectory, and Cleanup components as discussed below.

1. Quality Control. Submit a sampling plan to determine ambient conditions at the drilling site prior to startup, site conditions during drilling operations with the goal of early detection of any leaks that may occur during drilling, and after all operations have been concluded to demonstrate that the site has not been polluted.

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

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

4. Control and Removal. Completely describe all aspects of the spill response capability with regard to both the restraint and cleanup of any spill that may occur. Every contingency in all manageable wind and weather conditions shall be addressed, including notification list and procedures, locations and identities of response vessels and equipment, various transit times to spill area, personnel to be employed, inventory of containment and cleanup materials and equipment maintained on site, dispersants (if authorized), communications systems, and all other components necessary to complete a petroleum industry standards plan together with a complete discussion of the plan of operations which will be put into place in the event of such a spill.

(n) Environmental Impact Report. Submit a professional Environmental Impact Report addressing all known or likely environmental impacts drilling and testing the well as planned may have assuming 1) there are no accidental discharges and 2) assuming a 42,000 gallon model spill. Explain the rationale underlying the report and describe each possible impact that could occur, including those on air quality, birds, marine communities, archaeological resources, coastal habitats, barrier islands, threatened or endangered species (e.g.: various sea turtles, plovers, manatees), water quality, and the seafloor.

(o) Economic Impact Report. Submit a professional Economic Impact Report addressing all known or likely economic impacts drilling and testing the well as planned may have, again assuming no accidents of any kind and 2) assuming a 42,000 gallon model spill. Explain the rationale underlying the report and treat all known or suspected impacts to the various businesses and individuals who might be affected as well as to the area economy in general.

(2) Production Platforms. All requirements for drilling a well from a portable drilling rig apply equally to drilling additional wells from a production platform. However, any component of an application to drill an additional well that is identical to a that of a previously drilled well or pending application may be, at the applicant's written request and upon concurrence by the Survey, included by reference in the new application.

(3) Geologic Information. Submit sufficient geologic interpretations and data to show that the quality of the drilling prospect warrants exploration in light of the nature, character, and location of the lands involved. This material should include all studies, data, cross-sections, maps, plats, or other information the applicant wishes to provide to support the prospect. This information shall be, upon written request of the applicant, held confidential by the Survey for up to ten consecutive one-year periods.

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: RULE NO.:

Excused Absences 64B1-1.0035

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement 455.534(3).

SUBJECT AREA TO BE ADDRESSED: Excused Absences.

SPECIFIC AUTHORITY: 455.534 FS.

LAW IMPLEMENTED: 455.534 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-1.0035 Excused Absences.

Excused absences of board members are defined as absences caused by:

- (1) Illness or injury of the board member.
- (2) Illness, injury or death of a board member's immediate family.
- (3) Jury duty.

Specific Authority 455.534(3) FS. Law Implemented 455.534(3) FS. History--New

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Security and Monitoring Procedures for Licensure Examinations
RULE NO.: 64B1-3.008

PURPOSE AND EFFECT: The purpose of the amendment is to adopt the Department of Health rule on security and monitoring procedures for license examination.

SUBJECT AREA TO BE ADDRESSED: Security and Monitoring Procedures for Licensure Examinations.

SPECIFIC AUTHORITY: 455.574(1)(d) FS.

LAW IMPLEMENTED: 455.574(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-3.008 Security and Monitoring Procedures for Licensure Examinations.

The Board adopts by referenced Rule ~~64B-1.010~~ ~~61-11.014~~, F.A.C., of the Department of ~~Health Business and Professional Regulation~~, effective September 7, 1998 as its rule governing licensure examinations.

Specific Authority 455.574(1)(d) FS. Law Implemented 455.574(1)(d) FS. History--New 8-13-84, Formerly 21AA-3.08, 21AA-3.008, 61F1-3.008, 59M-3.008, Amended

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Standards for Approval of Continuing Education Credits
RULE NO.: 64B1-6.005

PURPOSE AND EFFECT: The purpose of the amendment is to insert a statutory reference instead of listing all the statutory requirements for HIV/AIDS courses, and to clarify that the Board approves courses approved by the Department of Health. SUBJECT AREA TO BE ADDRESSED: Standards for Approval of Continuing Education Credits.

SPECIFIC AUTHORITY: 457.104, 457.107(3), 455.604 FS.

LAW IMPLEMENTED: 457.107(3), 455.604 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-6.005 Standards for Approval of Continuing Education Credits.

(1) through (4) No change.

(5) To receive credit for programs on HIV/AIDS, the program must be, at a minimum, 3 hours in length and must ~~address the areas mandated in Section 455.604, F.S. consist of education on the modes of transmission, infection control procedures, clinical management, and prevention of HIV/AIDS; and discussion of current Florida law on HIV/AIDS and its impact on testing, confidentiality of test results, and treatment of patients.~~ The Board accepts HIV/AIDS programs presented or conducted by the ~~Department, and the~~ Department of Health and programs approved. ~~The Board also accepts courses for three hours of credit approved~~ by other professional regulatory boards for the health professions.

Specific Authority ~~455.2226~~, 457.104, 457.107(3), ~~455.604~~ FS. Law Implemented ~~455.2226~~, 457.107(3), ~~455.604~~ FS. History--New 2-24-88, Amended 8-6-89, Formerly 21AA-6.005, 61F1-6.005, Amended 3-18-97, Formerly 59M-6.005, Amended

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES: RULE NOS.:

Examination Review Procedures 64B3-7.006

Competency Areas and Weighting 64B3-7.007

PURPOSE AND EFFECT: The Board proposes to amend the existing Rule 64B3-7.006 to change the fee for examination to \$75. The Board also proposes changes to Rule 64B3-7.007 with regard to competency areas and weighting of the examination.

SUBJECT AREA TO BE ADDRESSED: The fee for examination review and competency areas and weighting of the examination.

SPECIFIC AUTHORITY: 455.574, 483.809 FS.

LAW IMPLEMENTED: 455.574, 483.809(2), 483.811 FS.

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

TIME AND DATE: 10:00 a.m., March 24, 1999

PLACE: Room 324, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-7.006 Examination Review Procedures.

(1) No change.

(2) The fee for each review for each examination shall be ~~\$65~~ \$75.

Specific Authority 455.574, 483.809(2) FS. Law Implemented 455.574, 483.809(2) FS. History--New 12-5-95, Formerly 59O-7.006, Amended.

64B3-7.007 Competency Areas and Weighting.

~~Beginning with the Spring of 1999, the general areas of competency to be covered by the examinations for licensure and the approximate relative weight to be assigned in grading each content area tested, expressed as a percentage, with column "T" for Technologist and "TC" for Technician are as follows:~~

(1) No change.

(2) For the Specialty subjects for licensure as a Technologist:

(a) Microbiology:	T	TC
1. General bacteriology	50	60
2. Mycology	10	2
3. Parasitology	10	2

4. Virology, rickettsia, chlamydia	4	0
5. Infection control, surveillance and epidemiology	3	0
6. Antimicrobial agents and studies	5	6
7. Quality control/quality assurance	10	10
8. Equipment and Safety	3	6
9. Sterilization	1	6
10. Specimen collection, handling and logging	4	8
(b) Serology/Immunology:		
1. Basic immunology	20	44
2. Immunology	22	20
3. Quality control/quality assurance	10	10
4. Detection of immune substances	22	10
5. Evaluation of immune related cells	10	10
6. Production of antisera	2	0
7. Immunologically mediated or related conditions	8	0
8. Specimen collection/handling/safety	6	6
(c) Clinical chemistry:		
1. Clinical chemistry, biochemistry	40	50
2. Instrumentation	10	8
3. Urinalysis other fluids and crystals	10	16
4. Toxicology and therapeutic drug monitoring	6	10
5. Quality control/quality assurance	8	6
6. Correlation and test results	4	6
7. Blood gas analysis	4	0
8. Radioassay and Immunoassay	4	0
9. Specimen collection/handling/safety	4	4
(d) Hematology:		
1. Hematopoiesis	4	4
2. Hematological procedures	44	55
3. Hematologic disorders	14	8
4. Hemostasis	16	16
5. Quality control/quality assurance	10	6
6. Therapy and monitoring therapy	2	2
7. Microscopy/body fluids	6	5
8. Specimen collection/handling/safety	4	4
(e) Immunoematology:		
1. Immunology	10	17
2. Blood group systems, genetics, antigen and antibody identifications	25	20
3. Serologic/Immunoematologic testing	25	25
4. Transfusion reactions/problems	5	3
5. Physiology and transfusion practice	20	15
6. Quality assurance, safety, regulations	10	10

7. Specimen collection/handling/ storage	5	10
(f) Histology:		
1. Instrumentation	10	8
2. Fixation	8	16
3. Processing	10	12
4. Microtomy	8	14
5. Staining	20	20
6. Mounting/evaluation	2	4
7. Special techniques	14	8
8. Flow cytometry/immunohistology	0	0
9. Quality control/quality assurance	8	8
10. Specimen collection/handling/safety	10	10
(g) Blood Banking:		
1. through 5. No change.		
(3) For the Generalist Examination for licensure as a technician:		
(a) Microbiology	18	
(b) Serology/immunology	16	
(c) Clinical chemistry	31	
(d) Hematology	17	
(e) Immunoematology	18	

Specific Authority 455.574, 483.809 FS. Law Implemented 455.574, 483.811 FS. History—New 12-5-95, Formerly 590-7.007, Amended 7-5-98.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES:	RULE NOS.:
Application Fees	64B3-9.001
Initial Licensure Fees	64B3-9.002
Refunds	64B3-9.007

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B3-9.001, changing the application fee to \$200. In Rule 64B3-9.002 the Board proposes to increase the fee for initial licensure for clinical laboratory training program to \$200. The Board proposes an amendment to Rule 64B3-9.007 to clarify refunds for examination fees.

SUBJECT AREA TO BE ADDRESSED: Application Fees, initial licensure fee, and refunds.

SPECIFIC AUTHORITY: 455.587, 483.805(4), 483.807(1) FS.

LAW IMPLEMENTED: 455.587, 483.807 FS.

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

TIME AND DATE: 10:00 a.m., March 24, 1999

PLACE: Room 324, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENTS AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-9.001 Application Fees.

(1) through (7) No change.

(8) Clinical laboratory personnel training program – \$200 ~~\$300~~.

(9) through (12) No change.

Specific Authority 455.587, 483.807(1) FS. Law Implemented 455.587, 483.807 FS. History—New 12-7-93, Formerly 61F3-9.001, 590-9.001, Amended 5-26-98.

64B3-9.002 Initial Licensure Fees.

(1) For all clinical laboratory personnel licenses – \$100.

(2) Clinical laboratory personnel training program – \$200 ~~\$100~~.

(3) Continuing education providers – \$100.

Specific Authority 455.587, 483.805(4), 483.807(1) FS. Law Implemented 455.587, 483.807 FS. History—New 12-7-93, Formerly 61F3-9.002, 590-9.002, Amended 5-26-98.

64B3-9.007 Refunds.

(1) No change.

(2) Examination fees are refundable only if the applicant is found by the Board to be ineligible to sit for the examination ~~or if the candidate withdraws from the examination prior to the withdrawal deadline and makes a written request for a refund.~~

(3) No change.

Specific Authority 483.805(4), 483.807(1) FS. Law Implemented 483.807 FS. History—New 12-7-93, Formerly 61F3-9.007, 590-9.007, Amended 5-26-98.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE:	RULE NO.:
Expiration of Incomplete Applications	64B7-25.006

PURPOSE AND EFFECT: The purpose of Rule 64B7-25.006 is to provide that applications not completed within one year of the date the original application form is submitted, the application shall expire as outdated.

SUBJECT AREA TO BE ADDRESSED: Expiration of Incomplete Applications.

SPECIFIC AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.041 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Buckhalt, Executive Director, Board of Massage Therapy, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B7-25.006 Expiration of Incomplete Applications.

If an applicant fails to submit all items necessary for his/her application to be considered complete within one year from the date the application is first received by the Department, the application shall expire and the applicant's file shall be closed.

Specific Authority 480.035(7) FS. Law Implemented 480.041 FS. History—New

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Citations RULE NO.: 64B7-30.004

PURPOSE AND EFFECT: The purpose for the amendment is to add to the list of statutory violations which the Board has determined are appropriately handled by the issuance of a citation as permitted in Section 455.617.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.617 FS.

LAW IMPLEMENTED: 455.617 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Buckhalt, Executive Director, Board of Massage Therapy, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B7-30.004 Citations.

(1) Definitions. As used in this rule:

(a) "Citation" means an instrument which meets the requirements set forth in s. ~~455.617~~ 455.224, F.S., and which is served upon a subject for the purpose of assessing a penalty in an amount established by this rule;

(b) No change.

(2) In lieu of the disciplinary procedures contained in s. ~~455.617~~ 455.225, F.S., the Department is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint which is basis for the citation.

(3) The Board hereby designates the following as citation violations, which shall result in a penalty as specified below:

(a) through (h) No change.

(i) Failure of a massage therapist to notify the Board of a change of address as required by Section 455.717(1), F.S.

(j) Advertising massage therapy services under a name under which a license has not been issued in violation of Section 480.046(1)(d), F.S. shall result in a penalty of \$250.00.

Specific Authority 455.617 FS. Law Implemented 455.617 FS. History—New 1-1-92, Amended 11-15-92, Formerly 21L-30.004, Amended 9-30-93, 12-12-93, 4-21-97, Formerly 61G11-30.004, Amended 8-16-98.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLES: Use of Prescription Devices RULE NOS.: 64B11-4.001

Occupational Therapy Aides and Other Unlicensed Personnel Involved in the Practice of Occupational Therapy 64B11-4.002

PURPOSE AND EFFECT: The Board proposes to discuss the above rules to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Use of prescription devices; occupational therapy aides and other unlicensed personnel involved in the practice of occupational therapy.

SPECIFIC AUTHORITY: 468.203(4), 468.204 FS.

LAW IMPLEMENTED: 468.203(4),(5) FS.

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

TIME AND DATE: 9:00 a.m., March 26, 1999

PLACE: The Marriott North, 6650 N. Andrews Avenue, Ft. Lauderdale, Florida 33309

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Occupational Therapy/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE: Emergency Medical Services
RULE CHAPTER NO.: 64E-2

PURPOSE AND EFFECT: To discuss revisions of rules 64E-2.013(1) through (9) related to submission and collection of prehospital forms and information. The workshop will address a proposal to use 15 aggregate prehospital data categories and sub-categories of information in lieu of existing data collection and reporting requirements. The proposed rule amendment would enable ambulance services to design a run report to better meet local needs, reduce workload related to completing the current form, and allow purchase of less expensive forms.

SUBJECT AREA TO BE ADDRESSED: Records and Reports.

SPECIFIC AUTHORITY: 401.30 FS.

LAW IMPLEMENTED: 401.30 FS.

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

TIME AND DATE: 11:00 a.m., March 22, 1999

PLACE: Metro Dade Fire Rescue, 8175 N. W. 12th Street, Suite 301, Miami, Florida

TIME AND DATE: 10:00 a.m., March 23, 1999

PLACE: Florida College of Emergency Physicians, 3717 South Conway Road, Orlando, Florida

TIME AND DATE: 10:00 a.m., March 24, 1999

PLACE: Department of Health, Bureau of Emergency Medical Services, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, Department of Health, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32310

P.O. EU 0568

**Section II
Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Cemetery By-laws
RULE NO.: 3F-6.003

PURPOSE AND EFFECT: The purpose of substantially rewording and amending this rule is to update the rule and allow the rule to be in compliance with the underlying statutes.

SUMMARY: Under the authority of the Board, the rule is being updated with current language in order to allow the rule to be in compliance with the underlying statutes.

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

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

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.305(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 3F-6.003 follows. See Florida Administrative Code for present text.)

3F-6.003 Cemetery By-laws.

(1) Each cemetery company may adopt by-laws regulating the activities within its boundaries as provided in Section 497.301(1)(d) and (3), F.S. As provided therein, all such by-laws and any amendments thereto shall be subject to the approval of the Board of Funeral and Cemetery Services prior to becoming effective. Decisions approving, rejecting or modifying cemetery by-laws shall be considered agency action for purposes of Chapter 120, F.S.

(2) Any by-laws which had been submitted to the Department of Banking and Finance and approved prior to the effective date of Chapter 93-389, Laws of Florida (September 30, 1993), shall remain in full force and effect so long as such by-laws do not conflict with the provisions of Chapter 497, F.S., or the rules promulgated thereto.

(3) A cemetery company which seeks to amend its existing by-laws need only submit to the Board of Funeral and Cemetery Services the amendments thereto and those sections of the by-laws which are affected by such amendments. When submitting the amendments, the cemetery company shall submit to the Department of Banking and Finance a copy of its previously approved by-laws in order to update the Department's files.

(4) Upon receipt of a set of proposed by-laws or amendments thereto, the Department shall publish notice of the filing of such by-laws or amendments thereto in the Florida Administrative Weekly and a newspaper of general circulation in the county in which the applicant cemetery is located, so that substantially affected parties may file comments. A period of thirty (30) days for such comments shall be provided.

(5) Upon receipt of proposed by-laws or amendments thereto and any comments thereon provided by the published notice, the Executive Director of the Board of Funeral and Cemetery Services shall provide the cemetery and the substantially affected persons with an informal conference in accordance with the DBF-BYLAW1 pamphlet, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350. Within fifteen (15) days after the conclusion of the informal conference, the Executive Director shall forward a recommendation to the Board and give notice to all affected persons that filed written comments of the time and place when the Board of Funeral and Cemetery Services will consider the proposed by-laws or amendments thereto.

(6) If the by-laws or amendments thereto are approved by the Board of Funeral and Cemetery Services, a notice shall be published in the Florida Administrative Weekly announcing the approval and the date the approval will become effective. The notice shall inform substantially affected parties who object to the by-laws that they may request a hearing in accordance to Chapter 120, F.S.

(7) Each cemetery company, in addition to any by-laws, may adopt cemetery company operating procedures, so long as such operating procedures:

(a) are not in conflict with Chapter 497, F.S., the rules promulgated thereto and approved by-laws for the said cemetery;

(b) are applicable to all similarly situated individuals;

(c) are enforced uniformly;

(d) are posted by notice at the cemetery, together with by-laws; and

(e) are readily accessible for inspection and copying by interested parties.

Operating procedures are not subject to review or approval by the Board of Funeral and Cemetery Services or the Department of Banking and Finance. Operating procedures may be changed from time to time by the cemetery company, but shall only become effective when notice thereof is posted by the cemetery company and a copy thereof is mailed to the Regional Office of the Comptroller which examines the concerned cemetery. Nothing contained herein shall permit a cemetery company to state or imply that its operating procedures have been approved by either the Board of Funeral and Cemetery Services or the Department of Banking and Finance.

Specific Authority 497.103 FS. Law Implemented 497.305(3) FS. History—New 11-2-78, Formerly 3D-30.23, 3D-30.023, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 18, 1998

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: RULE NO.:

Duties and Powers of Trustee; 3F-7.016
Authorized Investments

PURPOSE AND EFFECT: Under the authority of the Board, some of the rule’s language is being deleted in order to allow the rule to be in compliance with the underlying statutes.

SUMMARY: The proposed rule is being amended due to recent changes to the underlying statutes.

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

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

SPECIFIC AUTHORITY: 497.103 FS.

LAW IMPLEMENTED: 497.417 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

3F-7.016 Duties and Powers of Trustee; Authorized Investments.

(1) through (5) No change.

~~(6) If the trustee chooses to purchase life insurance policies or annuity contracts pursuant to section 497.417(4)(b), F.S., such policies or contracts shall:~~

~~(a) be purchased from an insurer authorized to transact business in the State of Florida and who shall be a member insurer of the Florida Life and Health Insurance Guaranty Association;~~

~~(b) have a face value of at least an amount equal to the preneed trust funds applied toward its purchase; and~~

~~(c) not be a term life policy.~~

~~Prior to the purchase of such a policy or contract, the trustee shall assure there exists, within the trust assets, sufficient liquidity to fund the reasonably anticipated refunds of canceled preneed contracts. Any shortfall of sufficient liquidity which may arise to make refunds for canceled preneed contracts shall be reimbursed by the certificateholder to the trust corpus.~~

Specific Authority 497.103 FS. Law Implemented 497.417 FS. History--New 8-9-94, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 18, 1998

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Florida Grade and Quality Standards for Fresh Fruit

RULE CHAPTER NO.: 20-35

RULE TITLE: Grapefruit – Florida Grades and Standards

RULE NO.: 20-35.005

PURPOSE AND EFFECT: Would provide that both the Florida and U.S. No. 1 grades may be shown on a carton when packing fresh grapefruit under the Florida Fancy grade classification.

SUMMARY: Providing for both the Florida and U.S. No. 1 grades to be shown on cartons of fresh Florida grapefruit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.10(1), 601.11, 601.45 FS.

LAW IMPLEMENTED: 601.16, 601.45, 601.51 FS.

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

TIME AND DATE: 10:30 a.m., April 21, 1999

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-35.005 Grapefruit – Florida Grades and Standards.

Florida State Grades and minimum quality standards shall be identical to those established by the United States Department of Agriculture as prescribed in 7 CFR Part 51 “United States Standards for Grades of Florida Grapefruit” as amended August 1, 1996, incorporated herein by reference, with the exception that, exclusive of Russet and Bronze, U.S. No. 1 grade classifications shall be divided into two Florida No. 1 grades as follows:

(1) Florida Fancy which shall have the same minimum requirements of the U.S. No. 1 Bright grade as defined in 7 CFR Part 51.751.

(2) Florida Choice which shall have the same minimum requirements as the U.S. No. 1 Golden Grade as defined in 7 CFR Part 51.753.

(3) All cartons packed utilizing the Florida grades shall note ~~only~~ the Florida grade on the carton.

Specific Authority 601.10(1),(7), 601.11, 601.45 FS. Law Implemented 601.16, 601.45, 601.51 FS. History--Formerly 105-1.02(5), Revised 1-1-75, Amended 9-15-75, Formerly 20-35.05, Amended 8-30-95, 12-10-95, 6-29-97, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Clark R. Jennings, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Clark R. Jennings, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 5, 1999

PUBLIC SERVICE COMMISSION

DOCKET NO. 980500-PU

RULE TITLES:

Membership	25-21.001
Members	25-21.002
Chairman	25-21.003
Disqualification	25-21.004
Quorum	25-21.005
Minutes	25-21.006
Orders	25-21.007
Organization	25-21.020
Office of the General Counsel	25-21.021
Office of the Executive Director	25-21.022
Division of Administration	25-21.023
Division of Auditing And Financial Analysis	25-21.024
Division of Communications	25-21.026
Division of Consumer Affairs	25-21.027
Division of Electric And Gas	25-21.028
Division of Records And Reporting	25-21.0301
Division of Research And Regulatory Review	25-21.031
Division of Water & Wastewater	25-21.032
Designation of Agency Clerk	25-21.033
Principal Office	25-21.040
Conferences	25-21.041
Agenda Conferences	25-21.042
Internal Affairs Meetings	25-21.043

PURPOSE AND EFFECT: To comply with new requirements of the Administrative Procedures Act, Chapter 120, F.S.

SUMMARY: The rules being repealed are no longer necessary because they are either covered by the Uniform Rules of Procedure or the information will now be located in the Statement of Agency Organization and Operation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Preparation of a SERC was found to be unnecessary.

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

SPECIFIC AUTHORITY: 120.53 FS.

LAW IMPLEMENTED: 120.53 FS.

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

NO HEARING WILL BE HELD BECAUSE THIS RULE RELATES EXCLUSIVELY TO THE COMMISSION'S ORGANIZATION, PROCEDURE, OR PRACTICE.

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

THE FULL TEXT OF THE PROPOSED RULES IS:

PART I MEMBERSHIP

25-21.001 Membership.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.01, 11-30-81, Formerly 25-21.01, Repealed.

25-21.002 Members.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.02, 11-30-81, Formerly 25-21.02, Repealed.

25-21.003 Chairman.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.03, Amended 11-30-81, Formerly 25-21.03, Repealed.

25-21.004 Disqualification.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.04, Amended 11-30-81, Formerly 25-21.04, Repealed.

25-21.005 Quorum.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.05, Amended 11-30-81, Formerly 25-21.05, Amended 2-12-86, Repealed.

25-21.006 Minutes.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.06, Amended 11-30-81, Formerly 25-21.06, Repealed.

25-21.007 Orders.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.07, Amended 11-30-81, Formerly 25-21.07, Repealed.

PART II DIVISIONS

25-21.020 Organization.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.20, Amended 11-30-81, Formerly 25-21.20, Amended 2-12-86, 11-19-86, 8-11-92, Repealed.

25-21.021 Office of the General Counsel.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 2-19-82, Formerly 25-21.21, Amended 11-19-86, 8-11-92, Repealed.

25-21.022 Office of the Executive Director.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.21, Amended 11-30-81, Formerly 25-21.22, Amended 11-19-86, Repealed.

25-21.023 Division of Administration.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-1.23, Amended 11-30-81, Formerly 25-21.23, Amended 11-19-86, 8-11-92, Repealed.

25-21.024 Division of Auditing and Financial Analysis.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 11-30-81, Formerly 25-21.24, Amended 2-12-86, 11-19-86, 8-11-92, Repealed.

25-21.026 Division of Communications.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 11-30-81, Formerly 25-21.26, Amended 11-19-86, 8-11-92, Repealed.

25-21.027 Division of Consumer Affairs.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--Formerly 25-1.32, Amended 11-30-81, Formerly 25-21.27, Amended 11-19-86, 8-11-92, Repealed.

25-21.028 Division of Electric and Gas.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 11-30-81, Formerly 25-21.28, Amended 11-19-86, 8-11-92, Repealed.

25-21.0301 Division of Records and Reporting.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--Formerly 25-1.22, Amended 11-30-81, Formerly 25-21.025, Amended 11-19-86, 8-11-92, Repealed.

25-21.031 Division of Research and Regulatory Review.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--Formerly 25-1.29, Amended 11-30-81, 2-11-86, Formerly 25-21.31, Amended 11-19-86, 8-11-92, Repealed.

25-21.032 Division of Water and Wastewater.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 11-30-81, Formerly 25-21.32, Amended 11-19-86, Repealed.

25-21.033 Designation of Agency Clerk.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 8-11-92, Repealed.

PART III OFFICE AND CONFERENCES

25-21.040 Principal Office.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--Formerly 25-1.38, Amended 11-30-81, Formerly 25-21.40, Repealed.

25-21.041 Conferences.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--Formerly 25-21.39, Amended 11-30-81, Formerly 25-21.41, Repealed.

25-21.042 Agenda Conferences.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--Formerly 25-1.40, Amended 11-30-81, Formerly 25-21.42, Repealed.

25-21.043 Internal Affairs Meetings.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 10-4-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Noreen Davis

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

DATE PROPOSED RULES APPROVED BY AGENCY
HEAD: February 16, 1999

PUBLIC SERVICE COMMISSION

DOCKET NO. 980500-PU

RULE TITLES:	RULE NOS.:
Notice of Meeting or Workshop	25-22.001
Agenda of Meetings	25-22.002
Emergency Meeting	25-22.003
Commission Forms	25-22.004
Noticing Address Files	25-22.005
Practitioners	25-22.008
Petitions to Initiate Rulemaking Proceedings	25-22.012
Commission Action on Petitions to Initiate Rulemaking Proceedings	25-22.013
Rulemaking Materials	25-22.014
Rulemaking Proceeding – No Hearing	25-22.015
Rulemaking Proceeding – Hearing	25-22.016
Rulemaking Proceeding – Adoption	25-22.017
Emergency Rule Adoption	25-22.018
General	25-22.020
Purpose and Use of Declaratory Statement	25-22.021
Disposition	25-22.022
Scope and Title of Rules	25-22.025
Parties	25-22.026
Filing, Service of Documents and Computation of Time	25-22.028
Point of Entry Into Proposed Agency Action Proceedings	25-22.029
Discovery	25-22.034
Miscellaneous Matters	25-22.035
Assignment of Formal Proceedings	25-22.0355
Initiation of Formal Proceedings	25-22.036
Answers and Motions	25-22.037
Pleadings	25-22.0375
Prehearing Officer, Prehearing Statement, Prehearing Conferences and Prehearing Order	25-22.038
Notices of Hearings	25-22.0405
Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies	25-22.0406
Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities	25-22.0407
Continuances	25-22.041
Dismissal	25-22.042
Subpoenas	25-22.045
Witnesses and Witness Fees	25-22.046
Evidence	25-22.048
Recordation	25-22.049
Post-Hearing Filings	25-22.056
Final Orders	25-22.059
PURPOSE AND EFFECT: To conform the rules to the Uniform Rules of Procedure and to the exceptions granted thereto.	

SUMMARY: The rules being amended are procedural rules which need to be retained for the efficient operation of the agency and to benefit practitioners so they can readily ascertain the required procedures. The rules being repealed are no longer necessary because they are either covered by the Uniform Rules of Procedure or the information will now be located in the Statement of Agency Organization and Operation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Preparation of a SERC was found to be unnecessary.

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: 350.127(2), 350.01(7), 366.05, 367.121(1)(f) FS.

LAW IMPLEMENTED: 120.525, 120.54(3), 120.569, 120.57, 366.06, 367.081, 367.081(4)(a), 367.0817, 120.58, 350.123, 364.03, 364.04, 364.035, 364.05, 364.057, 364.335, 364.337, 366.03, 366.04, 366.041, 366.06, 366.071, 366.076, 366.8255, 367.031, 367.045, 367.071, 367.081, 367.0814, 367.0817, 367.082, 367.0822, 367.091, 367.101, 367.121, 367.171, 367.161, 364.035(1), 364.07, 364.14, 364.15, 364.16, 364.27, 366.05, 367.111, 367.0814(1) FS.

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

NO HEARING WILL BE HELD BECAUSE THIS RULE RELATES EXCLUSIVELY TO THE COMMISSION'S ORGANIZATION, PROCEDURE, OR PRACTICE.

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

THE FULL TEXT OF THE PROPOSED RULES IS:

PART I GENERAL PROVISIONS

25-22.001 Notice of Meeting or Workshop.

~~(1) Except in the case of emergency meetings the Commission shall give at least seven (7) days' public notice of any meeting or workshop by publication in the Florida Administrative Weekly.~~

~~(2) The Commission shall use the following form in providing notice of the meeting or workshop:~~

~~NOTICE OF PUBLIC MEETING OR WORKSHOP~~

~~The Florida Public Service Commission announces a public meeting or workshop to which all persons are invited.~~

~~DATE AND TIME: _____~~

~~PLACE: _____~~

~~PURPOSE: _____~~

~~A copy of the agenda for any public meeting may be obtained by writing to the Division of Records and Reporting at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.~~

~~(1)(3) A public meeting, for the purposes of notice in Rule 28-102.001, F.A.C. herein, is limited to a gathering of Commissioners for the purpose of conducting public business. The term meeting includes Agenda Conference.~~

~~(2)(4) A workshop, for the purposes of notice in Rule 28-102.001, F.A.C., is a gathering where Commissioners may be present or Commission staff or person(s) designated by the commission are meeting with interested persons for a specific purpose as designated in the notice. The term workshop includes gatherings for the specific purpose of rule drafting at which time no official votes are taken or policy adopted.~~

Specific Authority 350.127(2) ~~420.53~~ FS. Law Implemented 120.525 ~~420.53~~ FS. History--New 12-21-81, Formerly 25-22.01, Amended _____.

25-22.002 Agenda of Meetings.

~~(1) The agenda for meetings shall be prepared by the Commission in time to insure that a copy may be received at least seven (7) days before the meeting by any person in the State who has requested a copy and pays \$1.00 per copy.~~

~~(2) The agenda shall list and specify the items to be considered at the meeting.~~

~~(3) For good cause stated on the record, the person designated to preside may make specific changes in the agenda after it has been made available for distribution. A majority vote of a quorum of the Commission is required to modify the presiding officer's decision to make a specific change in the agenda.~~

~~(4) Copies of staff recommendations for items on the agenda may be obtained from the Division of Records and Reporting upon request and the payment of the applicable copying fee. Parties to a proceeding are entitled to one copy of the staff recommendation filed in the proceeding at no cost.~~

Specific Authority 350.127(2) ~~420.53~~ FS. Law Implemented 120.525 ~~420.53~~ FS. History--New 12-21-81, Formerly 25-22.02, Amended 4-18-94, _____.

25-22.003 Emergency Meeting.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 12-21-81, Formerly 25-22.03, Repealed _____.

25-22.004 Commission Forms.

Specific Authority 120.53(1)(b) FS. Law Implemented 120.53(1)(b) FS. History--New 6-7-84, Formerly 25-22.04, Amended 4-16-90, 8-21-90, 8-23-90, Repealed _____.

25-22.005 Noticing Address Files.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 8-21-84, Formerly 25-22.05, Amended 7-11-96, Repealed _____.

25-22.008 Practitioners.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History--New 9-24-81, Formerly 25-22.08, Amended 3-21-94, Repealed _____.

PART II RULEMAKING PROCEEDINGS

25-22.012 Petitions to Initiate Rulemaking Proceedings.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.12, Repealed.

25-22.013 Commission Action on Petitions to Initiate Rulemaking Proceedings.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.13, Repealed.

25-22.014 Rulemaking Materials.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.14, Repealed.

25-22.015 Rulemaking Proceeding – No Hearing.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.15, Repealed.

25-22.016 Rulemaking Proceeding – Hearing.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81. Amended 10-23-83, Formerly 25-22.16, Repealed.

25-22.017 Rulemaking Proceeding – Adoption.

(1) No change.

(2) Oral argument and petitions for reconsideration are not appropriate to the rulemaking process. However, any interested person may petition the Commission after a rule is adopted or amended, for initiation of rulemaking proceedings pursuant to Rule ~~28-103.006 25-22.012~~, to amend or otherwise modify the adopted rule or amendment.

~~(3) Where a variance from a rule is requested, the Commission shall treat the request as a petition for a §120.57, F.S., hearing. Unless waived by all parties, the provisions of §120.57(1), F.S., and Part IV of these rules shall apply whenever the proceeding involves a disputed issue of material fact. In cases where the provisions of §120.57(1), F.S., do not apply, the provisions of §120.57(2), (3), F.S., shall be followed.~~

Specific Authority ~~350.127(2) 420.53~~ FS. Law Implemented ~~120.525, 120.54(3) 420.53~~ FS. History–New 12-21-81, Amended 10-25-83, Formerly 25-22.17, Amended.

25-22.018 Emergency Rule Adoption.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.18, Repealed.

PART III DECLARATORY STATEMENTS

25-22.020 General.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.20, Repealed.

25-22.021 Purpose and Use of Declaratory Statement.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.21, Repealed.

25-22.022 Disposition.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-20-81, Formerly 25-22.22, Repealed.

PART IV DECISIONS DETERMINING SUBSTANTIAL INTERESTS

Subpart A General Provisions

25-22.025 Scope and Title of Rules.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.25, Repealed.

25-22.026 Parties.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History–New 12-21-81, Formerly 25-22.26, Amended 8-25-91, Repealed.

25-22.028 Filing, Number of Copies Service of Documents, and Computation of Time.

(1) Filing. Filing shall be accomplished by submitting the original document and the appropriate number of copies, as provided by rule, to the Division of Records and Reporting (Division). Filing may be made by U.S. Mail, hand delivery, or courier service. Filings on behalf of companies with gross annual operating revenues derived from intrastate business in excess of \$750,000, Class A water and sewer utilities, and parties to proceedings affecting these entities, shall also include a copy of the document on diskette in word processing or spreadsheet format, whichever is appropriate, when filing documents capable of being generated by word processing or spreadsheet software. Material for which a request for confidential classification is pending under Rule 25-22.006, Florida Administrative Code, should not be included in a diskette copy. The diskette filing need not recreate document attachments not originally generated for the purpose of filing with the Commission, such as exhibits attached to a petition. The copy of the document on diskette shall be filed within 1 working day of the date the original printed document is filed. Information about the word processing and spreadsheet software preferred by the Commission may be obtained from the Director of the Division. Each diskette shall be accompanied by a statement specifying the density of the diskette, the operating system and the software used to prepare the document on diskette. For purposes of the requirement that copies of documents be filed on diskette, “document” means all prehearing statements regardless of length, and pleadings, post hearing statements of positions on issues or briefs, proposed findings of fact and conclusions of law in excess of 5 pages exclusive of the service list. ~~The prehearing officer assigned to the proceeding may grant exceptions to the requirement for filing documents on diskette on a case-by-case basis, for good cause shown.~~ In case of a discrepancy between an original printed document that is filed and the document on diskette, the filed original document shall prevail. ~~Filing shall be completed upon receipt by the Division; provided, however, that during the course of a hearing before the Commission or a panel thereof, the presiding chairman may accept a document for filing and shall note the filing date and transmit it to the Division. If the filing is made with the presiding officer during the course of a hearing, as provided by Rule 28-106.104(1),~~ It

this situation the responsible party shall ensure that a copy of the document is submitted on diskette to the Division within 5 working days. The date a document is submitted for filing shall be noted by the person making the filing on the first page of the document filed. Where a document is served upon a party pursuant to these rules, its original and the appropriate copies, or, in the case of interrogatories or production of documents, a notice of service, shall be filed with the Division no later than 5 days after service.

(2) Number of Copies. The original and seven copies of all pleadings shall be submitted to the Division of Records and Reporting. However, initial pleadings for increases in rates, except rate increases by water and wastewater utilities, shall be filed with 20 copies. The requirement for filing 20 copies shall apply to all exhibits appended to the original petition, prepared testimony and exhibits, briefs and other supplemental data requested by the Commission.

(2) Service. A copy of all documents filed pursuant to these rules shall be served on each of the parties no later than the date of filing. In the event that the parties are so numerous that this requirement is onerous, the Commission on motion may limit the number of copies to be served. Service by mail shall be completed upon mailing.

(3) Method and Proof of Service.

(a) When service is required or permitted to be made upon a party represented by an attorney, service shall be made upon the attorney unless service upon the party is ordered by the Commission. Service on the attorney or party shall be made by hand delivery or by mail to the last known address. Delivery of a copy within this rule shall mean handing it to the attorney or to the party, or leaving it at the party's or attorney's usual office with the clerk or other person in charge, or if there is no one in charge, leaving it in a conspicuous place within the office, or if the office is closed, leaving it at the party's or attorney's usual place of abode with some person of the family above fifteen years of age and informing that person of the contents.

(b) When an attorney or a party certifies in substance: "I certify that a copy hereof has been furnished to (here insert name or names) by (delivery) (mail) this _____ day of _____, 19__:

Signature:"

the certificate shall be taken as prima facie evidence of service in compliance with this rule.

(4) Additional Time after Service by Mail. Whenever a party is required or permitted to do an act within a prescribed time after service of a document, and the document is served by mail, five days shall be added to the prescribed time, except that responses to notices pursuant to Sections 350.113, 364.335 and 367.045, F.S., shall be filed within the time specified by statute. Any action required by a Commission order shall be completed on the specified date, if any, in the order.

(5) Computation of Time. In computing any period of time prescribed or allowed by these rules, by order of a presiding officer, or by any applicable statute, the day of the act from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday in which event the period shall run until the end of the next day which is neither a Saturday, Sunday, or legal holiday. As used in these rules, legal holiday means those days designated in §110.117, F.S., and any other day the Agency's offices are closed.

Specific Authority 350.01(7), 350.127(2) 420.53 FS. Law Implemented 120.569, 120.57 420.53 FS. History-Formerly 25-2.58, Amended 10-21-81, Formerly 25-22.28, Amended 2-11-92,_____.

25-22.029 Point of Entry Into Proposed Agency Action Proceedings.

(1) At any time subsequent to the initiation of a proceeding before the Commission, the Commission may give notice of proposed agency action. Proposed agency action shall be made upon a vote of the Commission, and may be reflected in the form of an order or a notice of intended action.

(1)(2) After agenda conference, the Division of Records and Reporting shall issue written notice of the proposed agency action (PAA), advising all parties of record that they have 21 days after issuance of the notice in which to file a request for a §120.569 or 120.57 hearing. For good cause shown the Commission may provide that the time for requesting a §120.569 or 120.57 hearing shall be 14 days from issuance of the notice for PAA orders establishing a price index pursuant to section 367.081(4)(a), F.S. The Commission will may also serve copies of its notice on interested persons and may require a utility to serve written notice of the PAA on its customers if the Commission finds that it is necessary in order to afford adequate notice.

(2)(3) The Commission may publish notice of its proposed agency action in the Florida Administrative Weekly or newspapers of general circulation in the area affected by its action and may will require a utility to publish notice of the decision in newspapers of general circulation in its service area if the Commission finds that it is necessary in order to afford adequate notice. Any such publication may be used in establishing the date of receiving notice.

(3)(4) One whose substantial interests may or will be affected by the Commission's proposed action may file a petition for a §120.569 or 120.57 hearing, in the form provided by Rule 28-106.201, F.A.C. 25-22.036. Any such petition shall be filed within the time stated in the notice issued pursuant to subsection (1)(2) of this rule. However, when a person has not been served notice of the decision and notice has been published, such person may file a petition within 14 days after publication of the notice.

(5) Any person who receives notice and who fails to file a timely request for a §120.57 hearing shall have waived his or her right to request a hearing on the decision.

~~(6) In the absence of a timely request for a §120.57 hearing, and unless otherwise provided by a Commission order, the proposed action shall become effective upon the expiration of the time within which to request a hearing.~~

Specific Authority ~~350.01(7), 350.127(2) 120.53~~ FS. Law Implemented ~~120.569, 120.57, 364.05, 366.06, 367.081, 367.081(4)(a), 367.0817 120.53~~ FS. History—New 12-21-81, Formerly 25-22.29, Amended 7-8-92, _____.

25-22.034 Discovery.

Specific Authority 120.53 FS. Law Implemented 120.53. FS. History—New 12-21-81, Formerly 25-22.34, Repealed.

25-22.035 Miscellaneous Matters.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.35, 25-22.035, Repealed.

25-22.0355 Assignment of Formal Proceedings.

Specific Authority 120.53 FS. Law Implemented 120.53, 120.57(1)(a), 350.01, 350.125 FS. History—Transferred from 25-2.501 and Amended 12-21-81, 9-20-83, formerly 25-22.355, Repealed.

Subpart B Prehearing Procedures

25-22.036 Initiation of Formal Proceedings.

~~(1) Applicability. This section shall apply to all §120.57(1) and (2) hearings including a hearing requested by a substantially affected person subsequent to proposed agency action. This rule shall not apply to the extent that a proceeding is governed by rules or statutes that prescribe alternative procedures.~~

~~(2) Initial Pleading. The initial pleading shall be entitled as either an application, petition, complaint, order, or notice, as set forth in subsections (3), (4), (5), and (6). Where the Commission has issued notice of proposed agency action, the initial pleading shall be entitled "Petition on Proposed Agency Action."~~

~~(1)(3) Application. An application is appropriate when a person seeks authority from the Commission to engage in an activity subject to Commission jurisdiction.~~

~~(4) Petition. A petition is appropriate when:~~

~~(a) A person subject to Commission jurisdiction seeks authority to change its rates or service, or seeks some other Commission action not otherwise specified in these rules; or~~

~~(b) A substantially affected person seeks Commission action to change the rates or service of a person subject to Commission jurisdiction, or seeks some other Commission action not otherwise specified in these rules.~~

~~(2)(5) Complaints. A complaint is appropriate when a person complains of an act or omission by a person subject to Commission jurisdiction which affects the complainant's substantial interests and which is in violation of a statute enforced by the Commission, or of any Commission rule or order.~~

~~(3)(6) Orders and Notices. Upon its own motion, the Commission may issue an order or notice initiating a proceeding. Such order or notice shall be served upon all~~

persons named therein. The Commission may also transmit notice of its action to other persons requesting such notice, and may publish such notice in appropriate newspapers of general circulation and the Florida Administrative Weekly.

~~(4)(7) Form and Content.~~

~~(a) Generally. Except for orders or notices issued by the Commission, each initial pleading should contain:~~

~~1. The name of the Commission and the Commission's docket number, if known;~~

~~2. The name and address of the applicant, complainant or petitioners, and an explanation of how his or her substantial interests will be or are affected by the Commission determination;~~

~~3. A statement of all known disputed issues of material fact. If there are none, the petition must so indicate;~~

~~4. A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;~~

~~5. A demand for relief; and~~

~~6. Other information which the applicant, complainant or petitioner contends is material.~~

~~(a)(b) Application. An application shall be governed by the statute or rules applicable to applications for authority. In the absence of a specific form and content, the application shall conform to this rule.~~

~~(b)(e) Complaint. Each complaint, in addition to the requirements of paragraph (a) above shall also contain:~~

~~1. The rule, order, or statute that has been violated;~~

~~2. The actions that constitute the violation;~~

~~3. The name and address of the person against whom the complaint is lodged;~~

~~4. The specific relief requested, including any penalty sought.~~

~~(d) When a petitioner seeks relief against another person, the petition shall include the name and address of the person against whom relief is sought in addition to the requirements of paragraph (a) of this subsection.~~

~~(c) Petitions for rate relief shall conform to all applicable rules and statutes as to form and content, in addition to the requirements of paragraph (a) of this subsection.~~

~~(f) Petition on Proposed Agency Action. When a petition is filed in response to proposed agency action the petition shall also contain a statement of when and how notice of the Commission's proposed agency action was received.~~

~~(8) Amendments. A petition, application or complaint may be amended prior to the filing of a responsive pleading or the designation of a presiding officer by filing and serving an amended initial pleading in the manner prescribed for filing and serving an original petition, application or complaint. The petitioner, complainant, or applicant may amend its initial pleading after the designation of the presiding officer only upon order of the presiding officer.~~

~~(9) Disposition.~~

~~(a) Where an application, petition, or complaint has been filed, and Commission action has not yet been proposed, the Commission may:~~

~~1. Deny the petition if it does not adequately state a substantial interest in the Commission determination or if it is untimely;~~

~~2. Issue notice of proposed agency action where a rule or statute does not mandate a hearing as a matter of course, and after the time for responsive pleadings has passed;~~

~~3. Set the matter for hearing before the Commission, or member thereof, or request that a hearing officer from the Division of Administrative Hearings be assigned to conduct the hearing. The assignment of a matter for hearing shall be pursuant to Rule 25-22.0355;~~

~~4. Dispose of the matter as provided in §120.57(2).~~

~~(b) Where a petition on proposed agency action has been filed, the Commission may:~~

~~1. Deny the petition if it does not adequately state a substantial interest in the Commission determination or if it is untimely.~~

~~2. Grant the petition and determine if a Section 120.57(1) hearing or a Section 120.57(2) hearing is required.~~

~~(c) The Commission shall promptly give written notice to all parties of the action taken on the petition, and shall state with particularity its reasons therefore.~~

~~(d) If the Commission elects to request that a Hearing Officer of the Division of Administrative Hearings be assigned to conduct the hearing, the Commission shall forward the initial pleading, and all materials filed with the Commission, to the Division of Administrative Hearings, and shall notify all parties of its action.~~

~~(10) Service of Initial Pleadings. Where a petition seeks relief against a person, or a complaint is filed, a copy of the petition or complaint shall be served on all persons named therein. Where a petition on proposed agency action is filed, a copy shall be served on all parties of record.~~

Specific Authority 350.01(7), 350.127(2), ~~120.53~~ FS. Law Implemented ~~120.569, 120.57, 364.035, 364.05, 364.057, 364.335, 364.337, 366.04, 366.06, 366.071, 366.076, 366.8255, 367.031, 367.045, 367.071, 367.081, 367.0814, 367.0817, 367.082, 367.0822, 367.091, 367.101, 367.171, 120.53~~ FS. History—New 12-21-81, Formerly 25-22.36, Amended.

25-22.037 Answers and Motions.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.37, Repealed.

25-22.0375 Pleadings.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.375, Repealed.

25-22.038 Prehearing Officer; Prehearing Statement; Prehearing Conferences; and Prehearing Order.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—Formerly 25-2.68, Amended 12-21-81, Formerly 25-22.38, Amended 9-3-95, Repealed.

25-22.0405 Notices of Public Hearings.

~~(1) The provisions of this rule shall apply to all public hearings conducted by the Commission, except rulemaking hearings held pursuant to Rules 25-22.010 through 25-22.018, F.A.C.~~

~~(2) Notice of such public hearings shall be given by the Commission to the clerk of the board of county commissioners of each county affected, the chief executive officer of each municipality to the area affected, all parties of record and all persons who have requested notice of such proceedings.~~

~~(3) A summary of the subject matter and notice of hearing shall be published by the Commission in the Florida Administrative Weekly. The summary shall be drawn and notice given as required by the provisions of the statute under which relief is sought, if applicable, but shall not be published less than 14 days prior to the hearing.~~

~~(4) The Commission will may require any public utility in a such proceedings to publish additional notices of hearing in newspapers of general circulation in the area affected and to give notice to its customers by mail, if as may be deemed reasonably necessary by the Commission finds that it is necessary in order to afford adequate notice to the customers of the utility.~~

~~(5) When the Commission determines that the health, safety, or welfare of the public requires an emergency hearing, notice may be accomplished by giving notice to those parties listed in subsection (2) not less than 48 hours prior to the time scheduled for the hearing.~~

Specific Authority 350.127(2), 366.05, 367.121(1)(f) FS. Law Implemented ~~120.569, 120.57, 364.03, 364.035(1), 364.07, 364.14, 364.15, 364.16, 364.27, 366.04, 366.05, 367.081, 367.111~~ FS. History—New 1-27-72, Formerly 25-2.981, Amended 12-21-81, 9-27-83, _____.

25-22.0406 Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies.

(1) through (2) No change.

(3)(a) Within 15 days after it has been notified by the Commission that the Minimum Filing Requirements (MFRs) have been met, the utility shall place a copy of the MFRs at its official headquarters and at its business office in each municipality in which service hearings were held in the last general rate case of the utility. Within 15 days after the time schedule has been mailed to the utility, copies of the MFRs shall be placed in the utility business office in each additional city in which service hearings are to be held. Upon customer request a copy of the MFRs shall be placed in a utility business

office not located in a city where a service hearing is to be held. The copies of the MFRs shall be available for public inspection during the utility's regular business hours.

(b) In addition to the locations listed above, if the Commission determines that the locations listed above will not provide adequate access, the Commission will ~~may~~ require that copies of the MFRs be placed at other specified locations.

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

Specific Authority 350.127(2), 366.05 FS. Law Implemented 120.569, 120.57, 364.035(1), 364.01(4), 364.04(3)(4), 364.05(1)(2), 364.19, 366.03, 366.04(1), 366.05(1), 366.06(1) FS. History—New 9-27-83, Formerly 25-22.406, Amended 5-27-93, _____.

25-22.0407 Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities.

(1) through (2) No change.

(3) Within 30 days after the official date of filing established by the Commission, the utility shall place a copy of the petition and the MFRs at its official headquarters and at any business offices it has in the service areas included in the rate request. Such copies shall be available for public inspection during the utility's regular business hours. If the utility does not have a business office in a service area included in its rate request, the utility shall place a copy of the petition and the MFRs at the main county library, the local community center or other appropriate location which is within or most convenient to the service area and which is willing to accept and provide public access to the copies. If the Commission determines that these locations will not provide adequate access, ~~t~~The Commission will ~~may~~ require that copies of the petition and MFRs be placed at other specified locations.

(4)(a) through (10) No change.

Specific Authority 350.127(2), 367.121(1)(f) FS. Law Implemented 120.569, 120.57, 367.081(2)(a), 367.0814(1), 367.0817, 367.091, 367.121 (1)(a) FS. History—New 5-27-93, Amended _____.

25-22.041 Continuances.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.41, Repealed _____.

25-22.042 Dismissal.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.42, Amended 7-11-96, Repealed _____.

Subpart C Conduct of Formal Hearings

25-22.045 Subpoenas.

(+) When the proceeding is before the Commission or member thereof, subpoenas may be issued by the presiding officer or the Division of Records and Reporting on subpoena forms supplied by the Commission. When the proceeding is before an administrative law judge a hearing officer of the Division of Administrative Hearings, subpoenas may be issued by the Administrative Law Judge Hearing Officer.

~~(2) A party shall apply in writing for the issuance of subpoenas requiring the attendance of witnesses or production of records, files, and memoranda from any place in the state, at any designated place of hearing before the presiding officer, for the purpose of taking the testimony of such witness or inspection of documents. An application for the subpoena shall state the name and address of the witness for whom the subpoena is to be issued, and the time and place for the witness to appear.~~

~~(3) Any party or person against whom a subpoena is directed may file a motion to quash or limit the subpoena with the agency having jurisdiction of the dispute. The motion shall set forth the grounds relied upon.~~

~~(4) A subpoena may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age. Service shall be made by delivering a copy thereof to the person named in the subpoena. Proof of service shall be made by affidavit of the person making service if service is not made by an officer authorized by law to do so.~~

~~(5) Service of a subpoena may also be effected by certified mail, in which case the return receipt must be signed by the person named in the subpoena.~~

Specific Authority 350.127(2) FS. Law Implemented 120.569, 120.57, 350.123 FS. History—Formerly 25-2.100, Amended 12-21-81, Formerly 25-22.45, Amended _____.

25-22.046 Witnesses and Witness Fees.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.46, Repealed _____.

25-22.048 Evidence.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.48, Repealed _____.

25-22.049 Recordation.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.49, Repealed _____.

Subpart D Post-Hearing Procedures

25-22.056 Post-hearing Filings.

Specific Authority 120.53 FS. Law Implemented 120.53, 120.57, 120.58 FS. History—New 12-21-81, Formerly 25-22.56, Amended 3-23-93, Repealed _____.

25-22.059 Final Orders.

Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 12-21-81, Formerly 25-22.59, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Noreen Davis

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 1998, Vol. 24, No. 50

PUBLIC SERVICE COMMISSION

DOCKET NO. 980500-PU

RULE TITLE: Exceptions to Uniform Rules of Procedure

RULE NO.: 25-40.001

PURPOSE AND EFFECT: To comply with s. 120.54(5)(a)3., F.S., each agency that adopts rules that provide exceptions to the uniform rules must publish a separate chapter in the FAC that delineates clearly the agency's rules that provide exceptions to the uniform rules.

SUMMARY: Provides list of rules that are an exception to the uniform rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Preparation of a SERC was found to be unnecessary.

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

SPECIFIC AUTHORITY: 120.54(5)(a)3. FS.

LAW IMPLEMENTED: 120.54(5)(a)3. FS.

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

NO HEARING WILL BE HELD BECAUSE THIS RULE RELATES EXCLUSIVELY TO THE COMMISSION'S ORGANIZATION, PROCEDURE, OR PRACTICE.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

25-40.001 Exceptions to the Uniform Rules of Procedure. The following provisions of the Commission's rules are exceptions to the uniform rules of procedure:

<u>UNIFORM RULE</u>	<u>COMMISSION RULE THAT IS AN EXCEPTION</u>
<u>CHAPTER 28-102</u> <u>AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS</u>	<u>25-22.0021</u> <u>Agenda Conference Participation.</u>
<u>28-102.001</u> <u>Notice of Public Meeting, Hearing, or Workshop.</u>	<u>25-22.001</u> <u>Notice of Meeting or Workshop.</u>
<u>28-102.002(2)</u> <u>Agenda of Meetings, Hearings, and Workshops.</u>	<u>25-22.002</u> <u>Agenda of Meetings.</u>
<u>CHAPTER 28-103</u> <u>RULEMAKING</u>	<u>25-22.017</u> <u>Rulemaking Proceeding – Adoption.</u>

<p><u>CHAPTER 28-106</u> <u>DECISIONS DETERMINING SUBSTANTIAL INTERESTS</u></p>	<p><u>25-22.006</u> <u>Confidential Information.</u> <u>25-22.029</u> <u>Point of Entry Into Proposed Agency Action Proceedings.</u> <u>25-22.0376</u> <u>Reconsideration of Non-Final Orders.</u> <u>25-22.0406(7)-(8)</u> <u>Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies.</u> <u>25-22.0407(8) and (10)</u> <u>Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities.</u> <u>25-22.058</u> <u>Oral Argument.</u> <u>25-22.060</u> <u>Motion for Reconsideration.</u></p>
<p><u>28-106.104</u> <u>Filing.</u></p>	<p><u>25-22.028</u> <u>Filing, Number of Copies.</u></p>
<p><u>28-106.205</u> <u>Intervention.</u></p>	<p><u>25-22.039</u> <u>Intervention.</u></p>
<p><u>28-106.208</u> <u>Notice of Hearing.</u></p>	<p><u>25-22.029</u> <u>Point of Entry into PAA Proceeding.</u> <u>25-22.0405</u> <u>Notices of Hearings.</u></p>
<p><u>28-106.212</u> <u>Subpoenas.</u></p>	<p><u>25-22.045</u> <u>Subpoenas.</u></p>
<p><u>CHAPTER 28-107 LICENSING</u></p>	<p><u>25-22.075 Transmission Line Permitting Proceedings.</u> <u>25-22.080 Electrical Power Plant Permitting Proceedings.</u></p>

Specific Authority 120.54(5)(a)3. FS. Law Implemented 120.54(5)(a)3. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Noreen Davis
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 24, No. 50, December 11, 1998

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Unemployment Compensation

RULE TITLE: Definitions
PURPOSE AND EFFECT: Deletion of rule sections containing definitions which lack specific statutory authority; renumbering sections.
SUMMARY: Deletes certain definitions and terminology not specifically authorized by Chapter 443, F.S.

RULE NO.: 38B-2.022

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule is anticipated to have no cost to the agency other than the normal expenses incurred in the promulgation of administrative rules; will have no special or particular impact upon the small business, counties, or cities; and will not adversely impact competition and the open market for employment.

SPECIFIC AUTHORITY: Chapter 98-149, Laws of Florida. LAW IMPLEMENTED: 443.036(19)(d)6.,(g),(n)4.,(34), 443.131, 443.171(1) 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: Eric R. Hurst, Esquire, Department of Labor and Employment Security, 2012 Capital Circle, Southeast, Room 307, Hartman Building, Tallahassee, Florida 32399-2189, (850)488-6556

THE FULL TEXT OF THE PROPOSED RULE IS:

38B-2.022 Definitions.

For the purpose of administering Chapter 443, Florida Statutes, the following definitions apply:

(1) through (6) No change.

~~(7) Domestic service: Pursuant to Section 443.036(19)(g), includes work performed by maids, cooks, maintenance workers, chauffeurs, social secretaries, caretakers, private yacht crews, butlers, and houseparents.~~

~~(8) Family relationships: For the purpose of Section 443.036(19)(n)4., Florida Statutes, the relationships include step relationships.~~

~~(7)(9) Holiday: Those dates designated by Section 110.117(1) and (2), Florida Statutes, and any other day that the offices of the United States Postal Service are closed, according to 5 U.S.C. §6103 (1989).~~

~~(10) Mass separation: The permanent or temporary separation on or about the same time of 25 or more workers from a single establishment.~~

~~(8)(11) Predecessor: A legal entity which has transferred all or part of its business to another.~~

~~(9)(12) Reimbursable employer: An employer which is liable for reimbursement payments in lieu of contributions.~~

~~(13) Substantially: For purposes of Section 443.091(5), Florida Statutes, the term "substantially all" shall mean 90% or more.~~

~~(10)(14) Wages:~~

(a) Gross wages: Total wages for insured employment.

(b) Excess wages: The difference between total wages and taxable wages.

(c) Taxable wages: That portion of an employer's payroll upon which contributions are due.

Specific Authority 120.53(1)(b), 443.171(2)(a) FS. Law Implemented 443.036(19)(d)6.,(g),(n)4.,(34), 443.131, 443.171(1) FS. History--New 8-25-92, Amended 12-28-97.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric R. Hurst

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth E. Holmes

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 1999, Vol. 25, No. 7, Page 685

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE TITLE: Florida Workers' Compensation Reimbursement

RULE NO.:

Manual for Hospitals 38F-7.501

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt by reference the Florida Workers' Compensation Reimbursement Manual for Hospitals, 1999 Edition, and LES Form DWC-90. The Florida Workers' Compensation Reimbursement Manual for Hospitals, 1999 Edition, contains reimbursement policies and per diem rates approved by the Three-Member Panel pursuant to Section 440.13(12), F.S., for use in the workers' compensation system. Deletes references to maximum reimbursement allowances (MRAs).

SUMMARY: This rule sets forth reimbursement policies and per diem rates in the Florida Workers' Compensation Hospital Reimbursement Manual, 1999 Edition.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule is anticipated to have no cost to the agency other than the normal expenses incurred in the promulgation of administrative rules; will have no special or particular impact upon small businesses, counties, or cities; and will not adversely impact competition and the open market for employment.

SPECIFIC AUTHORITY: 440.13(4)(b), 440.13(6), 440.13(11), 440.13(12), 440.13(14) FS.

LAW IMPLEMENTED: 440.13(4)(b), 440.13(6), 440.13(7), 440.13(11), 440.13(12), 440.13(14) FS.

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

TIME AND DATE: 10:00 a.m., March 30, 1999

PLACE: Suite 301F, Forrest Building, 2728 Centerview Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Reynolds, Registered Nursing Consultant, Division of Workers' Compensation, Bureau of Rehabilitation and Medical Services, Room 100, Forrest Building, 2728 Centerview Drive, Tallahassee, FL 32399-0664, (850)488-3431, ext. 333

THE FULL TEXT OF THE PROPOSED RULE IS:

38F-7.501 Florida Workers' Compensation Reimbursement Manual for Hospitals.

(1) The Florida Workers' Compensation Reimbursement Manual for Hospitals, 1999 1992 Edition, is adopted by reference as part of this rule. The manual contains reimbursement policies and per diem rates maximum reimbursement allowances for hospital services and supplies as well as basic instructions and information for all hospitals and insurance carriers in the preparation and reimbursement of bills claims for hospital services.

(2) A maximum reimbursement allowance (MRA) is listed for 300 common service codes which is the dollar amount equal to 80 percent of the 50th percentile of charges from Florida's hospital price masters for each code. For the hospital services and MRAs listed in the manual, the following reimbursement methodology is applied to determine the reimbursement amount:

(a) when a hospital's usual and customary charge is equal to or less than the MRA listed for the common service code, the hospital must be reimbursed 80 percent of its usual and customary charge or the MRA, whichever is less; or

(b) when a hospital's usual and customary charge is greater than the MRA listed for the common service code, the hospital must be reimbursed 65 percent of its usual and customary charge or the MRA, whichever is greater. When a service is performed which is not listed in the schedule of maximum reimbursement allowances, the hospital must develop an appropriate common service code and descriptor pursuant to the requirements provided on pages 43 and 44 of the manual and must be reimbursed at 70 percent of the hospital's usual and customary charge until such time as these services are itemized in the schedule of maximum reimbursement allowances.

(3) All medical services, which include hospital services, must be "medically necessary" as defined in s. 440.13, Florida Statutes. Medical services which are of an experimental, investigative or research nature must be approved by the Division of Workers' Compensation prior to authorization by a carrier.

(2) LES Form DWC-90, also known as the UB-92, or HCFA-1450, is hereby incorporated by reference as part of this rule.

(3)(4) The Florida Workers' Compensation Reimbursement Manual for Hospitals, 1999 1992 Edition, and LES Form DWC-90, are available for inspection during normal

business hours, at which contains the common service codes, reimbursement policies and maximum reimbursement allowances is distributed by the Division of Workers' Compensation, Bureau of Rehabilitation and Medical Services, 100 Forrest Building, 2728 Centerview Drive, Tallahassee, Florida 32399-0664, or via the Division's home page at http://www.wc.les.state.fl.us/DWC/.

Specific Authority 440.13(4)(b), 440.13(6), 440.13(11), 440.13(12), 440.13(14) 440.594 FS. Law Implemented 440.13(14)(b), 440.13(6), 440.13(7), 440.13(11), 440.13(12), 440.13(14) 440.13(4)(a),(c),(f) FS. History--New 6-9-87, Amended 6-1-92.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donna Reynolds

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Reginald Watkins, Chief, Bureau of Rehabilitation and Medical Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 1999, Vol. 25, No. 7, Page 685

DEPARTMENT OF ELDER AFFAIRS

Assisted Living Program

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Adult Family-Care Homes	58A-14
RULE TITLES:	RULE NOS.:
Definitions	58A-14.002
License Application, Renewal and Conditional Licenses	58A-14.003
License	58A-14.004
Admission and Appropriateness of Placement	58A-14.0061
Residency Agreement	58A-14.0062
Standards and Practices for Care and Services	58A-14.007
Staff Qualifications, Responsibilities and Training	58A-14.008
Records	58A-14.0085
Physical Site Standards	58A-14.009
Fire Safety Standards and Emergency Procedures	58A-14.0091
Administrative Enforcement	58A-14.010

PURPOSE AND EFFECT: During the 1998 session there were several bills that amended part VII, chapter 400, F.S., relating to the regulation of adult family care homes: Chapter 98-338, L.O.F., relating to licensing and regulation; chapter 98-148, L.O.F., relating to rule promulgation authority; and chapter 98-171, L.O.F., relating to licensing and background screening. The purpose of this proposed rule is to implement all of these bills and carry out the agency rule directives provided in section 120.536 and 120.74, F.S.

SUMMARY: Rule 58A-14.002, relating to definitions, is amended to delete definitions, add new definitions, and update remaining definitions. Rule 58A-14.003, relating to licensing procedures, is amended to incorporate new background screening requirements, delete provisions permitting restrictions on a license, and update and reorganize remaining provisions. Rule 58A-14.004, relating to license, is amended to delete grounds for license denial now in statute, delete restrictions on capacity, add transferred provisions relating to advertising, and to re-organize and update remaining provisions. Rule 58A-14.0061, relating to resident admission, is amended to broaden the criteria for admission and continued residency, provide standards for hospice care, delete transferred provisions relating to the residency agreement, and to update, reorganize and streamline provisions. Rule 58A-14.0062, relating to residency agreements, is created and transferred provisions are clarified and reorganized. Rule 58A-14.007, relating to standards of care, is amended to provide greater guidance with respect to medications, clarify provisions relating to supervision and health monitoring, add standards for nursing care, delete requirement for a resident "needs assessment," delete transferred provisions relating to emergencies, and update, streamline and re-organize provisions. Rule 58A-14.008, relating to staffing requirements, is amended to clarify responsibilities, add and delete training requirements, add a training fee provision, delete transferred provisions relating to records and advertising, and to reorganize and update provisions. Rule 58A-14.0085, relating to facility, staff and resident records, is created and transferred provisions are reorganized and updated. Rule 58A-14.009, relating to physical site requirements, is amended to delete duplicate requirements covered by the Department of Health, the fire code, or local zoning ordinances, and to streamline, reorganize and update remaining provisions. Rule 58A-14.0091, relating to fire safety standards, is amended to add additional fire safety requirements, add transferred emergency procedures, and to streamline and update provisions. Rule 58A-14.010, relating to administrative enforcement, is amended to delete list of violations and fines now in statute, and to update and reorganize remaining provisions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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: 400.617, 400.619, 400.6196, 400.621, 400.6211, 400.625 FS.

LAW IMPLEMENTED: Part VII, Chapter 400 FS.

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

TIME AND DATE: 10:00 a.m., Monday, March 29, 1999

PLACE: Florida Department of Elder Affairs, Conference Room 225F, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pat Dunn, Office of General Counsel, (850)414-2000; Meta Calder, Assisted Living Program, (850)414-2309; Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 58A-14.002 follows. See Florida Administrative Code for present text.)

58A-14.002 Definitions.

The following terms or phrases are defined in s. 400.618, F.S., and are applicable to this rule chapter: activities of daily living (ADLs), adult family-care home (AFCH), agency (AHCA), aging in place, appropriate placement, chemical restraint, department, disabled adult, frail elder, personal services or personal care, provider, relative, relief person, and resident. Additional definitions applicable to this rule chapter are as follows:

(1) "Adult household member" means the provider and any person, 18 years of age or older, who is permanently or regularly present in the home for more than a few hours at a time. A person shall be considered a household member even though the person has another residence if the person is in a position of familial authority or perceived familial authority.

(2) "Advertise" means any written, printed, oral, visual, or electronic promotion, statement of availability, qualifications, services offered, or other similar communication appearing in or on television, radio, the Internet, billboards, newspapers, newsletters, magazines, business cards, flyers, brochures or other medium used for the purpose of attracting potential residents to an adult family-care home. A complimentary listing of the licensed AFCH's name, address, and telephone number in the telephone directory shall not be considered advertising.

(3) "Applicant" means an individual applying for an adult family-care home license.

(4) "Assistance with activities of daily living" means individual assistance with the following:

(a) Ambulation – Providing physical support to enable the resident to move about and maintain balance and providing necessary assistance with walking, stair climbing, or pushing a wheelchair.

(b) Bathing – Assembling towels, soaps, and other necessary supplies, helping the resident in and out of the bathtub or shower, turning water on and off, adjusting water temperatures, washing and drying portions of the resident’s body which are difficult to reach, or being available while the resident is bathing.

(c) Dressing – Helping the resident to choose and to put on and remove appropriate clothing.

(d) Eating – Helping with cutting food, pouring beverages, and hand feeding residents who are unable to feed themselves.

(e) Grooming – Helping the resident with shaving, oral care, care of the hair, and nail care.

(f) Toileting – Reminding the resident about using the toilet, assisting the resident to the bathroom, helping to undress, positioning on the commode, and helping with related personal hygiene, including changing adult briefs.

(5) “Bedridden” means confined to bed because of inability to ambulate or transfer to a wheelchair even with assistance, or to sit safely in a chair or wheelchair without personal assistance or physical restraint.

(6) “Capacity” means the number of residents for which an adult family-care home has been licensed to provide room, board and personal care.

(7) “Case manager” means an individual employed by or under contract with any agency or organization, public or private, who has responsibility for assessing resident needs, planning services, coordinating and assisting residents to gain access to needed medical, mental health, social, housing, educational or other services, and monitoring and evaluating service delivery.

(8) “Deficiency” means an instance of non-compliance with the requirements of part VII, chapter 400, F.S., and this rule chapter.

(9) “Health care provider” means a physician or physician’s assistant licensed under chapter 458 or 459, F.S., or advanced registered nurse practitioner licensed under chapter 464, F.S.

(10) “Long-Term Care Ombudsman Council” (LTCOC) means the State Long-Term Care Ombudsman Council or the district long-term care ombudsman councils established under part I of chapter 400, F.S.

(11) “Moratorium” means that an AFCH may not admit a new resident from the date the moratorium is imposed by AHCA until the date the moratorium is lifted by AHCA.

(12) “Nurse” means a licensed practical nurse (LPN), registered nurse (RN), or advanced registered nurse practitioner (ARNP) under chapter 464, F.S.

(13) “Nursing progress notes” or “nursing notes” means a written record of nursing services, other than medication administration or the taking of vital signs, provided to each resident who receives such services. The notes shall be completed by the nurse who delivered the service and shall describe the date, type, scope, amount, duration, and outcome

of services that are rendered; the general status of the resident’s health; any deviations; any contact with the resident’s health care provider; and contains the signature and credential initials of the person rendering the service.

(14) “Optional state supplementation (OSS)” means the state program providing monthly payments to eligible residents pursuant to s. 409.212, F.S., and rule chapter 65A-2.

(15) “Physical restraint” means a device or item which physically limits, restricts, or deprives an individual of movement or mobility. The term also includes any device which was not specifically manufactured as a restraint but which has been altered, arranged or otherwise used for this purpose or otherwise modified to be used as a physical restraint. The term does not include an item or device which the individual can remove or avoid without assistance.

(16) “Pressure ulcer” means a breakdown in skin integrity caused by immobility and prolonged pressure.

(17) “Resident’s representative” means a guardian, attorney-in-fact, next-of-kin, health care surrogate or proxy, or other responsible party with authority to make decisions on behalf of a resident.

(18) “Staff” means any person employed by or under contract to the provider, who directly or indirectly provides services to residents. Staff does not include persons contracting directly with a resident.

(19) “Twenty-four-hour nursing supervision” means nursing services that are ordered by a physician for a person whose condition requires physician supervision and continued monitoring of vital signs and physical status. Such services must be medically complex enough to require the constant supervision, assessment, planning, or intervention by a nurse; be performed by or under the direct supervision of a nurse; required on a daily basis; and consistent with the nature and severity of the resident’s condition or the disease state or stage.

Specific Authority 400.619, 400.621 FS. Law Implemented 400.618, 400.619, 400.6196, 400.621, 400.628 FS. History—New 5-14-86, Amended 2-2-95, Formerly 10A-14.002, Amended 9-19-96.

(Substantial rewording of Rule 58A-14.003 follows. See Florida Administrative Code for present text.)

58A-14.003 License ~~License~~ Application, and Renewal and Conditional Licenses.

(1) LICENSE APPLICATION.

(a) Any individual desiring to obtain an initial license to operate an adult family care home shall file an application, AHCA Form 3180-1022, February 1999, which is incorporated by reference, with the Assisted Living Unit, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308-5402, Phone 850-487-2515. The completed application must be signed by the applicant, notarized, and be accompanied by the following:

1. A completed Request for Level 1 Criminal History Check, AHCA Form 3110-0002, June 1998, and Florida Abuse Hotline Information System Background Check, AHCA Form 3110-0003, July 1998, which are incorporated by reference, for the applicant, each relief person, all adult household members, and all staff. The completed forms will not be required for persons who:

a. Submit proof of Level I screening conducted within the last 5 years pursuant to a facility or professional license requirement of AHCA or the Department of Health and provide a copy of the professional or facility license, and an affidavit of current compliance with the background screening requirements of s. 435.03, F.S.; or

b. Have been continuously employed in the same type of occupation for which the person is seeking employment without a break in service that exceeds 180 days, and can provide proof that level 1 background screening has been conducted within the last 2 years. Proof of compliance must be obtained by the applicant from the person's previous employer and not from the person.

2. A description and explanation of any exclusions, permanent suspensions, or involuntary terminations of the applicant from the Medicaid or Medicare programs or any other governmental health care or health insurance program.

3. If located in an area zoned single-family or multi-family, a community residential home certification form signed by the Department of Children and Family Services' district community residential home coordinator. If not located in an area zoned single-family or multi-family, Local Zoning Form, AHCA Form 3180-1021, September 1996, which is incorporated by reference, or a letter from the local zoning authority, signed by the county zoning official, which states that the applicant is in compliance with local zoning ordinances.

4. Documentation of a satisfactory sanitation inspection as required under Rule 58A-14.009.

5. Documentation of a satisfactory fire safety inspection as required under Rule 58A-14.0091.

6. Income and Expense Statement, AHCA Form 3180-1017, September 1996, which is incorporated by reference.

7. Documentation of radon testing as mandated by s. 404.056(5), F.S.

8. Written assurance affirming that the applicant is aware of and will complete the training requirements as described in Rule 58A-14.008.

9. A licensing fee of \$100.

(b) During the licensing process, the agency shall:

1. Conduct Level 1 background screening on the applicant, all adult household members, each relief person, and all staff pursuant to chapter 435, F.S.

2. Conduct an on-site survey of the prospective AFCH. During the survey the agency shall:

a. Visually inspect all rooms and outside grounds of the home and determine that the home meets the minimum physical site requirements of Rule 58A-14.009 prior to resident occupancy; and

b. Determine the capacity of the home.

(c) Any deficiencies identified during the survey must be corrected prior to issuance of a license.

(d) If, at the time of applying for an initial license, an applicant is already providing room, board, and one or more personal services to persons who will be considered residents, the provider must be in compliance with all admission and care standards applicable to residents under this rule chapter upon licensing.

(2) LICENSE RENEWAL.

(a) Application forms for license renewal, AHCA Form 3180-1022, shall be mailed annually by the agency to the AFCH provider at least 120 days prior to the expiration of the current license. The provider shall mail or hand-deliver the license renewal application to the agency a minimum of 90 days prior to the expiration date appearing on the currently held license.

(b) In addition to AHCA Form 3180-1022, all applicants for license renewal shall provide the following:

1. Written documentation of a satisfactory sanitation inspection as required under Rule 58A-14.009. Documentation of a satisfactory sanitation inspection shall be provided at the time of the agency's annual survey.

2. Written documentation of a satisfactory fire safety inspection as required under Rule 58A-14.0091. Documentation of a satisfactory fire safety inspection shall be provided at the time of the agency's annual survey.

3. A licensing fee of \$100, or \$150 if not filed 90 days prior to the license expiration date.

(c) During the license renewal process the agency shall:

1. Conduct an on-site survey of the AFCH. During the survey the agency shall:

a. Visually inspect all rooms and the outside grounds of the home and determine that the home meets the minimum physical site requirements of Rule 58A-14.009. The agency shall refer all safety and sanitation concerns to the county health department, and all fire safety concerns to the local authority with jurisdiction over fire safety

b. Verify that residents meet the criteria for continued residency in an AFCH as provided in Rule 58A-14.0061, and that resident services are being provided in accordance with the standards established in Rule 58A-14.007.

c. Verify that the AFCH provider is complying with all facility, staff, and resident records requirements as provided in Rule 58A-14.0085.

2. Obtain information from the district Long-Term Care Ombudsman Council regarding complaints and whether complaints have been successfully resolved.

3. Request documentation of adequate financial resources to operate the adult family-care home in compliance with health and safety standards if the agency has reasonable cause to believe that the financial stability of the AFCH is in question. Indicators of financial instability include filing of bankruptcy; issuance of checks returned for insufficient funds; non-payment of rent, mortgage, utilities, staff wages or salaries, or taxes; and confirmed complaints to the agency or ombudsman council regarding withholding of funds or refunds due residents.

(3) CONDITIONAL LICENSE. The agency may issue a conditional license to an AFCH if, at the time of license renewal the facility is found to have uncorrected violations.

(a) The issuance of a conditional license shall be contingent upon agency approval of a written plan of correction which includes corrective steps that will be taken to eliminate the deficiencies and a timetable for correction of the deficiencies by the expiration date of the conditional license.

(b) A conditional license shall be issued by the agency only for that time period necessary to comply with applicable licensing standards and complete license renewal procedures, but not to exceed 6 months.

(c) A conditional license shall be revoked and license denied if subsequent follow-up surveys by the agency indicate that necessary progress has not been made toward compliance with applicable licensing standards.

(d) The issuance of a conditional license does not change the annual license expiration date.

(4) LICENSE DENIAL. Applicants and providers denied a license shall be notified by the agency of their right to appeal the denial of the license, the remedies available, and the time limit for requesting such remedies as provided under part II of rule chapter 59-1 and chapter 120, F.S.

Specific Authority 400.619, 400.621 FS. Law Implemented 400.619, 400.621 FS. History—New 5-14-86, Amended 2-2-95, Formerly 10A-14.003, Amended 9-19-96,_____.

(Substantial rewording of Rule 58A-14.004 follows. See Florida Administrative Code for present text.)

58A-14.004 License.

(1) Except for conditional licenses, all AFCH licenses shall be effective for 1 year from the date of issuance.

(2) A license to operate an AFCH is not transferable and is valid only for the provider named, the capacity stated, and the premises described on the license.

(3) The licensed provider shall give at least 60 days written notice to the AHCA Assisted Living Unit, each residents or resident's representative, and case managers of OSS recipients, of any intent to voluntarily close or sell a currently licensed AFCH.

(4) LICENSED CAPACITY.

(a) There shall be no more than 5 residents in any AFCH. The number of residents permitted in a particular adult family-care home will be determined by the agency based upon the fire safety standards provided under Rule 58A-14.0091, and compliance with physical site standards established in Rule 58A-14.009. An increase in capacity may not be made without the prior approval of the agency.

(b) Adult relatives of the provider who require personal care and supervision and reside in the home for more than 30 days shall be considered residents only for the purposes of determining capacity.

(c) Except homes licensed as adult foster homes or adult congregate living facilities prior to January 1, 1994, each AFCH must designate at least one licensed space for a resident receiving optional state supplementation.

(5) ADVERTISING. A licensed adult family-care home may advertise accommodations and services consistent with its license.

(a) The AFCH may not be listed in the yellow pages of the telephone directory under the heading of "nursing home" or "assisted living facility."

(b) An advertisement for an adult family-care home must include the term "adult family-care home" and the home's license number.

(c) Pursuant to s. 400.6255, F.S., an AFCH claiming to provide special care for persons with Alzheimer's disease or other related dementias must disclose those special care services in any advertisement or in a separate document, which shall be distributed to the public upon request.

Specific Authority 400.619, 400.621 FS. Law Implemented 400.619, 400.621, 400.6255 FS. History—New 5-14-86, Amended 2-2-95, Formerly 10A-14.004, Amended 9-19-96,_____.

(Substantial rewording of Rule 58A-14.0061 follows. See Florida Administrative Code for present text.)

58A-14.0061 Admission and Appropriateness of Placement.

(1) ADMISSION. In order to be admitted as a resident to an AFCH an individual must:

(a) Be at least 18 years of age.

(b) Be free from apparent signs and symptoms of any communicable disease, including tuberculosis which is likely to be transmitted to other residents, as documented in the Health Assessment Form described in subsection (2). A person who has HIV infection may be admitted provided the person would otherwise be eligible for admission according to this rule.

(c) Be capable of self-preservation in an emergency situation involving the immediate evacuation of the AFCH, with assistance with ambulation if needed.

(d) Be able to perform, with supervision or assistance, activities of daily living.

(e) Not be a danger to self or others as determined by a health care provider or licensed mental health professional.

(f) Not require licensed professional mental health treatment on a 24-hour a day basis.

(g) Not have special dietary needs which cannot be met by the provider.

(h) Not be bedridden.

(i) Not have stage 3 or 4 pressure ulcers. An individual with a stage 2 pressure ulcers may be admitted only if the individual is under the care of a nurse pursuant to a plan of care issued by a health care provider. Such nursing service must be provided in accordance with Rule 58A-14.007.

(j) Not require the use of chemical or physical restraints.

(k) Not require 24-hour nursing supervision.

(l) Not have personal care and nursing needs which exceed the capability of the provider to meet or arrange for such needs. The provider is responsible for determining the appropriate placement of the individual in the AFCH.

(2) HEALTH ASSESSMENT. Prior to admission to an AFCH, the individual must be examined by a health care provider using the Resident Health Assessment, DOEA Form 1110, February 1999, which is incorporated by reference, and available from the Assisted Living Program, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000.

(3) HOUSE RULES AND COMPLAINT PROCEDURES. Prior to, or at the time of admission a copy of the AFCH house rules, the Resident's Bill of Rights established under s. 400.628, F.S., the name, address, and telephone number of the district long-term care ombudsman council and the Florida Abuse Hotline, and the procedure for making complaints to the ombudsman council and the abuse registry must be provided to the resident or the resident's representative.

(4) TEMPORARY EMERGENCY SERVICES. Residents placed on an emergency basis by the Department of Children and Family Services pursuant to ss. 415.105 or 415.1051, F.S., must meet the admission requirements of this rule. However, only residents whose stay in the home exceeds 30 days, must be examined by a health care provider under subsection (2) of this section, and covered by a residency agreement under Rule 58A-14.0062. A temporary emergency placement may not be made if the placement causes the home to exceed licensed capacity.

(5) CONTINUED RESIDENCY.

(a) The criteria for continued residency shall be the same as the criteria for admission, except that:

1. A resident may be bedridden for up to 7 days for a temporary illness.

2. A resident with a stage 2 pressure ulcer must be discharged if the pressure ulcer has not healed within 30 days or has not reduced to a stage 1.

3. A terminally ill resident who no longer meets the criteria for continued residency may continue to reside in the AFCH if:

a. The resident qualifies for, is admitted to, and consents to the services of a licensed hospice which coordinates the additional care that may be needed;

b. Continued residency is agreeable to the resident and the provider; and

c. An interdisciplinary care plan is developed and implemented by the hospice in consultation with the provider.

(b) If the resident no longer qualifies for continued residency, the provider shall assist the resident to obtain another placement.

(c) The provider is responsible for monitoring the continued appropriateness of placement of a resident in the home.

(6) DISCHARGE.

(a) Except as provided in paragraph (b), a resident shall not be discharged without 30 days' written notice stating reasons for the move or transfer. The notice shall be delivered to the resident or the resident's representative. A resident or resident's representative who objects to the move shall be given the opportunity of an informal conference if requested in writing within 10 days of receipt of notice. Participants shall include the resident or resident's representative, and at the resident's or representative's request, a family member, the resident's case manager, a district long-term care ombudsman council representative (LTCOC), a Human Rights Advocacy Committee (HRAC) representative; and the provider and representation from a provider association if the provider requests it. The purpose of the conference is to determine if a satisfactory resolution can be reached. This is not to be considered an administrative hearing.

(b) Residents shall only be moved or transferred without the required 30 day notice for the following reasons:

1. The resident's health requires an immediate relocation to a facility which provides a more skilled level of care as certified by a physician;

2. The resident's behavior poses an imminent danger to self or others, significantly interferes with the orderly operation of the home, or is continually offensive to other residents; or

3. The AFCH has had its license denied, revoked, not renewed, or has voluntarily surrendered its license.

Specific Authority 400.621 FS. Law Implemented 400.618, 400.621, 400.625, 400.628, FS. History—New 2-2-95, Formerly 10A-14.0061, Amended 9-19-96.

58A-14.0062 Residency Agreement.

(1) Pursuant to s. 400.625, F.S., before or at the time of admission to an AFCH, the provider and the resident or the resident's representative must sign an agreement, a copy of which must be given to the provider and kept on file for 5 years after the expiration of the agreement, and a copy of which must be provided to the resident or resident's representative.

(2) The residency agreement must include the following:

(a) A list specifically setting forth the services and accommodations to be provided by the adult family-care home.

(b) The daily, weekly or monthly rates and charges and a statement that the provider will provide at least 30 days' notice before implementing a rate increase.

(c) A bed hold policy for residents who request the provider to reserve a bed for the resident if the resident's health requires the resident to be admitted to a nursing home or hospital. The bed hold policy shall permit the provider to continue to charge the agreed upon daily rate until the provider receives notification in writing from the resident or the resident's representative that the resident will not be returning to the home. However, the provider may not continue to charge the agreed upon daily rate if the resident's physical or mental condition prevents the resident from giving notification and the resident does not have a representative to act on the resident's behalf.

(d) The AFCH's discharge policy and a statement that if the resident is given a notice of discharge an informal hearing can be requested as provided under Rule 58A-14.0061.

(e) A refund policy to apply when a resident is discharged or dies. The refund policy shall state that:

1. The resident or resident's representative is entitled to a prorated refund for any unused portion of payment beyond the discharge or termination date. The refund will be less the cost of documented damages to the AFCH caused by the resident before the discharge or termination date that results from circumstances other than normal use. Claims against the refund must be in writing and must include a list of all documented damages and costs.

2. The refund must occur within 45 days of receipt of a written notice of discharge, or 15 days after the resident has moved or dies, whichever occurs later.

(3) An addendum shall be added to the residency agreement to reflect any additional services and charges not covered by the original agreement. Such addendum must be dated and signed by the provider and the resident or resident's representative and a copy given to the provider and the resident or the resident's representative.

Specific Authority 400.625 FS. Law Implemented 400.625, 400.628 FS. History--New.

(Substantial rewording of Rule 58A-14.007 follows. See Florida Administrative Code for present text.)

58A-14.007 Standards and Practices for Care and Services.

The adult family-care home provider shall ensure the provision of the following in accordance with part VII of chapter 400, F.S., this rule chapter, and the residency agreement:

(1) PERSONAL SERVICES.

(a) Assistance with or supervision of the activities of daily living as required by the resident. For a diabetic resident or a resident who has documented circulatory problems, cutting toenails shall only be permitted with written approval of the health care provider.

(b) Assistance with or supervision of the self-administration of medication, or medication administration.

1. Residents who are capable of self-administering their medications shall be encouraged and allowed to do so.

2. For residents who require supervision or assistance with self-administration, the provider or staff shall, as needed:

a. Remind residents when to take medications;

b. Prepare and make available such items as water, juice, cups, spoons, or other items necessary for administering the medication;

c. Obtain the medication and provide it to the resident.

d. Observe the resident take the medication and verify that the resident is taking the dosage as prescribed; and

e. Provide any other assistance at the express direction of the resident or the resident's representative, except for administering the medication as defined in s. 465.003, F.S.

3. Medication administration in an AFCH is a nursing service and may only be provided as described in subsection (5) of this rule, except that instead of nursing progress notes, a record of medication administration shall be maintained which includes the name of the resident and any known allergies the resident may have; the name of the resident's health care provider and the health care provider's telephone number; the name of each medication prescribed, its strength, and directions for use; and a chart for recording each time the medication is taken, any missed dosages, refusals to take medication as prescribed, or medication errors. The chart must be updated each time the medication is administered.

4. A list of currently prescribed medications shall be maintained for all residents who self-administer or who require supervision or assistance with medications which includes the name of each medication prescribed, its strength and directions for use, and common side effects.

5. Nurses may manage weekly pill organizers for residents who self-administer or who require supervision or assistance with self-administration.

6. Prescription medications which are centrally stored by the provider shall be appropriately stored in their legally dispensed, labeled, original containers. Appropriately stored means that the medication be kept in an area free of dampness and abnormal temperatures, except that a medication requiring refrigeration shall be refrigerated.

(2) SUPERVISION.

(a) The AFCH provider shall provide general supervision which includes being aware of the resident's general whereabouts and well-being while the resident is on the premises of the AFCH in order to ensure the resident's safety and security, and reminding the resident of any important tasks or activities, including appointments, as needed by the resident. The provider is responsible for determining and providing adequate supervision, however, under no circumstances shall a resident be left unattended for more than 2 hours.

(b) Any major incident and the action taken in response to that incident must be documented in the resident's record. A major incident includes:

1. An injury to a resident which requires assessment and treatment by a health care provider. The resident's record must include a description of the circumstances under which the injury occurred.

2. Determining that a resident is missing. Whenever a resident is determined to be missing, the provider, relief person, or staff-in-charge shall notify the local law enforcement agency within 1 hour. The resident's representative, next-of-kin, and case manager shall be notified within 4 hours or within a time frame previously agreed upon in writing between the provider and the resident's representative, next-of-kin, or case manager.

3. Any event, such as a fire, natural disaster, or other occurrence which results in the disruption of the AFCH's normal activities.

4. The death of a resident. The resident's representative, next-of-kin, and case manager must be notified within 4 hours of death or within a time frame previously agreed in writing upon between the provider and the resident's representative, next-of-kin, or case manager.

(3) HEALTH MONITORING. The AFCH provider shall be responsible for observing, recording and reporting any significant changes in the resident's normal appearance, behavior or state of health to the resident's health care provider and representative or case manager. Significant changes include a sudden or major shift in behavior or mood; a deterioration in health status, such as unplanned weight change, stroke, heart condition, a stage 2 pressure ulcer. Ordinary day-to-day fluctuations in functioning and behavior, short-term illness such as a cold, or the gradual deterioration in the ability to carry out the activities of daily living that accompanies the aging process are not considered significant changes. As part of health monitoring, residents shall be weighed on a monthly basis.

(4) FOOD SERVICE.

(a) For residents not routinely absent from the home for a day program or other purpose, at least 3 meals shall be prepared and served in the home where the resident lives during each 24 hour period. Beverages and nutritious snacks shall be made available between meals.

(b) If residents are routinely absent from the AFCH during a regular meal time, they must be provided with take-out meals if other provisions have not been made by the resident or the day program.

(c) Payment for meals eaten away from home for the convenience of the provider (i.e., restaurants or senior meal sites) is the responsibility of the provider. However, meals and snacks as part of an individually arranged recreational outing are the responsibility of the resident.

(d) In order to ensure adequate nutrition and variety, meals shall be planned based on the recommendations of the U.S. Department of Agriculture's Food Guide Pyramid – A Guide to Daily Food Choices, prepared by methods which conserve nutritional value, and served in a form easy for the residents to manage.

(e) Special diets are to be provided as prescribed in written orders by the resident's health care provider.

(f) Consideration shall be given to the resident's cultural and ethnic background and individual preferences in food selection and preparation.

(g) Dining and serving arrangements shall provide an opportunity for residents to make food selections.

(h) All residents shall be given the opportunity to eat with the AFCH provider, other residents, and other members of the household.

(5) NURSING SERVICES. In order to permit the resident to age in place, any nursing service needed by the resident can be provided or arranged for by the provider, or the resident or the resident's representative may directly contract with a licensed home health agency or nurse to provide these services, provided that:

(a) The resident does not exceed the admission and continued residency standards provided under Rule 58A-14.0061; and

(b) If provided or arranged for by the AFCH provider, the nursing service must be:

1. Authorized by a health care provider's order;
2. Medically necessary and reasonable for treatment of the resident's condition;
3. Properly provided pursuant to chapter 464, F.S., and the prevailing standard of practice in the nursing community;
4. A service that can be safely, effectively, and efficiently provided in the home;
5. Recorded in nursing progress notes; and
6. Provided in accordance with the residency agreement.

(6) ADDITIONAL SERVICES. The adult family-care home provider shall also ensure the provision of the following:

(a) The arrangement of, transportation to, and for someone to accompany the resident to medical, dental, nursing, or mental health appointments, to the extent needed by the resident.

(b) Clothing that is in good repair, consistent with general standards of dress in the community, and appropriate for the season.

(c) Linens and laundry services shall be furnished as needed by the provider. Residents who wish to use their own linens, or who are willing and able to do their own laundry shall be permitted to do so.

(d) Securing social and leisure services for the resident.

(e) Arranging for participation in religious activities, if requested by the resident.

(f) A congenial and homelike atmosphere within the residence.

Specific Authority 400.621(4) FS. Law Implemented 400.621, ~~400.6255~~, 400.628 FS. History—New 5-14-86, Amended 2-2-95, Formerly 10A-14.007, Amended 9-19-96, _____.

(Substantial rewording of Rule 58A-14.008 follows. See Florida Administrative Code for present text.)

58A-14.008 Staff Qualifications, Responsibilities and Training.

(1) MINIMUM STAFF REQUIREMENTS.

(a) The provider, all staff, each relief person, and all adult household members must submit a statement from a health care provider, based on an examination conducted within the last six months, that the person is free from apparent signs and symptoms of communicable diseases including tuberculosis. Freedom from tuberculosis must be documented on an annual basis. Persons with a positive tuberculosis test must submit a physician's statement that the persons does not constitute a risk of communicating tuberculosis.

(b) The provider, all staff, each relief person, and all adult household members must meet Level 1 background screening requirements established in s. 435.03, F.S., or have been exempted from disqualification as provided in s. 435.07, F.S. The provider must submit completed AHCA Forms 3110-0002 and 3110-0003, or other evidence of compliance as provided in s. 400.619, F.S., and Rule 58A-14.003, for any staff, relief persons, or adult household members not screened at the time of initial license application pursuant to the screening schedule provided in s. 435.05, F.S.

(c) The provider, each relief person, and all staff must comply with the training requirements provided in subsection (4) of this rule.

(2) PROVIDER

(a) An adult family-care home provider must:

1. Be at least 21 years of age.
2. Live in the home.

3. Be able to read, write and complete written materials involved in applying for an AFCH license and maintaining an AFCH.

4. Complete required training.

(b) An adult family-care home provider is responsible for:

1. The operation and maintenance of the AFCH in accordance with part VII of chapter 400, F.S., and this rule chapter.

2. Ensuring that residents are appropriate for placement and continued residency in the home as provided under Rule 58A-14.0061, and that care and services are provided for residents in accordance with Rule 58A-14.007.

(c) In the event of severe illness, incapacity, or death of the provider, the relief person or staff in-charge shall notify each resident's representative or case manager, and the AHCA Area Office within 24 hours.

(3) RELIEF PERSONS.

(a) The adult family care home provider must designate one or more relief persons to assume responsibility for the care of residents if the provider is not available to perform that duty.

(b) The relief person must be:

1. At least 21 years of age; and
2. Knowledgeable about and able to provide for all care needs of the residents.

(c) The provider must notify the agency in writing within 30 days of a change in relief persons and ensure that the relief person is appropriately background screened and trained as described in this rule.

(4) TRAINING.

(a) All AFCH providers must attend a 12-hour basic adult family-care home training program provided by the department which covers the minimum requirements of s. 400.6211, F.S., prior to accepting any residents, or for providers who already have persons residing in the home that will be considered residents, prior to licensing.

(b) The AFCH provider shall annually obtain 3-hours of continuing education in topics related to the care and treatment of frail elders or disabled adults, or the management and administration of an adult family-care home.

(c) AFCH providers must attend update training for any portion of the basic course which has been updated as the result of new legislation or rule amendment.

(d) The AFCH provider, each relief person, and any person left in sole charge of residents, which may include staff, household members or volunteers, must hold a currently valid card documenting completion of courses in First Aid and CPR. A nurse shall be considered as having met the training requirement for First Aid.

(e) Prior to assuming responsibility for the care of residents or within 30 days of employment, the AFCH provider shall ensure that each relief person and all staff receive training

in areas that are relevant to the person's job duties, including, emergency and evacuation procedures, universal precautions, food safety, reporting abuse and neglect, and resident rights.

(f) The department's AFCH trainer in the planning and service area where an AFCH is located shall notify AFCH providers of record, and others who request notification, of AFCH training offered by the department. A schedule of department training offered and a list of trainers is available from the Assisted Living Program, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, phone number (850)414-2309.

(g) Fees.

1. Except for licensed AFCH providers, each relief person, and AFCH license applicants, the department shall charge the following fees for training provided under this rule:

- a. AFCH basic training \$50
- b. Update training \$25

2. The department shall charge the following fees for printed materials available from the department printed or on diskette:

- a. Adult Family Care Home Provider's Guide \$25
- b. Adult Family Care Home Law and Rule \$ 5

Specific Authority 400.619, 400.621, 400.6211 FS. Law Implemented 400.619, 400.621, 400.6211 FS. History--New 2-2-95, Formerly 10A-14.008, Amended 9-19-96,_____.

58A-14.0085 Records.

(1) RESIDENT RECORDS. The AFCH provider shall maintain a separate record for each resident on the premises and available for inspection by the agency.

(a) The record shall, at a minimum, contain:

1. The Resident Health Assessment, DOEA Form 1110, required by Rule 58A-14.0061. A completed and signed form faxed by the health care provider shall be acceptable.

2. A copy of the residency agreement which meets the requirements of Rule 58A-14.0062, including a copy of any notices of rate increases sent to the resident or the resident's representative and any addendums.

3. For residents who are OSS recipients, a copy of the Alternate Care Certification for Optional State Supplementation (OSS) Form, CF-ES 1006, March 1998, provided by the Department of Children and Family Services.

4. Resident information which includes:

a. The name, address and telephone number of the resident's guardian, attorney-in fact, health care surrogate, next-of-kin, and any other responsible party with authority to make decisions on behalf of the resident.

b. The name, address and telephone number of the resident's health care provider, health maintenance organization, dentist and case manager as applicable.

5. A complete accounting of any resident funds being received or distributed by the provider as required by s. 400.628, F.S.

6. For residents who self-administer, with or without supervision or assistance, a list of the resident's current medications; or for resident's receiving administration, the record of medications administered, as required under Rule 58A-14.007.

7. For residents receiving nursing services provided or arranged for by the provider, the nursing progress notes required under Rule 58A-14.007, and the health care provider's order authorizing the nursing service.

8. A copy of any special diet order prescribed by the resident's health care provider as required under Rule 58A-14.007.

9. A record of any major incidents or significant health changes and action taken in response to such incidents or changes as required under Rule 58A-14.007.

10. The resident's monthly weight record as required by Rule 58A-14.007.

11. Documentation that the resident's bill of rights and the procedure for lodging complaints has been discussed with the resident or the resident's representative, as required by Rule 58A-14.0061.

12. Documentation that the house rules have been discussed with the resident or the resident's representative as required by Rule 58A-14.0061.

13. A copy of any notice of discharge sent to the resident or the resident's representative pursuant to Rule 58A-14.0061.

14. For AFCHs which claim to provide special care for persons with Alzheimer's disease or related disorders, a copy of all advertisements or documents distributed to the public as described in Rule 58A-14.004.

(b) Closed resident records shall be retained for a period of 5 years after the resident leaves the AFCH. The provider shall be permitted 1 working day to produce closed records.

(2) STAFF RECORDS.

(a) An AFCH provider shall, at a minimum, maintain the following personnel records on the premises and available for inspection by the agency:

1. For the AFCH provider, each relief person, each household person, and each staff person verification of freedom from communicable disease as required under Rule 58A-14.008.

2. For the AFCH provider, each relief person, and each staff person

a. Written documentation of all training required by Rule 58A-14.008.

b. A copy of any professional license.

3. For each staff member employed by the provider, a copy of the employment application which shall include the date of beginning employment.

4. For any person left in sole charge of residents written documentation of First Aid and CPR training as required by Rule 58A-14.008.

(b) If the AFCH provider contracts with a staffing agency to provide services to residents, the contract between the AFCH provider and the staffing agency must specifically describe the services the agency will be providing to residents. The AFCH provider is not required to maintain personnel records for staff provided by a staffing agency.

(3) FACILITY RECORDS. The AFCH provider shall maintain the following records on the premises and available for inspection by the agency:

(a) The AFCH license issued by the agency, which shall also be available to the public upon request.

(b) A copy of the most recent county health department inspection required by Rule 58A-14.009.

(c) A copy of the most recent fire safety inspection required by Rule 58A-14.0091.

(d) Documentation of radon testing.

(e) The emergency plan required by Rule 58A-14.0091.

(f) An up-to-date log listing all residents, and each resident's:

1. Date of admission, the place admitted from and the reason for moving into the home, if known; and

2. Date of discharge, the reason for discharge, and the location to which the person has been discharged, or if the person is deceased, the date of death.

(g) All completed survey and complaint investigation reports, and notices of sanctions and moratoriums issued to the AFCH by the agency within the last 3 years, which shall also be available to the public upon request.

Specific Authority 400.619, 400.621, 400.6211, 400.625 FS. Law Implemented 400.619, 400.621, 400.6211, 400.625, 400.628 FS. History—New

(Substantial rewording of Rule 58A-14.009 follows. See Florida Administrative Code for present text.)

58A-14.009 Physical Site Standards Requirements.

(1) GENERAL REQUIREMENTS.

(a) The AFCH shall be located, designed, equipped, and maintained to ensure a home-like environment, and to provide safe care and supervision for all residents. Residents shall be allowed free use of all space within the home except when such use interferes with the safety, privacy, and personal possessions of household members and other residents.

(b) The AFCH shall be structurally sound and in good repair. Windows, doors, plumbing, and appliances shall be functional and in good working order. All furniture and furnishings shall be clean and functional.

(c) In order to ensure a safe and sanitary environment, the AFCH shall be subject to inspection by the county health department, pursuant to rule chapter 64E-12, at the time of license application and prior to license renewal.

(2) COMMON AREAS

(a) At a minimum, there must be 40 square feet of common space per each resident and household member, or a total of 150 square feet of common area, whichever is greater. Common space includes the living room, family room, and dining room. The basement and garage shall not be included in the total common area unless such space was constructed or renovated to be used as a common area pursuant to a lawfully issued permit.

(b) The furnishings in common areas shall be adequate to accommodate all residents and household members, including allowing the residents and household members to eat together in the dining area. The provider shall assist the resident to use any adaptive equipment for eating if such equipment has been ordered by the resident's health care provider.

(c) The AFCH shall, at a minimum, maintain a telephone in the home which is available and accessible for the residents' use at all times.

(d) Pursuant to s. 400.0071, F.S., the procedures for lodging complaints with the long-term care ombudsman council must be posted in full-view in a common area accessible to all residents.

(3) BEDROOMS.

(a) Single bedrooms for residents shall provide at least 80 square feet of floor space for each resident. Multi-occupancy bedrooms shall provide at least 60 square feet of floor space per resident. Any area where a sloped ceiling does not allow a person to stand upright shall not be counted as part of the required floor space. Homes licensed for the first time after February 2, 1995, or already licensed homes who increase their maximum capacity after February 2, 1995, may not have more than two residents per room.

(b) Bedrooms for all residents shall be finished with walls or partitions which go from floor to ceilings and which have a door which opens directly to a hallway or common area without passage through another bedroom or common bathroom. Bedroom doors shall not have vision panels. Window drapes or shades shall be provided to ensure resident privacy.

(c) There shall be a separate bed at least 36 inches wide and 72 inches in length for each resident consisting of a mattress and frame at a comfortable height to assure easy access by the resident. Cots, rollaways, bunks, trundles, couches, and folding beds may not be used for residents.

(d) A household member may not sleep in areas designated as common areas, nor share a bedroom with a resident. Married residents shall be provided the option of sharing bedroom accommodations, but non-related residents of different genders shall not be required to share bedroom accommodations.

(e) In addition to closet space, each bedroom shall have separate and private storage space for each resident's clothing and personal effects. Residents shall be allowed to keep and use reasonable amounts of personal belongings, and shall be allowed to decorate their private quarters in an individual style provided such decor does not damage the provider's property.

(f) Bedrooms shall be on a ground level for residents who are non-ambulatory or have impaired mobility.

(4) BATHROOMS.

(a) A toilet and sink shall be provided on each floor with resident bedrooms. There shall be at least one toilet and sink for each 4 household occupants, and at least one tub or shower for each 6 household occupants. Household occupants include residents and household members, 2 years of age and older, who reside in the AFCH.

(b) Bathrooms shall have a finished interior, a mirror, and a door which insures privacy and opens to a hall or common area. Access to a bathroom may not be through another person's bedroom.

(c) Glass shower doors shall be tempered safety glass; shower curtains shall provide privacy. Non-slip floor surfaces shall be provided in tubs and showers. Residents shall have racks or hooks for drying bath linens and be provided a separate place for tooth brushes and towels.

(d) Bathrooms used by physically handicapped residents shall have grab bars for toilets, tubs, and showers. Hot water temperature shall be supervised for persons unable to self-regulate water temperature.

(e) If the home has a hot tub or spa, it shall have a safety cover when not in use.

(5) OUTDOOR AREAS. The AFCH shall have a yard available and accessible for use by residents.

Specific Authority 400.619, 400.621 FS. Law Implemented 400.619, 400.621 FS. History--New 2-2-95, Formerly 10A-14.009, Amended 9-19-96, _____.

(Substantial rewording of Rule 58A-14.0091 follows. See Florida Administrative Code for present text.)

58A-14.0091 Fire Safety Standards and Emergency Procedures.

(1) FIRE SAFETY STANDARDS.

(a) Each adult family-care home shall be subject to chapter 21, section 22-3.3.5.3 of chapter 22, sections 23-2.2.1 and 23-2.3.4.3 of chapter 23, and sections 31-7.1, 31-7.2, and 31.7.3 of chapter 31 of the National Fire Protection Association Life Safety Code, NFPA 101, 1994 edition, which is adopted by reference.

(b) At the time of license application, prior to license renewal, and prior to an increase in capacity, the provider shall request the local authority having jurisdiction over fire safety to inspect the home for compliance with local codes and ordinances and the minimum standards of this rule. The inspection may be made by an employee of the agency who has

a certification in fire safety, if the local fire authority indicates in writing that there is no inspector available to conduct an inspection. However, only the local fire authority shall give approval for multi-storied frame buildings.

(2) EMERGENCY PROCEDURES.

(a) The AFCH shall have a written plan which specifies emergency and evacuation procedures for fires and such natural disasters as hurricanes, floods, and tornadoes. The provider shall review the plan's emergency and evacuation procedures with the residents, the relief person, all staff, and all household members.

(b) The provider shall at all times maintain first aid and emergency supplies including a 3-day supply of non-perishable food based on the number of residents and household members currently residing in the home, and 2 gallons of drinking water per current resident and household member.

(c) Emergency telephone numbers shall be present by a designated telephone and include the following:

1. The emergency number 911;
2. Police;
3. Fire department;
4. Ambulance;
5. The Florida Poison Information Center 1(800)282-3171;
6. Abuse Hotline 1(800)962-2873;
7. District Long-Term Care Ombudsman Council;
8. AHCA's Area Office; and
9. The Relief Person.

Specific Authority 400.619, 400.621 FS. Law Implemented 400.619, 400.621 FS. History--New 9-19-96, Amended _____.

(Substantial rewording of Rule 58A-14.010 follows. See Florida Administrative Code for present text.)

58A-14.010 Administrative Enforcement.

(1) GENERAL REQUIREMENTS

(a) The provider shall cooperate with agency personnel during surveys or inspections, complaint investigations, implementation of correction plans, license application and renewal procedures, and other activities necessary to ensure compliance with part VII of chapter 400, F.S., and this rule chapter.

(b) In addition to agency personnel, any designated agent of the department, the Department of Health, the local authority with jurisdiction over fire safety, the Department of Children and Family Services, the Long-Term Care Ombudsman Council, and the Human Rights Advocacy Committee may enter and inspect the home at any time between the hours of 8:00 a.m. and 8:00 p.m., or any other time if necessary to investigate a complaint.

(2) INSPECTIONS.

(a) The agency shall conduct a survey or inspection of an adult family-care home:

1. Prior to issuance of a license;
2. Prior to annual renewal of a license;
3. Upon receipt of an oral or written complaint of practices that threaten the health, safety, or welfare of residents;
4. At any time if the agency has reason to believe an AFCH has violated a provision of part VII of chapter 400, F.S., or this rule chapter;
5. To determine if cited deficiencies or noticed violations have been corrected; and
6. To determine if an adult family care home is operating without a license.

(b) The inspection shall consist of full access to and examination of the home's physical premises, including the buildings, grounds, and equipment, and facility and resident records.

(c) Agency personnel may interview the provider, relief person, staff and residents. Interviews shall be conducted privately.

(d) Agency personnel shall respect the private possessions of residents, providers, household members, and staff while conducting the inspection.

(e) At the time of the inspection, the provider will be orally advised of any deficiencies found by agency personnel and a time frame established for correction of the violations. The time frame for the correction of violations starts from the date of the inspection. Cited deficiencies must be observed or otherwise substantiated by agency personnel. A written statement listing the deficiencies found, the rules or statutes violated, any corrections required, and time frames for correction shall be mailed to the AFCH by the agency within 10 working days after the date of inspection.

(f) For Class I violations that present an imminent danger to the health, safety or welfare of residents, the provider must correct the violation and abate the conditions no later than 24 hours after agency inspection, unless a different time frame has been fixed by the agency as required by s. 400.6196, F.S. The agency shall inspect the AFCH after the 24 hour period to determine if the violations have been corrected.

(g) For deficiencies found following an initial license or license renewal survey, a follow-up survey will be conducted to determine if the deficiencies have been corrected within the required time frame.

(3) COMPLAINT INVESTIGATIONS.

(a) The agency shall investigate any complaints regarding alleged practices in an AFCH that threaten the health, safety, or welfare of residents and shall notify the provider of the nature of the complaint, the results of the investigation, and any proposed action or sanction.

(b) If a complaint pertaining to the health, safety or welfare of residents is substantiated, the license of the provider shall be subject to agency actions or sanctions as provided in part VII of chapter 400, F.S., and this rule.

(c) Pursuant to s. 400.628, F.S.:

1. The provider may not retaliate against any resident by increasing charges; decreasing services, rights or privileges; threatening to increase charges or decrease services, rights or privileges; by taking or threatening to take any action to coerce or compel the resident to leave the home or by harassing, abusing or threatening to harass or abuse a resident in any manner after the resident has filed a complaint with the agency or with the long-term care ombudsman council.

2. Any complainant, witness or staff shall not be subject to any retaliation, including restriction of access to the home or a resident, staff dismissal or harassment by a provider for filing a complaint or being interviewed about a complaint or being a witness.

(4) PLAN OF CORRECTION. For deficiencies found following a complaint investigation or other monitoring visit, the provider must provide a written plan of correction for each deficiency cited and a time frame for the correction of the deficiencies within the time frame discussed at the time of the complaint investigation or monitoring visit. The plan of correction must be returned no later than 10 working days after receipt of written notice.

(5) INFORMAL CONFERENCE Informal Conference. At any time after receipt of an oral or written notice of deficiencies, but prior to the expiration of the time frame for making corrections, the licensee or the agency may request a conference. The purpose of the conference is to discuss the deficiency and to provide information to the licensee or to the agency to assist the licensee in complying with the requirements of part VII of chapter 400, F.S., and these rules. The request by a licensee or the agency for a conference does not extend any previously established time limit for correction.

(6) ADMINISTRATIVE SANCTIONS.

(a) If, after inspection the deficiencies have not been corrected within the time frame specified, or if the agency has not otherwise received sufficient evidence of compliance by the provider, the agency shall serve notice of administrative complaint upon the licensee in the manner provided under chapter 120, F.S., and part II of Rule Chapter 59-1, and impose one or more administrative sanctions as provided under ss. 400.6194 and 400.6196, F.S.

(b) Notice of a license suspension or revocation shall be posted in the AFCH and visible to the public entering the home and residents.

(7) MORATORIUMS.

(a) An immediate moratorium on admissions to an AFCH shall be placed on the home by the agency when it has determined that any condition or practice in the home presents a serious threat to the health, safety, or welfare of the residents.

(b) Following the imposition of the moratorium, the provider shall be provided with written confirmation of the placing of a moratorium by the agency, which notice shall be posted in the AFCH such that it is visible to the public entering the home, and shall:

- 1. Explain the reasons the moratorium was imposed;
- 2. Advise the provider how to arrange for an appraisal inspection by agency personnel to verify that corrections have been made;
- 3. Advise the provider of his/her right to request an administrative hearing pursuant to s. 120.57, F.S., and part II of rule chapter 59-1.

(c) While the moratorium is in effect, residents who have been temporarily discharged from the AFCH to a nursing home or hospital at the time the moratorium is imposed may not be re-admitted without agency approval.

(d) Moratoriums shall not be lifted until the violations have been corrected and the agency has been assured by an appraisal inspection that there is no longer any threat to the residents' health, safety, or welfare. The lifting of a moratorium will be confirmed by written notification.

Specific Authority 400.619, 400.6196, 400.621 FS. Law Implemented 400.619, 400.6194, 400.6196, 400.628 FS. History—New 2-2-95, Formerly 10A-14.010, Amended 9-19-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Meta Calder

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gema G. Hernandez

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 23, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLE: Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing

RULE NO.: 61G7-5.001

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to no longer require information be received 10 working days prior to the Board meeting.

SUMMARY: The proposed rule is being amended in order to update the current rule's requirements.

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

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

SPECIFIC AUTHORITY: 120.53(1), 455.2281, 468.522, 468.5245, 468.5275 FS.

LAW IMPLEMENTED: 468.524(2), 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Board of Employee Leasing Companies, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.001 Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing.

(1) through (3) No change.

(4) The Board shall review every applicant's completed application and shall decide by majority vote in open meeting whether to certify to the Department that the applicant is qualified for licensure. New applications for employee leasing company or employee leasing company group and controlling person(s) will not be considered separately, but will be presented to the Board only after all information for the company and controlling person(s) is complete. Applications for additional controlling person(s) or changes in existing controlling person(s) do not require employee leasing company or employee leasing company group applications to be completed in order to be considered by the Board. ~~All information, including licensure fees, must be received in the Board office 10 working days prior to the Board meeting, in order for the Board to consider the information submitted.~~ Financial information, including client lists, obtained by the Board or the Department in connection with the application process shall, pursuant to s. 455.229, F.S. Florida Statutes, be kept confidential and exempt from the public disclosure requirements of Chapter 119 F.S.

(5) through (12) No change.

Specific Authority 120.53(1), 455.2281, 468.522, 468.5245, 468.5275-~~455.2284~~ FS. Law Implemented 468.524(2), 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529 FS. History—New 5-5-92, Amended 7-15-92, 10-20-92, Formerly 21EE-5.001, Amended 10-24-93, 3-14-94, 7-4-94, 9-8-94, 11-13-94, 2-13-95, 6-4-95, 11-9-95, 5-26-96, 5-19-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLE: Tangible Accounting Net Worth; Intangible Assets
RULE NO.: 61G7-6.006

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to allow the terms of the rule to apply to "initial applicants" and not to "applicants and licensees" as it is so worded in the current rule's language.

SUMMARY: The proposed rule is being amended in order to update the current rule's language.

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

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

SPECIFIC AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 468.525 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Board of Employee Leasing Companies, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-6.006 Tangible Accounting Net Worth; Intangible Assets.

To enable initial applicants and licensees to properly report their financial assets to meet the requirements for licensure, the Board hereby defines the following terms:

- (1) through (2) No change.

Specific Authority 468.522 FS. Law Implemented 468.525 FS. History--New 11-22-93, Amended 5-29-94.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLE: Annual Financial Statements
RULE NO.: 61G7-10.0011

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to delete the word "tangible" from the current rule's language allowing the rule to be in compliance with the underlying statute.

SUMMARY: The proposed rule is being amended in order to update the current rule's language.

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

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

SPECIFIC AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 468.525 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Executive Director, Board of Employee Leasing Companies, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-10.0011 Annual Financial Statements.

Each employee leasing company shall submit, not later than 120 days after their fiscal year end, a copy of their current fiscal year end financial statements, prepared in accordance with generally accepted accounting principles, which shall include statement of income and retained earnings, balance sheet, statement of changes in financial position (cash flows), and applicable footnotes. This information shall be submitted on the standard financial statement form, DPR/EL-006, herein

incorporated by reference and which can be obtained from the Board office. The financial statements are to reflect positive working capital and positive ~~tangible~~ accounting net worth, as required in s. 468.525(3). Financial statements which are not audited must be accompanied by a completed form DPR/EL-003, as required in rule 61G7-5.003, F.A.C.

Specific Authority 468.522 FS. Law Implemented 468.525 FS. History--New 5-8-94, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Licensure by Endorsement through National Certification

RULE NO.: 64B1-3.009

PURPOSE AND EFFECT: The purpose was to clarify that endorsement applicants must meet all requirements of the statute, and to correct the name of the approved certification body.

SUMMARY: The amendment recognizes that endorsement applicants must meet all requirements of the statute, and to correct the name of the approved certification body.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 457.104 FS.

LAW IMPLEMENTED: 457.105 FS.

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

TIME AND DATE: 11:00 a.m., March 29, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL 32310

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-3.009 Licensure by Endorsement through National Certification.

Pursuant to Section 457.105(2)(c), F.S., the Board of Acupuncture will certify for licensure by endorsement those applicants who establish successful completion of a board-approved national certification or recertification process; ~~or recertification~~ within the three years preceding the application, and demonstrate they meet the requirements of Section 457.105(2)(a) and (b). The applicant must establish successful completion of a board-approved national certification process by requesting notification of certification or recertification be provided to the Board by the national certification organization. For the purpose of this requirement the Board approves the National Commission for Certification of Acupuncturists² and Oriental Medicine certification.

Specific Authority 457.104 FS. Law Implemented 457.105 FS. History--New 10-1-89, Amended 2-27-92, Formerly 21AA-3.009, 61F1-3.009, Amended 3-31-96, 11-13-96, Formerly 59M-3.009, Amended 10-15-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 1998

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Biennial Renewal of Massage Therapist's License

RULE NO.: 64B7-28.001

PURPOSE AND EFFECT: The purpose of the amendment is that the Board decided that it was no longer appropriate to approve Cosmetology and Barbers' Board courses now that the Board of Massage is under the Department of Health.

SUMMARY: The rule amendment revises the approved HIV/AIDS courses and corrects references in the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.607, 480.035(7), 480.0415, 480.044 FS.

LAW IMPLEMENTED: 455.607, 480.0415, 480.044(I)(f),(m) FS.

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

TIME AND DATE: 10:00 a.m., March 29, 1999
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL 32310

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Buckhalt, Executive Director, Board of Massage, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.001 Biennial Renewal of Massage Therapist's License

(1) All license renewals for massage therapists shall meet the requirements as set forth in Chapters 480 and 455, Part II, F.S., these rules, and the rules of the Department of Health. All massage therapists shall renew their licenses on or before January 31, of each biennial year, according to the fee schedule as set forth in Rule 64B7-27.006.

(2) ~~Effective December 31, 1992, no~~ No license shall be renewed unless the licensee submits confirmation on a department form ~~provided by the board~~ that the licensee has completed an education course on HIV/AIDS which meets the requirements of Section 455.607, F.S. which consisted of education on transmission, control, treatment and prevention of human immunodeficiency syndrome, with emphasis on appropriate behavior and attitude change. If the licensee has not submitted confirmation which has been received and recorded by the Board, the department shall not renew the license. The Board approves courses that have been approved by regulatory Boards or Councils under the Division of Medical Quality Assurance. Courses that have received Board approval are sponsored by: the Agency for Health Card Administration, ~~Division of Health Quality Assurance~~, the Department of Health, the American Red Cross, or directly by the Board, and courses sponsored or presented by Board-approved Massage Schools or by the Cosmetology and Barbers' Board.

Specific Authority 455.607, 480.035(7), 480.0415, 480.044 FS. Law Implemented 455.607, 480.0415, 480.044(1)(f),(m) FS. History--New 11-27-79, Amended 12-18-84, Formerly 21L-28.01, Amended 3-12-90, 1-3-91, Formerly 21L-28.001, Amended 9-30-93, 6-12-95, 9-25-95, 7-17-97, Formerly 61G11-28.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Examination Security
RULE NO.: 64B9-3.007

PURPOSE AND EFFECT: The purpose of the amendment is that the Department of Health will implement security and monitoring procedures pursuant to rule 64B-1.010, F.A.C. The Department shall also comply with and implement those security measures set out in the examination contract negotiated between the Department and the National Council of State Boards of Nursing, Inc.

SUMMARY: The amendment will implement security and monitoring procedures pursuant to rule 64B-1.010, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.574(1)(d) FS.

LAW IMPLEMENTED: 455.574(1)(d) FS.

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

TIME AND DATE: 2:00 p.m., April 14, 1999
PLACE: Jacksonville Marriott Hotel, 4670 Salisbury, Jacksonville, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-3.007 Examination Security.

In addition to those security and monitoring procedures implemented by the Department of ~~Health Business and Professional Regulation~~ pursuant to Rule ~~64B-1.010 61-11.014~~, F.A.C., the Department, when administering a licensing examination to applicants for nursing licensure, shall comply with and implement those security measures set out in the examination contract negotiated between the Department and the National Council of State Boards of Nursing, Inc.

Specific Authority ~~455.574 (1)(d) 455.217(1)(d)~~ FS. Law Implemented ~~455.574(1)(d), 455.217(1)(d)~~ FS. History--New 10-6-82, Formerly 21O-17.01, 21O-17.001, 61F7-3.007, 59S-3.007, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 1998
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 1999

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: The Probable Cause Panel
PURPOSE AND EFFECT: The purpose of the amendment is to reflect a change in the number of probable cause panels established by the Board.
SUMMARY: The rule reflects the number of probable cause panels established by the Board.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 464.006, 455.621(1),(3) FS.
LAW IMPLEMENTED: 455.621 FS.

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

TIME AND DATE: 2:00 p.m., April 14, 1999
PLACE: Jacksonville Marriott Hotel, 4670 Salisbury, Jacksonville, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.001 The Probable Cause Panel.

(1) The determination as to whether probable cause exists shall be made by a majority vote of a probable cause panel of the Board.

(a) the Board establishes three two probable cause panels of two persons each to be appointed by the Chairman of the Board. Each panel may have one former Board member serve, and at least one member of each panel must be an active

licensee of the Board. No more than one member of each panel shall be a consumer member. One member of each panel shall be designated chairman. The Board may designate one panel to review the cases closed by the Department.

(b) One panel shall be designated as the North Florida probable cause panel and shall consist members residing in the northern/central part of the state. Cases arising from the southern part of the state shall be referred to the North Florida panel.

(c) One panel shall be designated as the Central Florida probable cause panel and shall consist of members residing in the middle part of the state. Cases arising from the northern part of the state shall be referred to the Central Florida panel.

(d)(e) One panel shall be designated as the South Florida probable cause panel and shall consist of members residing in the southern part of the state. Cases arising from the central northern/central part of the state shall be referred to the South Florida panel.

(e)(d) It is the Board's intent to distribute the workload equitable among between the three two panels and to conduct meetings in a geographically convenient and economical manner for the panel members. A panel may refuse to consider a case that clearly belongs to another the other panel. However, it is not the intent of the Board to require mathematical and geographic precision. That one panel acted on a case which arguably should have been considered by another the other shall not be grounds to invalidate that panel's action.

(f)(e) If a case needs to be reconsidered by the probable cause panel for any reason, the case must be taken to the panel which initially considered it.

(2) No change.

Specific Authority 464.006, 455.621(1),(3) FS. Law Implemented 455.621(3) FS. History--New 11-29-79, Amended 11-22-84, Formerly 210-10.04, Amended 4-8-92, 9-22-92, Formerly 210-10.004, 61F7-8.001, Amended 5-1-95, Formerly 59S-8.001, Amended 8-18-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 1998
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 1999

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF CITRUS

RULE CHAPTER NO.: 20-69
RULE CHAPTER TITLE: Processing Imported Citrus Fruits and Products

RULE NO.: 20-69.003
RULE TITLE: Identification of Imported Product

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule amendment published in the Florida Administrative Weekly, Vol. 24 No. 45, November 6, 1998 has been withdrawn.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-7.006
RULE TITLE: Discharge Gratuity

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 3, January 22, 1999, issue of the Florida Administrative Weekly:

33-7.006 Discharge Gratuity.

(1) The secretary shall authorize the payment of a discharge gratuity to inmates discharged from the custody of the Department of Corrections in such amounts as the Legislature may from time to time provide. A discharge gratuity check shall be provided to any inmate released on parole, expiration of sentence, pardon or permanent court order, except those inmates released in any of the following situations:

(a) Any inmate to be released who has participated in paid employment through PIE programs or the Work Release Program for a period of at least 120 days immediately preceding release;

(b) Any inmate to be released to another jurisdiction for which there is an existing judgment and sentence or detainer;

(c) Any inmate to be released to the Department of Children and Family Services under an order for involuntary commitment.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NOS.: 64B17-6.0042
RULE TITLES: Medical Records of Deceased Physical Therapists or Physical Therapist Assistants

64B17-6.0044
Medical Records of Physical Therapists or Physical Therapist Assistants Relocating or Terminating Practice

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 24, No. 25, of the June 19, 1998, issue of the Florida Administrative Weekly. The changes are being made in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting on January 15, 1999, determined that the rules should be changed as follows:

1. In Rule 64B17-6.0042, a new subsection (4) shall be added to read, "(4) Any records shall be disposed of in a manner that would secure the permanent confidentiality of records."

2. In Rule 64B17-6.0044, a new subsection (3) shall be added to read, "(3) Any records shall be disposed of in a manner that would secure the permanent confidentiality of records."

3. In addition to the changes set forth above, the following citation shall be added to the law implemented in both rules: 486.021(6),(11), F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE NO.: 65A-4.203
RULE TITLE: Personal Care of a Disabled Family Member

NOTICE OF CHANGE

Notice is hereby given that changes are being made to the rule identified above as published in Vol. 24, No. 50, Florida Administrative Weekly, on December 11, 1998. These changes are the result of comments made by staff of the Florida Developmental Disabilities Council in the public hearing on January 5, 1999, and the statutory requirement to state how copies of forms incorporated by reference may be obtained.

The specific changes are as follows:

In the second sentence of paragraph 65A-4.203(2) following the words, "a statement that the family member is disabled", insert the word, "by". Move the resulting clause from the end of the sentence to following the word "or" in the phrase, "or a physician." Delete the word "providing" which will then be left at the end of the sentence.

Following sub-paragraph 65A-4.203(3)(g), insert a new paragraph to read: "(h) a children's mental health or substance abuse provider Target Population Enrollment Form (incorporated by reference) certifying that a child meets the criteria for serious emotional disturbance or psychoactive substance use disorder, and a statement by a licensed psychiatrist indicating the need for full time care or supervision of the child that includes a DSM-IV diagnosis, recommended treatment for the child and caretaker, and prognosis indicating the estimated length of time such care may be needed."

In the second sentence of paragraph 65A-4.203(4), after the first instance of the word "service", insert the words, "to meet the specific need".

Following paragraph 65A-4.203(4), insert a new paragraph to read: "(5) Co-existing Conditions. Each of the conditions detailed in paragraphs 65A-4.203(2) through 65A-4.203(4) must exist in order for an exemption from assistance time limits due to the provision of care for a disabled family member to be granted."

Paragraphs 65A-4.203(5) through 65A-4.203(7) are renumbered 65A-4.203(6) through 65A-4.203(8).

Insert a new sub-paragraph 65A-4.203(9) as follows, "Copies of the Statement of Need for Personal Care, form CF-ES 2094, and the Target Population Enrollment form may be obtained from: Department of Children and Family Services, Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700."

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 64 Specifics
RULE NO.: 53ER99-7
SUMMARY OF THE RULE: This emergency rule describes Instant Game 64, "SPRING FLING," for which the Department of the Lottery will start selling tickets on a date determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the number and size of prizes in the game.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-7 Instant Game 64 Specifics.

(1) Name of Game. Instant Game Number 64 "SPRING FLING."

(2) Price. SPRING FLING tickets sell for \$1.00 per ticket.

(3) SPRING FLING Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning SPRING FLING Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any SPRING FLING Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The play symbols and play captions in SPRING FLING are as follows:

INSERT CHART

(5) The PRIZE SPOT symbols and captions in SPRING FLING are as follows:

INSERT CHART

(6) Determination of Prize Winners.

(a) The holder of a ticket having three "SUN" symbols exposed in the play area in any one row, column or diagonal and a "FREE TICKET" shown as the corresponding prize shall be entitled to a prize of a free \$1.00 ticket.

(b) The holder of a ticket having three "SUN" symbols exposed in the play area in any one row, column or diagonal shall be entitled to the corresponding prize amount shown.

(c) The holder of a ticket having three "PALM TREES" symbols exposed in the play area in any one row, column or diagonal shall be entitled to a prize of double the corresponding prize amount shown.

(7) Prize amounts in Instant Game Number 64, SPRING FLING are: \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100.00, \$250.00, \$500.00 and \$5,000.00.

(8) Number and Size of Prizes. The following prizes will be available in the Instant Game Number 64, SPRING FLING:

(a) Approximately 1,550,180 prizes falling in the cash categories per 42 pools of 240,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 64 are as follows:

GET 3 LIKE SUN
SYMBOLS IN ANY
ROW, COLUMN OR
DIAGONAL AND WIN
PRIZE SHOWN. GET
3 "PALM TREES" IN
ANY ROW, COLUMN,
OR DIAGONAL AND
WIN DOUBLE WITH
PRIZES OF:

<u>WIN TICKET</u>	<u>NUMBER IN 42 POOLS TICKET</u>	<u>ODDS</u>	<u></u>
\$1	\$1	470,400	1 in 21.43
\$2	\$2	235,200	1 in 42.86
\$1 (D)	\$2	302,400	1 in 33.33
\$3	\$3	268,800	1 in 37.50
\$2 (D)	\$4	134,400	1 in 75.00
\$3 (D)	\$6	67,200	1 in 150.00
\$10	\$10	16,800	1 in 600.00
\$5 (D)	\$10	16,800	1 in 600.00
\$20	\$20	16,800	1 in 600.00
\$10 (D)	\$20	16,800	1 in 600.00
\$50	\$50	2,100	1 in 4,800.00
\$25 (D)	\$50	2,100	1 in 4,800.00
\$100	\$100	168	1 in 60,000.00
\$50 (D)	\$100	168	1 in 60,000.00
\$500	\$500	17	1 in 592,941.18
\$250 (D)	\$500	17	1 in 592,941.18
\$5,000	\$5,000	10	1 in 1,008,000.00

(9) The over-all odds of winning any prize in Instant Game Number 64 are 1 in 3.65

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c) FS. History--New 2-17-99.

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

EFFECTIVE DATE: February 17, 1999

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department received a petition for waiver from John Little, Attorney at Law, on behalf of DEEDCO on January 11, 1999. The petition seeks a waiver under §120.542, F.S., which provides a procedure for agencies to provide relief to persons subject to regulation by granting waivers or variances to agency rules in appropriate cases where the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person when application of a rule would create a "substantial hardship" or would violate "principles of fairness" as those concepts are defined in the statute. This petition has been assigned the number DCA99-CDC-007.

A copy of the petition may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department received a petition for waiver from John Little, Attorney at Law, on behalf of Gould's Community Development Corp., Inc. on January 11, 1999. The petition seeks a waiver under §120.542, F.S., which provides a procedure for agencies to provide relief to persons subject to regulation by granting waivers or variances to agency rules in appropriate cases where the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person when application of a rule would create a "substantial hardship" or would violate "principles of fairness" as those concepts are defined in the statute. This petition has been assigned the number DCA99-CDC-006.

A copy of the petition may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department received a petition for waiver from John Corbett, President and CEO of Housing Partnership, Inc., on January 11, 1999. The petition seeks a waiver under §120.542, F.S., which provides a procedure for agencies to provide relief to persons subject to regulation by granting waivers or variances to agency rules in appropriate cases where the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person when application of a rule would create a "substantial hardship" or would violate "principles of fairness" as those concepts are defined in the statute. This petition has been assigned the number DCA99-CDC-009.

A copy of the petition may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on February 8, 1999, the Florida Public Service Commission received a Petition from BellSouth Public Communications, Inc. (Docket No. 990162-TC), seeking waiver of Rule 25-24.515(8), Florida Administrative Code. The petition is a request for an exemption from the rule which requires that all pay telephone stations allow incoming calls to be received. The locations of the pay telephone stations are as follows: 1750 N. Laura Street, Jacksonville, FL 32258, and 5200 N. E. 39th Avenue, Gainesville, FL 32609. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice.

A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770. For additional information, contact: John Miller, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6230.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Florida Power Corporation's petition for waiver of Rule 25-22.082, Florida Administrative Code, filed October 20, 1998, in Docket No. 981360-EI was denied by the Commission at its January 19, 1999, Agenda Conference. Order No. PSC-99-0232-FOF-EI, issued February 9, 1999, memorialized the decision. The rule addresses the selection of new generating capacity. The petition was denied on the basis that the purpose of the underlying statute would not be achieved by other means. Notice of the petition was published in the FAW on November 13, 1998.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petitions for waiver of Rule 25-24.515(13), Florida Administrative Code, [formally Rule 25-24.515(8)], filed December 1, 1998 in Docket No. 981784-TC, and filed December 2, 1998 in docket 981802-TC, were approved by the Commission at its February 2, 1999 Agenda Conference. Order No. PSC-99-0391-FOF-TC, issued February 24, 1999 memorialized the decision. The rule requires pay telephones to allow incoming calls to be received. The petition for waiver of the rule was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on December 31, 1998 and December 24, 1998, respectively.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Sprint Payphone Services, Inc.'s petition for waiver of Rule 25-24.515(13), Florida Administrative Code, [formally Rule 25-24.515(8)], filed December 2, 1998, in Docket No. 981799-TC, was approved by the Commission at its February 2, 1999 Agenda Conference. Order No. PSC-99-0392-FOF-TC, issued February 24, 1999 memorialized the decision. The rule requires pay telephone stations to allow incoming calls to be received. The petition was approved on the basis that the purpose of the underlying statute would be

achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on December 24, 1998.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Peoples Telephone Company, Inc. d/b/a PTC's petitions for waiver of Rule 25-24.515(13), Florida Administrative Code, [formally Rule 25-24.515(8)], filed December 2, 1998, in Docket No. 981800-TC and 981801-TC, were approved by the Commission at its February 2, 1999 Agenda Conference. Order No. PSC-99-0393-FOF-TC, issued February 24, 1999 memorialized the decision. The rule requires pay telephones to allow incoming calls to be received. The petition for waiver of the rule was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on December 31, 1998.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Tel leasing Enterprises, Inc.'s petition for waiver of Rule 25-24.515(13), Florida Administrative Code, [formally Rule 25-24.515(8)], filed December 9, 1998, in Docket No. 981826-TC, was approved by the Commission at its February 2, 1999 Agenda Conference. Order No. PSC-99-0394-FOF-TC, issued February 24, 1999 memorialized the decision. The rule requires pay telephone stations to allow incoming calls to be received. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on December 31, 1998.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Gulf Power Company, filed February 12, 1999, in Docket No. 990172-EI, seeking waiver from Rule 25-17.0832(4), Florida Administrative Code. The rule sets forth requirements concerning the submission by public utilities of a standard offer contract for the purchase of firm capacity and energy from small qualifying facilities. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of Records and Reporting. For additional information, please contact Cochran Keating, Division of Legal Services, at the above address or telephone (850)413-6199.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the Southwest Florida Water Management District received, on February 12, 1999, a petition from Jack P. Sizemore and Meribeth J. Sizemore, seeking a waiver of the Rule 40D-4.301(1)(j) condition for operation and maintenance of a surface water management system. This condition specifies that a permit applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a surface water management system will be conducted by an entity with financial, legal and administrative capability of ensuring that the activity will be undertaken in accordance with the terms and conditions of the applicable environmental resource permit. Petitioners seek to impose mutual covenants running with the land that would require the owner(s) of lots within Hunter's Hill Platted Subdivision, to be collectively responsible for ownership and maintenance of the surface water management system serving the lots, thereby avoiding establishment of a subdivision-wide homeowners' association or similar entity. The petition has been assigned OGC case number 02299.

Copies may be received from, and written comments submitted to: Southwest Florida Water Management District, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34609-6899; Attention: Anthony J. Mutchler. Comments must be received no later than 14 days from the date of publication of this notice.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878/SUNCOM 663-6878.

NOTICE IS HEREBY GIVEN that on January 26, 1999, the Governing Board of the Southwest Florida Water Management District (the District) granted the request for rule waiver filed by Lamar M. Pritchard and Georgiann Pritchard. The Pritchard's request was filed on December 3, 1998, and notice of it was published in the January 8, 1999, issue of the Florida Administrative Weekly. The rule from which the waiver was sought was Section 2.6.1 of the Basis of Review for Environmental Resource Permit Applications incorporated by reference into the District's rules by way of Rule 40D-4.091(1), F.A.C. Section 2.6.1 lists the entities which are acceptable to the District to function as the operation and maintenance entity for surface water management systems. The rule does not

allow the developer or the lot owners to be the operation and maintenance entity for such systems located within residential subdivisions. The waiver was granted because the Pritchards agreed to function as the operation and maintenance entity initially, and then have the lot owners perform operation and maintenance thereafter. The District found this arrangement acceptable due to the small size of the subdivision, the simplicity of the surface water management system and the Pritchard's commitment to provide acceptable deed restrictions.

A copy of the order granting the waiver may be obtained by contacting: Anthony J. Mutchler, Assistant General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899, Phone (352)796-7211, extension 4659.

NOTICE IS HEREBY GIVEN that on February 9, 1999, the South Florida Water Management District (SFWMD) received a petition for variance from Lawrence Z. and Marilyn M. Crockett with regard to issuance of a Water Use Permit for a 100 acre citrus grove located on Canal 23 in St. Lucie County, Florida. The petition seeks relief from criteria number 3.2.1.B. of the Basis for Review for Water Use Permit Applications within the South Florida Water Management District, incorporated by reference in 40E-2.091, Fla. Admin. Code. These rules implement the Section 373.223, Florida Statute, conditions for permit issuance and concern restrictions on additional surface water allocations from: C-23, C-24 and C-25 Canal System.

A copy of the petition may be obtained from: Elizabeth D. Ross at (561)682-6257 or e-mail at bross@sfwmd.gov. The SFWMD will accept comments concerning the petition for 30 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 30th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: Elizabeth D. Ross, Esquire, Office of Counsel, MSC 0500.

NOTICE IS HEREBY GIVEN THAT the South Florida Water Management District (SFWMD) received a petition for variance on January 27, 1999 from the City of Port St. Lucie pertaining to the surface water management system associated with the widening of Airoso Boulevard. The petition seeks relief from Section 7.4(B), Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091(1)(a), Fla. Admin. Code, pertaining to dimensional criteria for wet detention/retention areas. 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: Tony Burns, District Clerk.

For a copy of the Petition or additional information contact Penelope Bell at the above address, or telephone (561)682-6320, or e-mail penelope.bell@sfwmd.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on January 28, 1999, a petition from International Technology Corporation, seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under rule 62-522.300(2)(a), Florida Administrative Code, for the use of a remediation process to clean up sites with contaminated ground water. The petition has been assigned OGC case number 99-0166.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn.: Cynthia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on February 22, 1999, the Department of Health issued an Order and Notice disposing of a petition for temporary waiver from Rule 64E-13.004(6)(a)2., Florida Administrative Code, filed by Kevin J. Massey, Minister of Administration for First Baptist Church, d/b/a Community Christian School. Rule 64E-13.004(6)(a)2., Florida Administrative Code, requires that all toilet facilities be accessible under continuous roof cover from all student occupied spaces. The petition was filed with the Department on November 23, 1998, and noticed in Florida Administrative Weekly on February 19, 1999.

No comments from interested persons were received.

The Order, which is dated February 22, 1999, provides, in summary, that: The Petitioner is currently in the process of constructing a new school which will meet the requirements of Rule 64E-13.004(6)(a)2., Florida Administrative Code. This new facility will be available no later than December 31, 2000. Having the Petitioner construct temporary covered walkways while permanent covered walkways are being erected would create an unnecessary hardship on the Petitioner. Accordingly, the petition for variance has been GRANTED on a temporary basis until December 31, 2000.

A copy of the Order may be obtained from: Angela Hall, Agency Clerk, Department of Health, Office of the General Counsel, BIN A02, 2020 Capital Circle, S. E., Tallahassee, FL 32399-1703, (850)414-8012.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF LEGAL AFFAIRS

The Employment and Education Committee of the **Florida Commission on the Status of Women** will hold a conference call:

DATE AND TIME: Thursday, March 18, 1999, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

PURPOSE: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW, in writing, at least five days in advance at: Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Legislative Reporting Committee of the **Florida Commission on the Status of Women** will hold a conference call:

DATE AND TIME: Friday, March 19, 1999, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

PURPOSE: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW, in writing, at least five days in advance at: Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Legislative Reporting Committee of the **Florida Commission on the Status of Women** will hold a conference call:

DATE AND TIME: Friday, March 26, 1999, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

PURPOSE: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW, in writing, at least five days in advance at: Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Soil and Water Conservation Council's Executive Planning Committee to which all persons are invited:

DATE AND TIME: Tuesday, March 16, 1999, 9:00 a.m. – 10:00 a.m.

PLACE: The Capitol, 21st Floor, Room 2103, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Planning Committee meeting is scheduled to discuss Soil and Water Conservation Legislative Priorities, to make a report to the Soil and Water Conservation Council at the next meeting, to be held on immediately following the Executive Planning Committee meeting in Tallahassee, Florida.

A copy of the agenda or directions may be obtained by contacting: Office of Agricultural Water Policy, Mail Stop C-28, 3125 Conner Boulevard, Suite C, Tallahassee, Florida 32399-1650, Attn: Jannice Gardner, (850)488-6249 or Suncom 278-6249.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Soil and Water Conservation Council to which all persons are invited:

DATE AND TIME: Tuesday, March 16, 1999, 10:00 a.m. – 2:00 p.m.

PLACE: The Capitol, 21st Floor, Room 2103, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reports and discussion regarding soil and water conservation legislative budget issues; Soil and Water Conservation District training status; public land management; and Reports and discussion regarding the Department's and partners' key efforts in the conservation partnership and agricultural water policy issues.

A copy of the agenda or directions may be obtained by contacting: Office of Agricultural Water Policy, Mail Stop C-28, 3125 Conner Boulevard, Suite C, Tallahassee, Florida 32399-1650, Attn: Jannice Gardner, (850)488-6249 or Suncom 278-6249.

The Florida **Department of Agriculture and Consumer Services**, Office of Agricultural Water Policy, announces a public meeting of the Aquaculture Technical Advisory Committee to which all persons are invited:

DATE AND TIME: March 16, 1999, 9:30 a.m. – 12:00 p.m.

PLACE: St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (904)329-4500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop's goal is to review a draft rule which establishes interim measures that can be taken prior to adoption of Best

Management Practices (BMPs) and to adopt procedures for landowners and leaseholders to submit a notice of intent to comply with Best Management Practices (BMPs) and interim measures. The BMPs will support aquaculture certification of registration for certain operations and shall provide for one-stop filing of applications. Also, an application form will be presented for landowners and leaseholders to submit notice of intent by means of the Department's aquaculture certification program to comply with the Interim Rule.

For more information regarding the agenda, draft rule, and directions, please contact: Mr. Frank Leteux, Office of Agricultural Water Policy, 3125 Conner Boulevard, Suite C, Mail Stop C-28, Tallahassee, Florida 32399-1650, Telephone (850)414-0200, Fax (850)921-2153.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: March 16, 1999, 11:00 a.m. – 2:00 p.m.

PLACE: Clarion Capitol Hotel, Gallery Room (lobby level), 316 West Tennessee Street, Tallahassee, Florida

PURPOSE: This is a meeting of the Florida Propane Education, Safety and Research Council to discuss the council's business plan, status of contractual proposals and status of the national Propane Education and Research Council's programs.

A copy of the agenda may be obtained by writing: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours in advance by contact Ms. O'Neil at the number above.

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Agriculture Center and Horse Park Authority:

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

PLACE: Florida Department of Agriculture and Consumer Services, The Capitol, Plaza Level 10, Tallahassee, Florida 32399

PURPOSE: Executive Committee Meeting

A copy of the agenda can be obtained by contacting: Stephen Monroe, Mayo Building, Room 431, Tallahassee, Florida 32399-0800 or by calling (850)488-4132.

If special accommodations are needed to attend this meeting because of a disability, please contact: Stephen Monroe.

DEPARTMENT OF EDUCATION

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, March 17, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Room 1706, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: Office of Postsecondary Education Coordination, Florida Department of Education, 401 Turlington Building, Tallahassee, Florida 32399-0400, Telephone (850)922-0344 or Suncom 292-0344.

The public is invited to a telephone conference call meeting of the Florida **Board of Regents**.

DATE AND TIME: March 19, 1999, 9:00 a.m.

PLACE: Conference Room, 15th Floor, Florida Education Center, Tallahassee, Florida

PURPOSE: To consider: legislative issues and updates; and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)487-1896 (Voice), (850)921-2304 (TDD), at least 7 days in advance, so that their needs can be accommodated.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** announces one public teleconference of the Air Subcommittee, one public meeting of the Ocean Subcommittee and one public meeting of the Freight Stakeholders Task Force Executive Committee to which all interested persons are invited.

DATE AND TIME: March 16, 1999, 9:00 a.m. – 10:00 a.m.

PLACE: Air Subcommittee Teleconference Only, Phone (850)922-0737

Ocean Subcommittee Meeting

DATE AND TIME: March 17, 1999, 2:00 p.m. – 4:00 p.m.

PLACE: Crowley American Transport, Conference Room 1A, 9487 Regency Square Boulevard, Jacksonville, FL 32203

Executive Committee Meeting

DATE AND TIME: March 18, 1999, 9:00 a.m. – 11:00 a.m.

PLACE: Crowley American Transport, 9487 Regency Square Boulevard, Jacksonville, FL 32203

PURPOSE: General Business Meetings – Executive Committee and Subcommittees.

A copy of the Agenda for each meeting may be obtained one week in advance by writing: Robert G. Hebert, Jr., Administrator-Ports/Intermodal, Florida Department of Transportation Rail Office, M.S. #25, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in the March 17 and 18, 1999, meetings should advise: Robert G. Hebert, Jr., (850)414-4546.

The Florida **Department of Transportation** announces a change to the starting time from 10:30 a.m. to 8:30 a.m. beginning April 15, 1999, for public meetings to which all persons are invited:

DATE AND TIME: March 18, 1999, 10:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

DATE AND TIME: April 15, 1999, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

DATE AND TIME: May 20, 1999, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

DATE AND TIME: June 17, 1999, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

DATE AND TIME: July 15, 1999, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

DATE AND TIME: August 19, 1999, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

PURPOSE: Regular Meeting of the Executive Committee

A copy of the agenda may be obtained by writing: Florida Department of Transportation, 605 Suwannee Street, Mail Station 57, Tallahassee, Florida 32399-0450.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIMES: March 17, 1999, 9:00 a.m., Committee Meetings; 10:30 a.m., Regular Monthly Meeting

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Executive Office, P. O. Box 148, Lakeland, Florida 33802.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (941)499-2510.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** will consider at its March 16, 1999, Agenda Conference, Docket No. 990068-EI, Application by Gulf Power Company for authority to receive common equity contributions and to issue and sell securities during the 12 months ending March 31, 2000. The Company seeks PSC approval pursuant to Chapter 25-8, Florida Administrative Code, and Section 366.04, Florida Statutes, for authority to: receive equity funds from the Southern Company ("Gulf's parent company"); issue and sell long-term debt and equity securities; and issue and sell short-term debt securities during the period covered by its petition.

DATE AND TIME: Tuesday, March 16, 1999, 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

PURPOSE: To take final action in Docket No. 990068-EI.

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

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: March 16, 1999, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

PURPOSE: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech

impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a staff workshop in the following docket, to which all interested persons are invited.

Docket No. 990184-TP – Investigation into boundary issues in South Sarasota and North Charlotte Counties (Englewood area).

DATE AND TIME: Friday, March 26, 1999, 8:30 a.m.

PLACE: SunCoast Auditorium, Englewood Community Hospital, 700 Medical Boulevard, Englewood, FL 34223

PURPOSE: The purpose of this workshop is to provide interested persons an opportunity to comment on any and all issues related to the telephone exchange boundary between South Sarasota and North Charlotte Counties (Englewood area).

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, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

For additional information, contact: June McKinney, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, or telephone (850)413-6199.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a meeting of the Tourism Task Force to which all persons are invited.

DATE AND TIME: March 18, 1999, 10:00 a.m.

PLACE: Ichetucknee Springs Campground, County Road 238, Ft. White, Florida

PURPOSE: To carry out business as it pertains to promotion of the 11-county North Central Florida region.

A copy of the agenda may be obtained by calling (352)955-2200 or writing: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Any person deciding to appeal any decision of the Task Force with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made. Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Plan Exercise Subcommittee
DATE AND TIME: Monday, March 15, 1999, 8:00 a.m. – 9:45 a.m.

COMMITTEE NAME: Training Subcommittee
DATE AND TIME: Monday, March 15, 1999, 10:00 a.m. – 10:45 a.m.

COMMITTEE NAME: Local Emergency Planning Committee
DATE AND TIME: Monday, March 15, 1999, 11:00 a.m. – 12:00 noon

PLACE: Sumter County Emergency Management Office, 362 Shopping Center Drive, Wildwood, FL 34785

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The **Withlacoochee Regional Planning Council** announces an Executive Committee meeting to which all persons are invited.

DATE AND TIME: Thursday, March 18, 1999, 6:30 p.m.
PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 11, 1999, 12:00 noon
PLACE: ECFRPC, 1011 Wymore Road, Winter Park, Florida
PURPOSE: Regular meeting of the East Central Florida Regional Planning Council Bylaws Committee.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, FL 32789-1797.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 17, 1999, 10:00 a.m.
PLACE: ECFRPC, 1011 Wymore Road, Winter Park, Florida
PURPOSE: Regular meeting of the East Central Florida Regional Planning Council. The Executive and Finance committees will also meet, beginning at 9:00 a.m.

In the event a quorum is not present, the Executive Committee will convene to discuss the business of the Council.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, FL 32789-1797.

The **Central Florida Regional Planning Council** announces a public meeting of the Local Emergency Planning Committee to which all persons are invited.

DATE AND TIME: Tuesday, March 9, 1999, 9:00 a.m.
PLACE: Central Florida Regional Planning Council, 555 East Church Street, Bartow, Florida 33830

PURPOSE: District 7 LEPC Exercise Sub-Committee Meeting
A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: March 18, 1999, 9:30 a.m.
PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

PURPOSE: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: 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.

All Council Subcommittee meetings will immediately follow the Council meeting.

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 **Treasure Coast Regional Planning Council** announces the following workshop to which all persons are invited:

DATE AND TIME: March 5, 1999, 9:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a Tri-Rail Expansion Workshop.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Overall Economic Development Program Committee to which all persons are invited:

DATE AND TIME: March 11, 1999, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need

to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: March 19, 1999, 9:30 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER: To conduct the monthly meeting of the Council.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: March 25, 1999, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Florida District X Local Emergency Planning Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Florida District X, LEPC with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Budget/Personnel Committee to which all persons are invited:

DATE AND TIME: March 25, 1999, 11:30 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Council's Budget/Personnel Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

The **Loxahatchee River Environmental Control District** announces a Public Meeting to which all persons are invited.

DATE AND TIME: Thursday, March 18, 1999, 7:00 p.m.

PLACE: District Administrative Building, 2500 Jupiter Park Drive, Jupiter, Florida 33458

PURPOSE: Regular Meeting of the Governing Board to conduct such business as specifically itemized on the Agenda.

A copy of the Agenda may be obtained by writing: Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458-8964.

If a person decides to appeal any decision made by the Board with respect to any matter considered at such Meeting or Hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

FLORIDA STATE FAIR AUTHORITY

The **Florida State Fair Authority** announces a meeting of the Full Authority, to which all persons are invited.

DATE AND TIME: Thursday, March 18, 1999, 10:30 a.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER: Old and New Business; Fair Report

A copy of the Agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact: Ms. Ann Menchen, (813)621-7821, as soon as possible.

The **Florida State Fair Authority** announces a special meeting of a committee of Authority Members to receive a proposal of the Mills Corporation, a regional mall developer to which all persons are invited:

DATE AND TIME: Thursday, March 18, 1999, 1:00 p.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER: To hear the presentation of the Mills Corporation, a regional mall developer, regarding the current site of the Florida State Fairgrounds.

A copy of the Agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact: Ms. Ann Menchen, (813)621-7821, as soon as possible.

METROPOLITAN PLANNING ORGANIZATIONS

The **Metropolitan Planning Organization** for the Orlando Urban Area, announces the following public meeting of its Governing Board to which all persons are invited:

DATE AND TIME: Wednesday, March 10, 1999, 9:30 a.m.

PLACE: METROPLAN ORLANDO, Board Room, 315 East Robinson Street, Suite 355, Orlando, FL 32801

PURPOSE: Regularly Scheduled Board Meeting

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Call to Order; 2) Agenda Review; 3) Approval of Minutes; 4) Consent Items; 5) Action Items; 6) Presentations, if any; 7) Other Business; 8) Chairman's Report; 9) Executive Director's Report; 10) Legislative Report

A copy of the detailed agenda may be obtained by contacting: Virginia Lewis, Executive Assistant, METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, FL 32801, (407)481-5672, Extension 314.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact METROPLAN ORLANDO, (407)481-5672, at least 48 hours before the meeting.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Americans with Disabilities Act Working Group, which is administered by the **Division of Vocational Rehabilitation, Department of Labor and Employment Security**, announces a quarterly meeting of the Americans with Disabilities Act Working Group to which all interested persons are invited.

DATES AND TIMES: March 17, 1999, 1:00 p.m. – 3:00 p.m., Committee Meetings; 3:00 p.m. – 5:00 p.m.; March 18, 1999, 8:00 a.m. – 3:30 p.m.; March 19, 1999, 8:00 a.m. – 12:00 noon

PLACE: Division of Vocational Rehabilitation Headquarters, Room 360, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696, (850)487-3423, Ext. 166

PURPOSE: For implementation of Executive Order 97-56.

A copy of the agenda may be obtained by writing or calling: Americans with Disabilities Act Working Group, Building A, 2002 Old St. Augustine Road, Tallahassee, Florida 32399 (850)487-3423, (Voice or TDD).

Interpreters and assistive listening systems will be provided. Material will be available in alternate formats upon request. Should you require accommodations or materials in alternate formats, please contact Claudette Green, (850)487-3423, Extention 166 (Voice or TDD).

Additionally, in order to fulfill its mandates under the law, it is necessary for the ADA Working Group to hold, on an as-needed basis, a series of committee meetings and task force meetings.

For more information on the schedule and location of those meetings, please call staff director for Americans with Disabilities Act Working Group, (850)487-3423, Extention 166 (Voice or TDD).

The Americans with Disabilities Act Working Group which is administered by the **Division of Vocational Rehabilitation, Department of Labor and Employment Security**, announces a Public Hearing to which all interested persons are invited.

DATE AND TIME: March 18, 1999, 4:00 p.m. – 6:00 p.m.

PLACE: Division of Vocational Rehabilitation Headquarters, Room 214, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696, (850)487-3423, Ext. 166

PURPOSE: For implementation of Executive Order 97-56.

A copy of the agenda may be obtained by writing or calling: Americans with Disabilities Act Work Group, Building A, 2002 Old St. Augustine Road, Tallahassee, Florida 32399, (850)487-3423 (Voice or TDD)

Interpreters and assistive listening systems will be provided. Material will be available in alternate formats upon request. Should you require accommodations or materials in alternate formats, please contact Claudette Green, (850)487-3423, Ext. 166 (Voice or TDD).

Additionally, in order to fulfill its mandates under the law, it is necessary for the Americans with Disabilities Act Working Group to hold on an as-needed basis a series of committee meetings and task force meetings.

For more information on the schedule and location of those meetings, please call staff of Americans with Disabilities Act Working Group, (850)487-3423, Ext. 166 (Voice or TDD).

WATER MANAGEMENT DISTRICTS

The **Apalachicola-Chattahoochee-Flint River Basin Commission** announces a meeting to which all persons are invited:

DATE AND TIME: Friday, March 12, 1999, 10:00 a.m., EST

PLACE: Floyd Room (20th floor of the West Tower), Georgia Department of Natural Resources, 205 Butler Street, S. E., Atlanta, Georgia

PURPOSE: Meeting of the Apalachicola-Chattahoochee-Flint River Basin Commission

Questions about this meeting may be directed to Douglas Barr, (850)539-5999.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in this meeting should contact Peggy Geltman, (850)539-5999, at least 72 hours in advance of this meeting to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following public meeting to which all persons are invited:

MEETING: Public Hearing

DATE AND TIME: Tuesday, April 6, 1999, 10:00 a.m.

PLACE: Apopka City Hall, City Council Chamber, 120 E. Main Street, Apopka, Florida

PURPOSE: Discussion of federal funds administered by the United States Environmental Protection Agency for an alternative water supply development project in Apopka.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is requested to advise the District at least 48 hours before the hearing by contacting Carol Taylor, (904)329-4170. If you are hearing or speech impaired, please contact the District by calling (904)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** announces that meeting communications among the members of an independent peer review panel convened pursuant to section 373.042(4), F.S. (1996 Supp.) will be conducted via communications media technology to which all persons are invited.

DATE AND TIME: Beginning on or after March 5, 1999 through September 1, 1999, the public may access ongoing communications among panel members, may access electronically stored communications and other public records associated with communications of the peer review panel.

PLACE: Interested persons may access these communications via the Internet at the following access point: "Minimum Flows and Levels Discussion Board" at:

WEB SITE ADDRESS: <http://www.swfwmd.state.fl.us>

This Internet address will be accessible to view communications among the peer review panel, and to provide comment on relevant issues to interested persons 24 hours a day using non-District computers, and during normal business hours at: The Southwest Florida Water Management District's Tampa Service Office, Building No. 2, 7601 U.S. Highway 301, North, Tampa, FL. To arrange use of the District computer contact: Patricia Crosby, 1(800)836-0797 or (813)985-7481, Extension 2302, or Suncom 578-2302.

Communications and documents posted are preserved and can be accessed at anytime after they occur or are posted.

PURPOSE: The review of scientific or technical data and methodologies supporting establishment of minimum flows and levels for certain wetlands, lakes, aquifer sites in the Northern Tampa Bay area and the Tampa Bypass Canal, and other related information, pursuant to section 373.042(4), F.S. (1996 Supp.).

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899, or by calling Pam Gifford, 1(800)423-1476 or (352)796-7211, Extension 4156, or Suncom 628-4156, or for any additional information regarding access to these proceedings or to obtain documents posted at the Internet site.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meeting communications is asked to advise the agency at least 48 hours before they will access the meeting communications by contacting Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, Fax number (352)754-6878, Suncom 663-6878. If you are hearing or speech impaired, please contact the agency by calling TDD only number 1(800)231-6103.

The **Southwest Florida Water Management District** announces the following public meeting to which all persons are invited.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Thursday, March 11, 1999, 9:00 a.m.

PLACE: Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business

A copy of the agenda for the above meeting may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899.

If a party decides to appeal any decision made with respect to any matter considered at a meeting, that party will need a record of the proceedings, and for such purposes that party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)423-1476 (Florida), or (352)796-7211, Extension 4604; FAX (904)754-6874; TDD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: March 3, 1999, 10:30 a.m. – 1:00 p.m.

PLACE: Headquarters, B-1 Building, Cafeteria Conference Room, First Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Environmental Advisory Committee to discuss environmental issues and inform the District Governing Board of its positions.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Woodie VanVoorhees, (561)682-6332.

The **South Florida Water Management District** announces public meetings to which all interested persons are invited:

DATE AND TIME: March 16, 1999, 1:00 p.m. – 4:00 p.m.

PLACE: District Headquarters, B-1 Building, Conference Room, 2A West, 3301 Gun Club Road, West Palm Beach, Florida.

PURPOSE: Technical Oversight Committee (TOC) meeting.

A copy of the agendas may be obtained by writing South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

The **South Florida Water Management District** announces public meetings to which all interested persons are invited:

DATE AND TIME: March 17, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

PURPOSE: Meeting of the Lower East Coast Regional Water Supply Plan Advisory Committee to review and discuss modeling assumptions and other issues related to the development of the Lower East Coast Regional Water Supply Plan. All interested parties are invited to attend.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: John Mulliken, Project Manager, (561)682-6649.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: March 17, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District, B-1 Building, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida. All those wishing to attend may do so at the location listed above.

PURPOSE: Budget Review Commission meeting to discuss FY99 budget issues and FY00 budget development.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces public meetings to which all interested persons are invited:

DATE AND TIME: March 18, 1999, 10:00 a.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N. W. 58th Street, Miami, Florida

PURPOSE: Workshop session for the Belt detailed Master Plan, Wellfield Protection and Non-Rockmining Issues Subcommittee.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements. For additional information, contact: Jim Jackson, Project Manager, (561)682-6334.

EXPRESSWAY AUTHORITIES

The **Tampa-Hillsborough County Expressway Authority** announces the following Board and Committee meetings scheduled for 1999. All interested parties are invited to attend.

Board Meetings

DATES AND TIMES: January 25, 1999, 10:00 a.m.; February 22, 1999, 10:00 a.m.; March 22, 1999, 1:30 p.m.; April 26, 1999, 1:30 p.m.; May 24, 1999, 1:30 p.m.; June 28, 1999, 1:30 p.m.; July 26, 1999, 1:30 p.m.; August 23, 1999, 1:30 p.m.; September 27, 1999, 1:30 p.m.; October 25, 1999, 1:30 p.m.; November 22, 1999, 1:30 p.m.; December 20, 1999, 1:30 p.m.;

Committees Meetings

DATES AND TIMES: January 19, 1999, 2:00 p.m.; February 9, 1999, 9:00 a.m.; March 9, 1999, 9:00 a.m.; April 6, 1999, 1:30 p.m.; May 11, 1999, 9:00 a.m.; June 8, 1999, 9:00 a.m.; July 13, 1999, 9:00 a.m.; August 10, 1999, 9:00 a.m.; September 14, 1999, 9:00 a.m.; October 12, 1999, 9:00 a.m.; November 9, 1999, 9:00 a.m.; December 14, 1999, 9:00 a.m.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Public Meeting to which all persons are invited:

DATE AND TIME: Monday, March 15, 1999, 1:30 p.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

PURPOSE: Regularly Scheduled Board Meeting

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org after 3/5/99.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular February meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, March 17, 1999, 4:30 p.m.

PLACE: Citrus County, Board Room, New Citrus County Courthouse, 111 W. Main Street, Third Floor, Inverness, FL 34450

GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

DEPARTMENT OF LOTTERY

The Florida **Department of the Lottery** announces a meeting of the Florida Lottery Commission to which all interested parties are invited.

DATE AND TIME: Thursday, March 18, 1999, 10:00 a.m. – 12:00 noon

PLACE: Lottery Central Building, 250 Marriott Drive, Tallahassee, Florida

PURPOSE: Quarterly meeting to discuss issues relating to the Lottery.

Any person requiring a special accommodation at the meeting because of a disability should call Robert Gwaltney, (850)487-7777, Ext. 2099 (Voice), or use the Florida Relay Service, 1(800)955-8771 (TDD), at least seven (7) working days prior to the meeting date.

DEPARTMENT OF ELDER AFFAIRS

NOTICE OF CHANGE – The **State Long-Term Care Ombudsman Council** announces the following revision to the conference call to which all persons are invited:

The original call for the Policies and Procedures Committee that was scheduled for March 11, 1999 has been rescheduled.

DATE AND TIME: March 19, 1999, 9:00 a.m. – 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program. You may contact the office of the Long-Term Care Ombudsman at (850)488-6190 for more information.

NOTICE OF CHANGE – The **State Long-Term Care Ombudsman Council** announces the following revision to the conference call to which all persons are invited:

The original call for the Executive Committee that was scheduled for March 1, 1999 has been rescheduled to:

DATE AND TIME: March 15, 1999, 9:00 a.m. – 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

You may contact the office of the Long-Term Care Ombudsman, (850)488-6190, for more information.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the District 10, Managed Care Ombudsman Committee to be held in Ft. Lauderdale, Florida, to which all persons are invited.

DATE AND TIME: March 10, 1999, 9:30 a.m.

PLACE: The Healthcare Building, Room #195, 1400 West Commercial Blvd., Ft. Lauderdale, Florida

PURPOSE: Regular monthly meeting.

If you need a special accommodation in order to attend this meeting because of a disability, please contact us in writing or by phone, (850)921-0625.

The **Agency for Health Care Administration** announces a meeting of the District 9, Managed Care Ombudsman Committee Meeting to be held in West Palm Beach, Florida, to which all persons are invited.

DATE AND TIME: March 11, 1999, 1:00 p.m. – 3:30 p.m.

PLACE: 1710 E. Tiffany Drive, Medicaid Conference Room, 2nd Floor, West Palm Beach, Florida

PURPOSE: The purpose of this meeting is routine business.

If you need a special accommodation in order to attend this meeting because of a disability, please contact us in writing or by phone, (850)921-0625.

DEPARTMENT OF MANAGEMENT SERVICES

The **SMART Schools Clearinghouse** announces a regular meeting of the SMART Schools Clearinghouse to which all interested persons are invited:

DATE AND TIME: March 16, 1999, 10:00 a.m.

PLACE: Department of Management Services, Capitol Circle Office Center, 4050 Esplanade Way, Suite 101, Tallahassee, Florida 32399-0950

PURPOSE: Actions taken at the December 1, 1998 meeting will also be clarified.

A copy of the agenda may be obtained by contacting: SMART Schools Clearinghouse, Office of the Executive Director, 4050 Esplanade Way, Suite 250, Tallahassee, FL 32399-0950, Phone (850)921-8699, Suncom 291-8699.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Office of the Executive Director at the above telephone or address at least five (5) calendar days prior to the meeting. If you are hearing or speech-impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Clearinghouse with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting will be held:

DATE AND TIME: Wednesday, March 10, 1999, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, City Hall, 300 S. Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be to discuss the 1999 legislative agenda, and general administrative issues of the Commission.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, Telephone (850)488-7082, Extension 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission at (850)488-7082, Extension 1036, at least five calendar days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **State Athletic Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 18, 1999, 10:00 a.m.

PLACE: State Regional Service Center, Park Trammell Building, 1313 North Tampa Street, #605, Tampa, Florida 33602, (813)272-3157

PURPOSE: This meeting is called for the purpose of reviewing the activities and tenure of the Executive Secretary and to consider and take action as appropriate on other matters related to Commission business.

Anyone wishing to appeal any decision made by the Commission at this meeting will need a record of the proceedings and, for such purposes, will need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which any appeal would be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Shelley Bradshaw at the address referenced below at least five (5) calendar days prior to the meeting using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Shelley Bradshaw, Assistant Executive Director, State Athletic Commission, 1313 North Tampa Street, Suite 510, Tampa, Florida 33602, Telephone number (813)272-3157, Fax (813)272-3687.

The **Board of Auctioneers** announces the following telephone conference call meeting to which all persons are invited.

DATE AND TIME: Thursday, March 18, 1999, 10:00 a.m. (EST) or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0762. All interested parties may call (850)921-6433 (Suncom 291-6433) to participate in this conference call

PURPOSE: General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762 or by calling Daryl Dempsey, (850)488-5189.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before to the meeting by contacting Daryl Dempsey, (850)488-5189. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The **Board of Auctioneers** announces the following telephone conference call meeting to which all persons are invited.

DATE AND TIME: Monday, March 22, 1999, 10:00 a.m. (EST) or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0762. Interested parties may call (850)921-6545, SunCom 291-6545, to participate in the conference call

PURPOSE: General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Auctioneers at 1940 North Monroe Street, Tallahassee, Florida 32399-0762 or by calling Daryl Dempsey, (850)488-5189.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before to the meeting by contacting Daryl Dempsey, (850)488-5189. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: March 17, 1999, 9:00 a.m. and 11:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 N. Monroe Street, Ste. 60, Tallahassee, FL 32399, (850)488-0062

PURPOSE: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Dorese Gibson, Administrative Assistant, Department of Business and Professional Regulation, 1940 N. Monroe St., Ste. 60, Tallahassee, FL 32399-0792, or by phone, (850)487-2127.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Board of Pilot Commissioners** announces a Conference Call meeting to discuss deputy advancements to which all persons are invited.

DATE AND TIME: March 22, 1999, 12:00 noon

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399-0773, (850)921-6433 or SunCom 291-6433

PURPOSE: Deputy Advancements

A copy of the Agenda may be obtained by writing: Board of Pilot Commissioners, 1940 North Monroe Street, Suite 60, Tallahassee, FL 32399-0773.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he 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.

Persons requiring special accommodations due to disability or physical impairment should contact Glenda Albritton, Board of Pilot Commissioners, (850)487-7991, at least five working days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Continuing Education Committee which all persons are invited:

DATE AND TIME: Thursday, March 18, 1999, 2:00 p.m. or as soon thereafter

PLACE: 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: Discussion on Continuing Education requirements for the State of Florida.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

The Florida **Board of Veterinary Medicine** announces the following meeting to be held by telephone conference call to which all parties are invited to attend.

DATE AND TIME: March 19, 1999, 9:00 a.m.

PLACE: ACCESS PHONE: (850)488-5776, SunCom 278-5776

PURPOSE: Probable Cause Panel meeting, agenda available on request.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Veterinary Medicine, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-2404, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers** announces a General Business Meeting conducted by media technology, specifically a telephone conference call. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: March 22, 1999, 10:00 a.m.

PLACE: Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: Board Business

A copy of the agenda may be obtained by writing: Jim Rimes, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771.

Persons requiring special accommodations due to disability or physical impairment should contact Jim Rimes by Thursday, March 11, 1999.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Division of Air Resource Management, announces two public workshops to which all persons are invited.

FIRST PUBLIC WORKSHOP

DATE AND TIME: Tuesday, March 23, 1999, 9:30 a.m. – 4:00 p.m.

PLACE: Gold Room, Executive Suite Motor Inn, 522 Scottys Lane, Tallahassee, Florida

SECOND PUBLIC WORKSHOP

DATE AND TIME: Wednesday, March 31, 1999, 9:30 a.m. – 4:00 p.m.

PLACE: Room 609, Twin Towers Building, 2600 Blair Stone Road, Tallahassee, Florida

PURPOSE: The Department is developing amendments to Chapter 62-213, F.A.C., to incorporate the principles described in the Environmental Protection Agency's (EPA's) Periodic Monitoring Guidance. The proposed periodic monitoring rule will be used in evaluating whether sufficient monitoring is contained in each facility's Title V air operating permit to assure compliance with regulations developed to meet Clean Air Act requirements.

A copy of the workshop agenda may be obtained by contacting: Ms. Sandy Ladner, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, or by calling (850)921-9590.

All persons desiring to be heard on the proposed agency action will be given the opportunity to do so.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Services Specialist, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Monday, March 15, 1999, 7:00 p.m. (EST)

PLACE: Hugh Taylor Birch State Recreation Area, Garden Club, 3109 East Sunrise Boulevard, Fort Lauderdale, Florida 33304

PURPOSE: To receive comments regarding management and land uses for Hugh Taylor Birch State Recreation Area prior to the development of a management plan for the park.

Special accommodations for persons with disabling conditions should be requested, in writing, at least 48 hours in advance of this meeting. Any request for special accommodations can be

made by writing: Department of Environmental Protection, Division of Recreation and Parks, District 5, Administration, 13789 Southeast Federal Highway, Hobe Sound, Florida 33455

DEPARTMENT OF HEALTH

The **Miami-Dade County Health Department** announces a meeting of the Tobacco-Free Miami-Dade Community Partnership.

DATE AND TIME: Wednesday, March 10, 1999, 12:00 noon

PLACE: Sylvester Comprehensive Cancer Center

PURPOSE: Monthly meeting

A copy of the agenda can be obtained by contacting: Darla Worley Livesay, (305)377-5010, Ext. 104.

If special accommodations are needed to attend this meeting because of a disability, please contact Darla Worley Livesay as soon as possible.

The Florida **Board of Medicine**, Council on Physician Assistants announces a meeting which all persons are invited to participate.

DATE AND TIME: Friday, March 26, 1999, 12:00 noon or soon thereafter

PLACE: Hyatt Regency Westshore, 6200 Courtney Campbell Causeway, Tampa, Florida 33607, (813)874-1234

PURPOSE: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: Mrs. Tanya Williams, Board Director, 2020 Capital Circle, S. E., BIN #C03 Tallahassee, Florida 32399-3253.

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 proceeding, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

If you need special accommodations at this meeting because of a disability or physical impairment (i.e. assisted listening devices, sign language interpreter, etc.), please notify Rena' Coffield, (850)488-3622, at least 5 calendar days in advance of the meeting (hearing impaired please use Florida Relay 1(800)955-8771 or TDD (904)238-4648.

The Florida **Board of Medicine**, Respiratory Therapy/Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, April 9, 1999, 5:30 p.m. or soon thereafter

PLACE: The Westin Ft. Lauderdale, 400 Corporate Drive, Ft. Lauderdale, Florida 33334-3642, (954)772-1331

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIMES: Friday, April 9, 1999, 8:30 a.m. or soon thereafter; continuing Saturday, April 10, 1999, 8:00 a.m.; Sunday, April 11, 1999, 8:00 a.m., if necessary

PLACE: The Westin Ft. Lauderdale, 400 Corporate Drive, Ft. Lauderdale, Florida 33334-3642, (954)772-1331

PURPOSE: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, April 9, 1999, 5:30 p.m. or soon thereafter

PLACE: The Westin Ft. Lauderdale, 400 Corporate Drive, Ft. Lauderdale, Florida 33334-3642, (954)772-1331

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03 Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health** and the **Board of Physical Therapy Practice** announces a meeting to which all persons are invited.

DATE AND TIME: March 12, 1999, 8:00 a.m. or soon thereafter

PLACE: Embassy Suites, 9300 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555

PURPOSE: General Business Meeting and Rules Review

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 2020 Capital Circle, S. E., BIN C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)487-2098.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces a meeting of the District 8, Health and Human Services Board Subcommittees will be held as follows:

Developmental Services and Gulf Coast Center: Not Meeting.
Children's Services

DATE AND TIME: March 8, 1999, 12:15 p.m. – 1:00 p.m.

PLACE: Charlotte County Public Health Unit, Small Conference Room, 514 East Grace Street, Punta Gorda, Florida 33950

Economic Self-Sufficiency: Not Meeting.

Children's Substance Abuse Services: Not Meeting.

G. Pierce Wood, Adult Mental Health and substance Abuse Services

DATE AND TIME: March 8, 1999, 11:30 a.m. – 12:30 p.m.

PLACE: Charlotte County Public Health Unit, Small Conference Room, 514 East Grace Street, Punta Gorda, Florida 33950

PURPOSE: Monthly committee meetings.

A copy of the agenda may be obtained by contacting the Department of Children and Family Services, Planning and Evaluation, 2295 Victoria Avenue, Fort Myers, Florida 33901, in writing or by phone, (941)338-1435, one week prior to meeting.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings should contact the Consumer Relations Unit, (941)338-1431 or 1(800)342-0825, Florida Relay Service 1(800)-955-8770 (voice), 1(800) 955-8771(TDD).

The **Department of Children and Family Services**, District Ten (Broward County), Health and Human Services Board will conduct the following public meeting in March to which you are invited:

Public Health Committee

DATE AND TIME: March 9, 1999, 4:00 p.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Suite 510, Ft. Lauderdale, FL 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Issues relating to Public Health.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, 201 W. Broward Blvd., Suite 406, Ft. Lauderdale, FL 33301.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Scott Silverman) at least 5 working days before the meeting at (954)467-4298 or (954)467-4509 (TDD).

The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: March 16, 1999, 9:30 a.m. (EDT)

PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida 34950

A copy of the agenda may be obtained by contacting: Pearlie Clark, HRAC Liaison, (561)467-4176.

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 18, 1999, 1:00 p.m.

PLACE: United Way, 3747 W. International Speedway Blvd., Daytona Beach, Florida

PURPOSE: Regular business

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board announces a public meeting to which all persons are invited.

DATE AND TIME: March 19, 1999, 9:00 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284 (Attn: Denise Kelly).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, Professional Development Centers, announces a meeting of the Child Welfare Standards and Training Council to which any interested parties are invited:

DATES AND TIMES: March 23, 1999, 10:00 a.m. – 5:00 p.m.;
March 24, 1999, 9:00 a.m. – 3:00 p.m.

PLACE: Florida Department of Children and Family Services, Family Safety and Preservation Central Office, 1317 Winewood Boulevard, Building 8, Room 232, Tallahassee, Florida 32399

PURPOSE: Discussion of issues related to child protection training.

For additional information, please contact: Peggy Spivey, Professional Development Centers Central Office, (850)487-0841.

The **Department of Children and Family Services**, District 5, Health and Human Services Board announces the following public meeting to which all persons are invited:

Privatization Task Force Planning Meeting

DATE AND TIME: March 24, 1999, 9:00 a.m.

PLACE: Room 418B, Mary Grizzle State Office Building, 11351 Ulmerton Rd., Largo, FL

PURPOSE: Planning meeting to determine next steps to be taken in the ongoing process of privatization of District 5.

Agendas can be obtained seven days in advance of each meeting at: Suite 414, Mary Grizzle State Office Building, 11351 Ulmerton Road, Largo, Florida.

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting, (727)588-7071 or TDD (727)588-6662, to arrange assistance.

The **Department of Children and Family Services** announces a public hearing to which all persons are invited.

DATE AND TIME: March 29, 1999, 11:00 a.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

PURPOSE: To discuss the department's intent to further amend administrative rule 65A-4.213, FAC, concerning the temporary cash assistance eligibility requirements of Learnfare.

This rule was previously scheduled for hearing on February 16, 1999 by notice of proposed rulemaking in the Florida Administrative Weekly, Vol. 25, No. 3, January 22, 1999. The rule text proposed in that notice of proposed rulemaking states that form CF-ES 2098, Learnfare – School Conference Verification, Nov. 98, must be provided to verified attendance at a required school conference. The department intends to amend statements regarding verification of school attendance in the proposed rule text to also allow verification of this requirement through oral contact with a school official or by a written statement from a school official.

This is the only item proposed for discussion in this public hearing. As a result, no itemized agenda will be prepared.

Any person desiring more information about this hearing or special accommodations under the Americans with Disabilities Act should contact: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Program, Building 3, Room 412D, 1317 Winewood Boulevard, Tallahassee, Florida 32300-0700 or telephone (850)488-3090. If special accommodations are required, please make the contact at least 24 hours prior to the hearing.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited:

DATE AND TIME: March 29, 1999, 1:00 p.m. – 5:00 p.m.

PLACE: Counsel Square II, Room 150, 7601 Little Road, New Port Richey, Florida 34654

PURPOSE: The meeting will offer all persons the opportunity to comment on the designation application of the following Baker Act Receiving Facilities; Charter Hospital of Pasco, The Harbor Behavioral Health Care Institute, Community Hospital of New Port Richey and Morton Plant Hospital.

A copy of the agenda may be obtained by contacting: Tony Buchwalter, (727)588-6834; Email: tony_buchwalter@dcf.state.fl.us

The **Department of Children and Family Services** announces a public meeting to which all persons are invited:

DATE AND TIME: March 30, 1999, 12:00 p.m. – 6:00 p.m.

PLACE: Mary Grizzle State Office Building, 11351 Ulmerton Road, Room 142B, Largo, Florida 33778

PURPOSE: The meeting will offer all persons the opportunity to comment on the designation application of the following Baker Act Receiving Facilities; Bay Pines Veterans Administration Medical Center, Charter Behavioral Health System of Tampa Bay at Largo, Pinellas Enrichment Through Mental Health Services, St. Anthony's Hospital, Sun Coast Hospital, Windmoor Health Care, Inc.

A copy of the agenda may be obtained by contacting: Tony Buchwalter, (727)588-6834, Email: tony-buchwalter@dcf.state.fl.us

NOTICE OF CHANGE – The Department of Children and Family Services, announces a change in the date and place correction to the Administrative Weekly ad of February 12, 1999.

Glades

DATE AND TIME Thursday, April 1, 1999, 4:00 p.m. – 8:00 p.m.

PLACE: Doyle Connor Agricultural Center, Highway 27, West, Moore Haven, Florida 33471

Hendry

DATE AND TIME: Thursday, March 25, 1999, 4:00 p.m. – 8:00 p.m.

PLACE: Department of Children and Family Services, 100 Pratt Boulevard, LaBelle, Florida

FLORIDA INLAND NAVIGATION DISTRICT

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 19, 1999, 8:00 a.m.

PLACE: The Indian River Plantation Marriott Hotel, 555 N. E. Ocean Boulevard, Stuart, Martin County, Florida

PURPOSE: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District’s Personnel and Property Acquisition and Management Committees will meet.

Please contact the District Office, 1314 Marcinski Road, Jupiter, FL 33477, telephone (561)627-3386 for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all interested persons are invited:

DATE AND TIME: March 15, 1999, 2:00 p.m. – 4:00 p.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

PURPOSE: An oversight committee established by the Florida Housing Finance Corporation’s Board of Directors will discuss the parameters of the MSA Urban Infill Rental and Homeownership Market Study to be conducted in connection with Request for Proposal FHFC 98/12. Representatives of local governments, the affordable housing development community, and the general public are invited to attend and provide comment.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Hawthorne, Deputy Administrative Officer, the Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech

impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the 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.

The Counsel for the **Florida Housing Finance Corporation** (the “Corporation”) will request a special meeting of the Board of Directors to be held as follows:

DATE AND TIME: March 19, 1999, 9:00 a.m.

PLACE: City Hall, Tallahassee, Florida

PURPOSE: 1) Opening of a public meeting;
2) An attorney-client closed session of the Corporation, in accordance with Section 286.011(8), Florida Statutes, as to settlement negotiations or strategy relating to litigation expenditures by Worthwhile Development II and IV, Ltd. against the Corporation.

Present at the meeting will be: Corporation Board Members Richard Martin, Chairman; Stephanie Baldwin; Clark Bennett; Edward Lee; John Lowndes; Charles Lydecker; Carl Mayes; Steve Seibert; and Frank Visconti, Corporation Counsel Stephen M. Donelan, Esq; Corporation Chief Executive Officer Susan J. Leigh; Attorneys representing the Corporation in such litigation, Michael Glazer, Esq.; Mark Mustian, Esq.; Maureen Daughton, Esq; Harry F. Chiles, Esq. David Self, Esq. and Tom Lang, Esq.;

(3) A reopening of the public meeting following termination of the attorney-client session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Hawthorne, Deputy Administrative Officer, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Housing Finance Corporation** announces a public meeting of the Board of Directors to which all interested persons are invited:

MEETING: Fiscal Committee; Guarantee Committee; Professional Services Selection Committee; FHFC Board Workshop

DATE AND TIME: March 19, 1999, 9:00 a.m.

PLACE: City Hall, Tallahassee, Florida

PURPOSE: 1) Consider, review, and/or approve recommendations made by the Fiscal Committee; 2) Consider, review, and/or approve recommendations made by the Guarantee Program Committee; 3) Consider, review, and/or approve recommendations made by the Professional Services Selection Committee; 4) Consider, review, and/or approve recommendations made by the Executive Committee; 5) Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds on upcoming multifamily issues; 6) Consider financing and inducement resolutions for various multifamily developments, under any multifamily program, including the ranking of projects; 7) Consider approval of trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs; 8) Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms; 9) Consider adopting resolutions authoring negotiated or competitive sale of bonds on various single-family and multifamily issues; 10) Consider directing staff to submit summaries of various TEFRA/Public Hearings to the Governor; 11) Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues; 12) Consider and adopt targeting for use of the 1998 Multifamily Tax Exempt Bond Allocation; 13) Consideration of approval of underwriters for inclusion on approved master list and teams; 14) Consideration of all necessary actions with regard to the HOME Rental Program; 15) Consideration of all necessary actions with regard to the HC (Housing Credits) Program; 16) Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program; 17) Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program; 18) Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program; 19) Consideration of all necessary actions with regard to the Home Ownership Programs; 20) Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.

A copy of the agenda may be obtained by contacting: Gail Cooksey, Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Hawthorne, Deputy Administrative Officer, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

MARION COUNTY SOIL AND WATER CONSERVATION DISTRICT

Notice to all citizens of Marion County: You are invited to attend and participate in the regular business meeting of the **Marion Soil and Water Conservation District Board** to be held at the following date, time and place:

DATE AND TIME: March 9, 1999, 9:00 a.m.

PLACE: USDA District Service Center, Conference Room, 2303 N. E. Jacksonville Road, Ocala, Florida

PURPOSE: Organizing the District Board to meet statutory requirements and whatever other business that may come before the Board.

Please be advised that if any person wishes to appeal any decision made by the Board with respect to any material considered at the above meeting, a record of the proceedings will be needed by such person and a verbatim record of the proceedings, which record includes the testimony and evidence upon which the appeal is to be based may be required.

It is further advised that should any physically handicapped person wishing to attend this meeting, they should contact the chairman, in writing, at least 48 hours in advance of the meeting time to arrange any special needs they may have.

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

The **Florida Governmental Utility Authority** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, March 12, 1999, 10:00 a.m.

PLACE: Sarasota County Commission Chambers, 1st Floor, 1660 Ringling Boulevard, Sarasota, Florida

PURPOSE: General meeting of the Authority in which the Authority will take various administrative actions.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission**, an interlocal governmental entity comprised of the Cities of Boca Raton, Clearwater, Gainesville, Hollywood, Sarasota, St. Petersburg and Broward County, announces the following special public meetings relating to the issuance of FFGFC Revenue Bonds, Series 1999, where all interested parties are invited:

DATE AND TIME: Friday, March 12, 1999, 11:00 a.m.
PLACE: Conference Room, City Hall, City of Hollywood, 2600 Hollywood Blvd., Hollywood, Florida

DATE AND TIME: Friday, April 9, 1999, 11:00 a.m.
PLACE: Commission Chambers, 112 South Osceola Avenue, Clearwater, Florida

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923 or calling (850)878-1874.

If a person decides to appeal any decision made by the Commission, with respect to any matter considered at such meeting, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have a disability requiring accommodations, please contact the Commission, no later than ten working days prior to the meeting date, at the address given on this notice.

FLORIDA TELECOMMUNICATIONS RELAY

The **Florida Telecommunications Relay, Inc.** announces a regular meeting of the Board of Directors.

DATE AND TIME: Monday, March 15, 1999, 9:00 a.m.
PLACE: 1311A Paul Russell Road, Tallahassee, Florida
PURPOSE: Regular meeting of the Board of Directors

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1311B Paul Russell Road, Suite 101B, Tallahassee, FL 32301-4860. The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

PINELLAS WAGES COALITION

The **Pinellas WAGES Coalition** announces the following meetings on:

DATE AND TIME: Monday, March 15, 1999, 10:00 a.m.
PLACE: 13770 58th Street, North, Suite 312, Clearwater, Florida 33760

PURPOSE: Regular meeting of the Hardship Review Commission Steering Committee of the Pinellas WAGES Coalition

ISSUES TO BE DISCUSSED: Hardship Exemptions and Hardship Exemption Procedural Policy Revision

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at: 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Steering Committee with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision to be made at this meeting if the right to an appeal does not exist as a matter of law.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (813)507-6197.

The **Pinellas WAGES Coalition** announces the following meetings of its Hardship Review Commission on:

DATE AND TIME: Tuesday, March 16, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: 4140 49th Street, North, Conference Room, St. Petersburg, Florida

DATE AND TIME: Thursday, March 18, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: 1100 Cleveland Street, 5th Floor, Conference Room, Clearwater, Florida

PURPOSE FOR ALL: WAGES Hardship Exemption Hearings
Members of the public are invited to attend. Interested parties may appear and be heard at the hearings. Hearing schedules can be obtained 7 days in advance of the meeting at: 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person who decides to appeal* any decision made by the Pinellas WAGES Coalition's Hardship Review Commission with respect to any matter considered at such 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, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal the decision to be made at this hearing if the right to an appeal does not exist as a matter of law.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, or telephone (727)507-6197.

* Appeal may be made through a Fair Hearing with the Department of Children and Family Services and/or through the Coalition's policy.

FLORIDA HISTORY ASSOCIATES

The **Florida History Associates, Inc.** announces a Board of Director's Meeting to which all persons are invited.

DATE AND TIME: Monday, March 15, 1999, 12:15 p.m.

PLACE: Museum of Florida History, R. A. Gray Building, 500 S. Bronough Street, Room 307, Tallahassee, Florida 32399

PURPOSE: Regularly scheduled meeting

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact Penny Lord, (850)922-5299, at least 48 hours prior to the meeting in order to request any special assistance.

NORTHEAST FLORIDA CRIMINAL JUSTICE TRAINING AND EDUCATION CENTER

The **Region V Training Council** will hold its Bi-Annual Advisory Meeting:

DATE AND TIME: March 25, 1999, 2:00 p.m.

PLACE: Board Room C-136, 4501 Capper Road, Jacksonville, Florida

For an advance copy of the Agenda, contact: Frank Heinze, Northeast Florida Criminal Justice Training and Education Center, (904)928-1277, fax (904)928-1295.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that the Department of Education has received a Petition for a Declaratory Statement from Vernon T. Sarver, Jr. The petition requests that the Department of Education issue a declaratory statement with respect to the following questions:

1. For the purpose of applying Rule 6B-4.0006(1)(sic), Florida Administrative Code, under specific authority of Florida Statute 229.053(1), to petitioner's particular set of circumstances, as described above, is the petitioner teaching out of field?
2. For the purpose of applying Florida Statute 231.095 to petitioner's particular set of circumstances, as described above, is the petitioner teaching out of field?

The circumstances referred to in questions one and two above are outlined in the petition which may be obtained by writing: Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from James Landsman. Petitioner requested that a provision be enacted in Florida Administrative Code Chapter 33-22 that would require Department staff investigating a disciplinary report to offer the accused inmate a choice of whether he or she would like to receive assistance from a certified legal intern. The Department denied the petition, noting that an inmate has no right to legal representation in a prison disciplinary proceeding and that, even if such representation were allowed, a law clerk cannot represent an inmate or act as counsel. The Department further reasoned that the current rule provides for staff assistance if requested by the inmate and such provision is adequate to address any legitimate need of the accused inmate.

A copy of the Order, Case No. DC 99-4, may be obtained by writing: Gary L. Grant, 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 February 12, 1999, from Angela McCloud. Petitioner is an inmate seeking an amendment of Chapter 33-3.0025. Specifically, Petitioner seeks to add one pair of work gloves to the inmate property list.

A copy of the Petition may be obtained by writing: Gary L. Grant, 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 February 15, 1999, from Douglas Jackson and Ronald Coleman. Petitioners are inmates seeking an amendment of Florida Administrative Code Rule 33-29.015(8). Specifically, Petitioners seek a provision that would allow copying services to be provided to make copies of forms DC3-005 and DC1-303.

A copy of the Petition may be obtained by writing: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Edward P. Ladenberger, Unit Owner, Brookside Bluff Condominium Association, Inc., Petitioner. The Petitioner requests an interpretation as to whether in a phase condominium, the phase is considered complete when the first unit is ready for sale, or when the developer relinquishes title to the last unit. Petitioner cited section 718.115(2), Florida Statutes.

A copy of the Petition for Declaratory Statement, Division Docket Number DS1999040, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030.

Please refer all comments to: Kathryn E. Price, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-1007.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Joseph Prycodzien, Beach Terrace Resort Condominium Association, Inc., Petitioner. The Petitioner requests an interpretation as to whether an elevator and hot water boiler are limited common elements since the other buildings in the condominium derive no benefit from the elevator or hot water boiler located in Building A.

A copy of the Petition for Declaratory Statement, Docket Number Docket Number DS1999059, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. Please refer all comments to: Martha F. Barrera, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-1007.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Sunrise Community, Inc. vs. Agency for Health Care Administration; Rule Nos.: 59G-6.040, 59G-6.045; Case No.: 98-3946RP; Dismissed

Florida Association of Realtors vs. Department of Business and Professional Regulation, Florida Real Estate Commission; Rule No.: 61J2-10.039; Case No.: 98-5247RP; Invalid

**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

BR-635 BIO-MEDICAL SCIENCE CENTER NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of the State of Florida, Board of Regents, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-635

Project and Location: BIO-MEDICAL SCIENCE CENTER,
BOCA RATON, FLORIDA

The project consists of a new science building of approximately 90,000 GSF comprising research and teaching laboratories, classrooms and offices. The Construction Budget is approximately \$14,650,000. The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000 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 Board of Regents "Professional Qualifications Supplement," dated 9/15/97. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 5 (five) 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 State University System 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 \$10,000.00 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: Linda Cassese, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, telephone (561)297-3141, Fax (561)297-2260.

Submittals must be received in the Facilities Planning Department Office, 777 Glades Road, Building T-10, Room #9, Boca Raton, FL 33431 by 3:00 p.m. local time, April 14, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

Florida International University announces that construction management services will be required for the project listed below:

Project: BR-850 School of Architecture Building

Project Location: Florida International University, University Park

This project involves the construction of a multi story facility to house classrooms, teaching laboratories, offices and support spaces for the School of Architecture and the College of Urban and Public Affairs. The proposed project cost is limited to \$15,462,030.00 of which \$11,774,594.00 will be used for construction.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, construct-ability analysis, development of a cost model, estimating and the development of a Guaranteed Maximum Price (GMP) at 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, 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 which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Facilities Management, Florida International University, University Park, Miami, Florida 33199, Phone (305)348-4000, or by Faxing a request to (305)348-4010. Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to: Mary V. Witham, Facilities Management.

Six (6) bound copies of the required proposal data will be submitted to: Victor Citarella, Director, Facilities Management, Florida International University, University Park, ECS 450, Miami, Florida 33199.

Submittals must be received by 2:00 p.m. local time, Monday, April 5, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

Florida International University announces that construction management services will be required for the project listed below:

Project: BR-879 Parking Garage Two
Project Location: Florida International University, University Park

This project includes the construction of a 1,000-space five-level post tension structure with precast panel exterior. Included within the structure will be approximately 2,000 square feet of administrative offices at the ground level. The

structure will have two vehicular entrances and two elevators. The proposed project cost is limited to \$7,714,375.00 of which \$6,742,341.00 will be used for construction.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, construct-ability analysis, development of a cost model, estimating and the development of a Guaranteed Maximum Price (GMP) at 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, 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 which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must

warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Facilities Management, Florida International University, University Park, Miami, Florida 33199, Phone (305)348-4000, or by Faxing a request to (305)348-4010. Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to: Mary V. Witham, Facilities Management.

Six (6) bound copies of the required proposal data will be submitted to: Victor Citarella, Director, Facilities Management, Florida International University, University Park, ECS 450, Miami, Florida 33199.

Submittals must be received by 2:00 p.m. local time, Monday, April 5, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

CALL FOR BIDS

Made by the University of North Florida for
PROJECT NAME & LOCATION: Interior Renovations to Buildings B, C, & F, Student Apartment Housing.
 University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224

QUALIFICATIONS: All bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: Wednesday, March 31, 1999, 2:00 p.m.
PLACE: University of North Florida, Building Five (Physical Facilities), Conference Room, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224 at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual which may be obtained or examined at the office of the:

ARCHITECT/ENGINEER: Junck & Walker Architects/Planners, Inc., 8111 Old Kings Road, South, Suite 2A, Jacksonville, FL 32217, Telephone (904)731-4033.

MINORITY PROGRAM: Bidders are encouraged to utilize minority business enterprises certified by the Commission on Minority Economic and Business Development (formerly certification done by Department of Management Services). Consideration will be given to the percentage of participation, as described in the instructions to bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: The bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority business enterprise firms are invited to attend to

become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Wednesday, March 24, 1999, 2:00 p.m.
PLACE: University of North Florida, Building Five (Physical Facilities), Conference Room, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224

DEPOSIT: A deposit of \$40.00 per set of drawings and Project Manual is required with a limit of three (3) sets per General Contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those General Contractors, or Prime Bidders, who after having examined the drawings and specifications.

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work.

and who return the drawings and project manual in good condition within (15) days after receipt of bids.

PURCHASE: Full sets of Bidding Documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through Architect/Engineer for \$40.00 per set for the printing and handling cost.

PUBLIC ENTITY CRIMES: As required by Section 287.144, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplies, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation, District 7 is soliciting Letters of Interest for the Design-Build project identified below.

PROJECT NAME: I-275 Dynamic Message Sign System, Pinellas County, Florida

FINANCIAL PROJECT ID: 403266 1 52 01

FEDERAL AID PROJECT NUMBER: FL37 001 R

ESTIMATED DESIGN AND CONSTRUCTION COSTS: \$1,500,000.00

PROJECT DESCRIPTION: The project consists of design and construction of equipment for the I-275 Dynamic Message Sign System (DMSS), Dynamic Message sign structures and foundations, Closed Circuit TV (CCTV) cameras, CCTV camera mounting, communications design, control center

design (primary and secondary) and a Remote Operator Interface (ROI) for the Florida Department of Transportation District Seven.

DESIGN/BUILD: The work shall also include, but not limited to, the equipment procurement, installation, system integration, acceptance testing, training and documentation for a fully operational traffic management system in the City of St. Petersburg, Florida.

PREQUALIFICATION REQUIREMENTS: The contractor team members must be prequalified under Rule Chapter 14-22, Florida Administrative Code, by the Contracts Administration Office, on or before the due date for Letters of Interest.

Team members involved in professional services, as identified under 287.055, Florida Statutes, must be prequalified under Rule Chapter 14-75, Florida Administrative Code, or have submitted an application for prequalification to the Contractual Services Office, on or before the due date for Letters of Interest, in the following types of work:

- 6.3.1 Traffic Systems Analysis and Design
- 6.3.3 Traffic Engineering Systems Communications
- 6.3.4 Traffic Engineering Systems Software Development

BONDING: A 5% bid bond will be required from any firm submitting a proposal. A 100% performance bond will be required from the firm awarded the project.

RESPONSE PROCEDURE: Any prequalified firm interested in being considered for the project should submit four copies of a letter of interest, not to exceed five pages in length, including the following information:

1. Project name/Financial Project ID
2. Firm's name, address, phone number and contact person
3. Names of companies proposed as team members and key personnel with titles and/or classifications (do not include rJsumJs)
4. Statement regarding prequalification of contractor and consultant firms in advertised types of work
5. Other information relative to the team's qualifications for this project

SELECTION PROCEDURE: The Department shall determine the relative ability of each firm to perform the services required for this project based on prequalification information, past performance with the Department and the Letter of Interest. Criteria to be considered include staff training and experience, past performance and current and projected work load. At least three firms shall be short listed from the responses to this solicitation. The short listed firms will be provided a scope of services and requested to provide a technical proposal and bid for the project. The award of the project will be based on an adjusted score using a combination of both the price and technical proposal. A value of time factor may also be considered.

LETTER OF INTEREST RESPONSE DUE DATE: March 26, 1999

POSTING DATE: The names of firms short listed for the project will be posted on or before 2:30 p.m. on June 15, 1999 at the address below.

RESPOND TO: John D. Ellis, District Contracts Administrator, MS 7-830, 11201 N. McKinley Dr., Tampa, FL 33602, (813)975-6036

QUESTIONS REGARDING PROJECT: Call Jamal S. Nagamia, P.E., Project Manager, Phone (813)975-6164

DEPARTMENT OF CORRECTIONS

Sealed bids will be received by the Florida Department of Corrections, Region V, Purchasing Office, 4520 Oak Fair Blvd., Tampa, FL 33610, until 2:00 p.m., April 2, 1999. Bid No. Region 5-99-0005 to design, submit for approval, furnish and install a wet sprinkler system at the H. L. Sebring Building, 525 Mirror Lake Drive, St. Petersburg, Florida 33701. There will be a mandatory bidders conference at the Sebring Building, 10:00 a.m., March 18, 1999. Minority vendors are encouraged to participate in the bidding process.

Bid sheets, specifications and general conditions may be secured from: Department of Corrections, Purchasing Department, Tampa, FL 33610, (813)744-8746. Right is reserved to reject any or all bids.

SPECIAL NOTE: If you require accommodation because of a disability in order to participate in the Bid Process, please contact Larry Rogers, (813)744-8746, by March 10, 1996.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

NOTICE OF AVAILABILITY

The Division of Blind Services is pleased to announce the availability of awards from the Gifts and Donations Funds. The purpose of these awards is to provide assistance and/or funding to entities with an interest in serving Floridian's who are blind or visually impaired. The current funding cycle is July 1, 1998 through June 30, 1999. Applications must be turned in to the Division of Blind Services, Director's Office, 2551 Executive Center Circle, W., Suite 200, Tallahassee, FL 32399 no later than April 1, 1999. Applications may be requested by writing Phyllis Dill at the above address or calling (850)488-1330 or through the Florida Dual party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT OF A/E SELECTION RESULTS

The Department of Management Services, Division of Building Construction, announces that on the date listed below, authority was issued to negotiate and enter into a contract for Professional Services in accordance with the Consultants Competitive Negotiation Act for the following:

DATE: February 15, 1999
 NAME OF CLIENT AGENCY: Daytona Beach Community College
 PROJECT NUMBER: DBCC-98061000
 PROJECT NAME: Prototype Joint Venture Charter Technical School

1. Reynolds, Smith & Hill, Inc., Orlando
2. Helman Hurley Charvet Peacock, Maitland
3. Gibraltar Design, Flagler Beach

**NOTICE TO PROFESSIONAL CONSULTANTS
 PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
 SERVICES FOR ENGINEERING**

Department of Management Services, Building Construction, announces that professional services are required for the project(s) listed below. Applications are to be sent to: Eugenio Nicoloso, Department of Management Services, Building Construction, 4030 Esplanade Way, Suite 325C, Tallahassee, FL 32399-0950

PROJECT NUMBER: DOS-94044070
 PROJECT NAME: Road for San Luis Mission Archeological and Historical Site.

PROJECT LOCATION: San Luis Mission, Tallahassee, FL
 SERVICES TO BE PROVIDED: Design, permit and provide Construction Administration for a road leading from US 90 to San Luis Mission Road.

SAMAS CODE: 45-20-2-339085-45200000-00-030000-00
 CLIENT AGENCY: Department of State
 CLIENT AGENCY REPRESENTATIVE: Jim Miller
 DMS PROJECT DIRECTOR: Eugenio Nicoloso
 PHONE NO: (850)487-9936

RESPONSE DUE DATE: March 26, 1999, 4:00 p.m., local time

The results of this selection will be posted at Department of Management Services, 4030 Esplanade Way, Suite 325C, Tallahassee, FL 32399-0950 during regular business hours after selection.

INSTRUCTIONS

- Submit three (3) copies of the following:
1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
 2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
 3. Firm's current Florida Professional Registration License Renewal.
 4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.

5. Completed SF-254.
6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 60D-2, Florida Administrative Code.

Applicants are advised that plans and specifications for A/E projects may be reused. An appropriate contractual agreement will be made with the selected firm should this be necessary. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm. The selected firm will be notified and announcement of selected firms will be published in the Florida Administrative Weekly.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

REQUEST FOR PROPOSAL

Sealed Proposals will be received until 1:00 p.m., Tuesday, April 6, 1999. The request for proposal is for a leased facility in Martin County. The Proposal specification package identified as #590-2706 may be obtained at the Department of Children and Family Services, 337 North 4th Street, Room 328, Fort Pierce, FL 34950 or contact Linda Eprifania by telephone at (561)467-4161.

The State of Florida, Department of Children and Family Services, District 15, reserves the right to reject all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

The State of Florida, Department of Children and Family Services, District 5, hereinafter referred to as the "department," is requesting one or more proposals to provide child care services through viable child care coordinating agencies in the geographic area comprising Pinellas County. The department's contract award will involve negotiation, and the potential provider must be capable of providing services consistent with the description as stated in the request for proposal. The beginning date of services will be July 1, 1999, and the ending date June 30, 2000. The contract may be renewed a second and a third year, subject to the availability of funds, and based on adequate performance by the provider and submission of an updated application, budget and service narrative each subsequent year.

The department requires services and abilities that include, but not limited to the following: The provider selected must update their service application and plan at contract amendment or renewal periods; The ability to access and provide child care services to approximately 6000 children daily, in either licensed centers or family child care homes, for extended hours to address needs identified by the department. These facilities may be either directly operated or subcontracted by the provider. Child care services must also be available through a voucher/certificate program to include centers or homes not contracted with the provider; The ability to maintain enough cash to continue services for one (1) month in the event cash flow is disrupted by the normal delay in processing reimbursements; The means to access and utilize an integrated, automated system for maintaining all client data and for recording and timely processing of payments for all children served daily; The ability to collaborate with community agencies serving the same families and children such as Head Start, Public Schools (Pre-K Early Intervention, Pre-K Handicapped, and the Teen Parent Program), and the department's Work and Gain Economic Self-Sufficiency Program (WAGES), etc.; The Provider must have experience in serving children at-risk of abuse, neglect or exploitation; The ability to obtain and administer the required match support from their local community. The provider will be required to submit monthly reports of utilization of funds, service provided reports, local match commitment forms and other contract required attachments. Request for Proposals will be available effective Friday, March 5, 1999, and may be requested from the contact person listed at the end of this advertisement.

The Notice of Intent to Submit a Proposal must be received by the department by Wednesday, March 10, 1999, by 1600 hours, Eastern Standard Time.

All inquiries and/or correspondence must be submitted, in writing, to the contact person and address listed at the end of this advertisement by 1400 hours, Eastern Standard Time, on Wednesday, March 10, 1999. Copies of the department's response to inquiries to the proposal will be sent by Certified Mail, Return Receipt Requested, only to those persons or agencies who submitted a written Notice of Intent to Submit a Proposal, or who have requested, in writing, information pertaining to the REQUEST FOR PROPOSAL.

Telephone or verbal inquiries will not be accepted.

Proposals must be received by the department by 1400 hours, Daylight Savings Time, on Wednesday, April 14, 1999. Any proposals received at 1401 hours, Daylight Savings Time (after the deadline) will not be considered and will be returned to the sender, unopened. The proposal response is required in English. The paper size required for all proposal documents are A4, the international equivalent of 8.5 x 11 paper. Proposals must be either hand delivered, delivered by courier service or mailed by certified mail return receipt required to the contact person and address listed at the end of this advertisement.

FAXED proposals will NOT be accepted. Whichever delivery method is used, the bidder must receive a receipt showing the time and date of delivery. It is the bidder's responsibility to insure that sufficient time is allowed for delivery.

The opening of all proposals to be held on Wednesday, April 14, 1999, at 1400 hours, Daylight Savings Time, at the delivery location listed at the end of this advertisement.

All interested parties are welcome to attend. However, no decision will be made at that time.

A Proposal Evaluation Committee will review and rate all proposals. Evaluation will be weighted according to the responsiveness of each section of the proposal to the main elements of the REQUEST FOR PROPOSAL, as identified on the Proposal Rating Sheet. The anticipated completion date for evaluation of proposals is Wednesday, April 21, 1999. The department will award one contract to a successful bidder. Award recommendations will be made, subject to the availability of funds, based on proposals receiving the highest number of points, over and above a minimum of 75% of the total possible points. The Evaluation Committee will present their recommendations to the District Administrator for a final decision. It is anticipated the contract award notice identifying the organization to whom the contract will be awarded will be posted Wednesday, April 21, 1999.

Written notice of contract award will be sent by Certified Mail, Return Receipt Requested, to all who filed a Notice of Intent to Submit a Proposal and to any other interested person who, in writing, requests copies of information concerning the REQUEST FOR PROPOSAL. The Notice of Contract Award will also be published in the Florida Administrative Weekly for agreement covered procurements, and posted in the Grants Management Office, at the address listed at the end of this advertisement.

The department will pay the provider on the basis of monthly reimbursement requests. A combination of Fixed Price for Administration and Direct Services, and Cost Per Unit of Service for Child Care Costs (slots). The bidder may earn bonus points on the evaluation of the bidder's response to the REQUEST FOR PROPOSAL, if the bidder is a Certified Minority Business Enterprise (CMBE), or a Non-Certified Minority Business Enterprise and will use CMBEs as subcontractors. The bidder must provide documentation of its classification as a CMBE, including the vendor number, assigned and approved by the State Department of Management Services, Division of Purchasing; or the subcontractor's CMBE identification.

The department reserves the right to reject any or all proposals in the best interest of the State of Florida. Also, the department reserves the right to waive irregularities in an otherwise valid proposal and to verify the validity of any data presented. The submission of false data will disqualify a proposal.

All inquiries and/or correspondence must be in English. The contact persons and address for the Request for Proposal is: Louise Navarro & Pat Fuller, Contract Managers, Department of Children and Family Services, District 5, Family Safety and Preservation Program Office, Mary Grizzle Building, 11351 Ulmerton Road, Suite 343, Largo, FL 33778-1630, Telephone (727)588-6830.

FLORIDA HOUSING FINANCE CORPORATION

Request for Qualifications
RFQ 98/07

Bond Underwriter/Investment Banker
NOTICE OF WITHDRAWAL

The Florida Housing Finance Corporation hereby gives notice that the Request for Qualifications for Bond Underwriter/Investment Banker Number RFQ 98/07, published in the Florida Administrative Weekly, Vol. 25 No. 7, February 19, 1999, has been withdrawn. At a future date, the Request for Qualifications will be distributed to those interested businesses who have requested inclusion on the Corporation's Solicitations – Bond Underwriter/Investment Banker mailing list.

Any interested business may request addition to the Corporation's mailing list by either faxing their request to (850)414-6545 or mailing such request to: Florida Housing Finance Corporation, Attention: Linda Hawthorne, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329.

NORTHEAST FLORIDA STATE HOSPITAL

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 FURNISH AND INSTALL HVAC EQUIPMENT AT BUILDING #38 GYMNASIUM.

NOTE: A SITE VISITATION WILL BE MANDATORY BEFORE BID CAN BE ACCEPTED.

BID OPENING DATE AND TIME: MARCH 22, 1999, 2:00 P.M., LOCAL TIME

PLACE: PURCHASING AGENT'S OFFICE, BUILDING #19, NORTHEAST FLORIDA STATE HOSPITAL, S.R. 121, SOUTH, MACCLENNY, FLORIDA 32063-9777.

PROPOSAL: BID MUST BE SUBMITTED IN FULL, IN ACCORDANCE WITH THE BID SPECIFICATIONS, ENGINEERING DRAWINGS, BIDDING CONDITIONS AND SPECIAL CONDITIONS WHICH MAY BE EXAMINED AND OBTAINED FROM: SUTTON ENGINEERING, INC., 3874 SAN JOSE PARK DRIVE,

SUITE 1, JACKSONVILLE, FLORIDA 32217, ATTENTION: DAVID SUTTON, TELEPHONE (904)730-2330, FAX (904)730-6170

(\$50.00 DEPOSIT – REFUNDABLE)

CONTRACT AWARD: THE BID TABULATION AND NOTICE OF AWARD WILL BE POSTED MARCH 26, 1999, 2:00 P.M., LOCAL TIME AT THE LOCATION WHERE BIDS WERE OPENED. IN THE EVENT THAT THE BID TABULATION AND NOTICE OF AWARD CANNOT BE POSTED IN THE MANNER, THEN ALL BIDDERS WILL BE NOTIFIED BY CERTIFIED U.S. 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 BY THE OWNER.

TAMPA-HILLSBOROUGH COUNTY EXPRESSWAY AUTHORITY

TAMPA-HILLSBOROUGH COUNTY
EXPRESSWAY AUTHORITY
CONTRACT: THCEA-84.2

RESPONSE DEADLINE: March 31, 1999
PLANNED SHORT-LIST DATE: April 6, 1999
PLANNED FINAL SELECTION DATE: April 26, 1999

General Selection Information: The Tampa-Hillsborough County Expressway Authority (THCEA) requests Responses to Scope from qualified firms to provide General Engineering Consultant services for a wide range of engineering, architectural, landscape architecture, urban design, registered land surveying, technical, management, and administrative tasks to assist the Authority in numerous projects including supporting the operation, maintenance, and construction of the Expressway System. Due to a change in THCEA's selection procedures, this contract is being advertised for a second time. The date of the original advertisement was January 8, 1999. A copy of the Scope, submittal guidelines, and the selection procedures can be obtained by return fax by faxing a request to Ms. Kate Lake, (813)273-3730, by March 26, 1999.

The Consultant must be a nationally known and recognized engineering firm with an established office in Hillsborough County, Florida, which must have sufficient qualified local staff to perform the primary work anticipated under the agreement. Auxiliary or one-time services may be provided by subconsultants with prior approval from the Authority.

Applicants shall submit a written Response to Scope, ten pages or less in length (including cover letter), accompanied by Standard Forms 254 and 255 (SF254 and SF255) for the prime consultant (and subconsultants, if any) emphasizing Florida projects and identifying the resident location of key personnel who will be committed to work on this contract. Responses to Scope shall include the following information:

- Consultant’s name and address
- Contact person, phone and fax numbers, Email address (please highlight)
- Proposed approach to working with THCEA
- Proposed key personnel and their proposed roles (maximum one page resumes – does not count toward ten page limit)
- Statement regarding acceptance of THCEA’s insurance requirements

An original and ten copies of the Response to Scope, SF254, and SF255 must be received by mail or hand delivery by 5:00 p.m., on March 31, 1999. Submittals received after that time will not be accepted. Address responses to: Mr. Bennett L. Muns, P. E., Chief Engineer, Attention: Kate Lake, Contract Services Administrator, Tampa-Hillsborough County Expressway Authority, 412 East Madison Street, Suite 800, Tampa, FL 33602.

Applicants may contact either Ms. Lake or Mr. Muns at (813)272-6740 until the qualifications submittal deadline for further information. All applicants will be promptly notified when the short-listed firms are selected. Short-listed firms will be interviewed by the THCEA Board’s Planning and Engineering Committee prior to final selection by the THCEA Board.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

**NOTICE OF FILINGS OF APPLICATIONS
FOR LICENSES AND MERGERS**

NOTICE IS HEREBY GIVEN that the Department of Banking and Finance, Division of Banking, has received the following application. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., March 26, 1999):

EXPANDED FIELD OF MEMBERSHIP

NAME AND ADDRESS OF APPLICANT: FAA Credit Union, 660 Cow Pen Road, Miami Lakes, Florida 33014-1487

EXPANSION INCLUDES: Employees of the MICC, Miami International Commerce Center and their tenants, and employees of those tenants in Miami, Florida.

RECEIVED: February 18, 1999

CORRESPONDENT AND TELEPHONE NUMBER: Mara L. Falero, V. P. Marketing and Branch Operations, (305)821-7060

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-999-007

DATE RECEIVED: 2/23/99

DEVELOPMENT NAME: Sarasota Memorial Hospital

DEVELOPER/AGENT: Charles D. Bailey, Jr.

DEVELOPMENT TYPE: 28-24.017, 28-24.020, F.A.C.

COUNTY LOCATION: Sarasota

LOCAL GOVERNMENT: Sarasota County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Hyundai Motor America, intends to allow the establishment of J.G. O’Neill, Inc., as a dealership for the sale of Hyundai automobiles, at 655 Northeast 6th Avenue, Delray (Palm Beach County), Florida, on or after January 15, 1999.

The name and address of the dealer operator(s) and principal investor(s) of J. G. O’Neill, Inc. is James G. O’Neill, 655 Northeast 6th Avenue, Delray Beach, Florida.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Marty Vaughn, Market Representation Manager, Hyundai Motor America, 240 Thornton Road, Suite A, Lithia Springs, Georgia 30122-1550.

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, General Motors Corporation, intends to allow the establishment of Central Pontiac Buick GMC, Inc., as a dealership for the sale of GMC vehicles, at 1555 1st Street, South, Winter Haven (Polk County), Florida 33880, on or after December 15, 1998. This is a result of a buy/sell pursuant to Section 320.643, Florida Statutes between Blount Buick-GMC Truck, Inc. and Central Pontiac Buick GMC, Inc.

The name and address of the dealer operator(s) and principal investor(s) of Central Pontiac Buick GMC is: Mr. Allan Mervis, 1555 1st Street, South, Winter Haven, Florida 33880.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. J. Schaffer, Zone Manager, Buick Motor Division, General Motors Corporation, Southeast Region, 5730 Glenridge Dr., N. E., Atlanta, Georgia 30302.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the establishment of Motorcycle Territory, Inc. d/b/a Florida Sports Cycle & Marine, as a dealership for the sale of Suzuki motorcycles, at 3100 S. E. Carnivale Ct., Stuart (Martin County), Florida 34944, on or after February 28, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Territory, Inc. d/b/a Florida Sports Cycle & Marine are: Donald L. Deggeller, 3350 S.W. Deggeller Ct., Palm City, Florida 34990, and Dennis R. Conners, 8701 S.W. 17th Avenue, Stuart, Florida 34997.

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: Mr. Tom Decker, Southern Regional Sales Manager, American Suzuki Motor Corporation, 3075 Chastain Meadows Pkwy., N. W., Marietta, Georgia 30066.

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, Ural America A Division of Classic Motorcycles & Sidecars Inc., intends to allow the establishment of Ural of Orlando d/b/a Classic Motor Bikes of Orlando Inc., as a dealership for the sale of Ural motorcycles, at 1970 Semoran N. Semoran Boulevard, Winter Park (Orange County), Florida 32792, on or after February 23, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Ural of Orlando d/b/a Classic Motor Bikes of Orlando Inc., are: Roger W. Holler, Jr., Roger W. Holler III, Christopher A. Holler and Juliette E. Holler, 500 S. Park Avenue, Winter Park, Florida 32790.

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 Apachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Tom Spear, Manager/Dealer Development, Ural America A Division of Classic Motorcycles & Sidecars, Inc., I-90 Industrial Park, 8146 304th Avenue, S. E., Preston, WA 98050.

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.

METROPOLITAN PLANNING ORGANIZATIONS

The Hillsborough County MPO advertised in the Florida Administrative Weekly on January 15, 1999 for two new data collection consultants. A letter of interest was received from seven qualified firms/teams. Each of these seven firms/teams will have the opportunity to give an oral presentation to a technical review team. The oral presentations are scheduled for March 9, 1999.

The seven firms/teams are:

- Dames & Moore, Inc.
Sprinkle Consulting, Inc.
Tampa Bay Engineering, Inc.
TEI Engineers & Planners
Tindale Oliver & Associates, Inc.
URS Greiner, Inc.
Wilbur Smith Associates, Inc.

This information is also available on the Hillsborough MPO website at www.hillsboroughmpo.org. Future shortlist notifications will only be advertised at this internet address.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE ON REVISED MEDICAL PRACTICE PARAMETERS

These practice guidelines on the medical/surgical management of acute ischemic stroke are revised in liaison with the Florida Department of Health, in consultation with the Florida Stroke Medical/Surgical Guideline Committee, and are endorsed by the Agency for Health Care Administration (AHCA) pursuant to the Florida Health Care and Insurance Reform Act of 1993, Chapter 93-129, §408.02, Laws of Florida.

These voluntary guidelines are endorsed for information, education and review by the medical community, other professionals and the public.

These guidelines are not intended to be used as fixed protocols. They are strategies for patient management which are not entirely inclusive or exclusive of all methods of reasonable care that might obtain comparable results. They do permit the consideration of the unique exigencies of each individual and

for available resources. Many patients will require more treatment or less treatment. All patients require individual consideration.

Treatment must be based on patient need(s) as well as professional judgment. Therefore, these guidelines should be tailored to fit distinctive patient needs that are affected by the medical setting, by available resources and by other factors. Certain deviations may be justified by individual circumstances.

While standards are intended to be rigid and mandatory, making exceptions rare and troublesome to justify, guidelines are more flexible, but it is advisable that they be followed as closely as is prudent.

Guidelines are revisited every three years or less. Review is based on valid scientific evidence.

PRACTICE PARAMETER SUBJECT:
CEREBROVASCULAR SUBJECTS, STROKE

1st Update – Universe of Florida Patients with Ischemic “Brain Attack” Medical Practice Guidelines for the Management of Acute Ischemic Stroke in Adults Using Recombinant Tissue Plasminogen Activator (rt-PA) are hereby revised by the State of Florida Agency for Health Care Administration in liaison with the Florida Department of Health and the Florida Stroke Medical/Surgical Guideline Committee, 24 pages, March 5, 1999.

For technical information on these guidelines and to submit scientifically valid review comments, please contact: Christiane J. Guignard, R.N., M.S.N., Coordinator, Medical Guideline Development, Agency for Health Care Administration, Department of Health, EMS Bldg., 2020 Capital Circle, S. E., Bin C15, Tallahassee, Florida 32399-6470, (850)922-5855, Fax (850)414-6470, E-mail: Chris_Guignard@doh.state.fl.us

DEPARTMENT OF HEALTH

On February 18, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Joseph Robinson, R.C.P., license number TT 0003547. 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.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN February 16, 1999
 and February 22, 1999**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-61.002	2/16/99	3/8/99	24/48	
9B-61.003	2/16/99	3/8/99	24/48	

DEPARTMENT OF TRANSPORTATION

14-40.022	2/17/99	3/9/99	24/45	
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PUBLIC SERVICE COMMISSION

25-6.097	2/22/99	3/14/99	25/1	
25-7.083	2/22/99	3/14/99	25/1	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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REGIONAL PLANNING COUNCILS
South Florida Regional Planning Council

29J-1.0001	2/17/99	3/9/99	24/52	
29J-1.0002	2/17/99	3/9/99	24/52	
29J-1.0003	2/17/99	3/9/99	24/52	
29J-1.0004	2/17/99	3/9/99	24/52	
29J-1.0005	2/17/99	3/9/99	24/52	
29J-1.0006	2/17/99	3/9/99	24/52	
29J-1.0007	2/17/99	3/9/99	24/52	
29J-1.0008	2/17/99	3/9/99	24/52	
29J-1.0009	2/17/99	3/9/99	24/52	
29J-1.0010	2/17/99	3/9/99	24/52	
29J-1.0011	2/17/99	3/9/99	24/52	
29J-1.0012	2/17/99	3/9/99	24/52	
29J-1.0013	2/17/99	3/9/99	24/52	
29J-1.0014	2/17/99	3/9/99	24/52	
29J-1.0015	2/17/99	3/9/99	24/52	
29J-1.0016	2/17/99	3/9/99	24/52	
29J-1.0017	2/17/99	3/9/99	24/52	
29J-1.0018	2/17/99	3/9/99	24/52	
29J-1.0019	2/17/99	3/9/99	24/52	
29J-2.001	2/17/99	3/9/99	24/53	
29J-2.003	2/17/99	3/9/99	24/53	
29J-2.004	2/17/99	3/9/99	24/53	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Unemployment Appeals Commission

38E-5.014	2/19/99	3/11/99	25/2	
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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-3.010	2/17/99	3/9/99	24/48	
59G-4.320	2/17/99	3/9/99	24/44	25/1
59G-6.040	2/22/99	3/14/99	24/34	
59G-6.045	2/22/99	3/14/99	24/34	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Marine Resources**

62R-20.001	2/19/99	3/11/99	24/48	
62R-20.002	2/19/99	3/11/99	24/48	

DEPARTMENT OF HEALTH

Board of Dentistry

64B5-12.013	2/19/99	3/11/99	24/52	
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Board of Osteopathic Medicine

64B15-6.0038	2/18/99	3/10/99	24/43	25/3
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Section XIV
List of Rules Affected

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.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
				3C-100.960	24/52	22/9	25/6
				3C-560.106		23/30	25/6
				3C-560.607	23/12		
				3D-20.0021	24/42		25/2
				3D-20.0022	24/42		25/2
				3D-30.0051	22/43c		
				3D-30.0052	22/43c		
				3D-30.0053	22/43c		
				3D-30.0054	22/43c		
				3D-30.0055	22/48c		
					23/20c		
					24/31		25/8
					24/53		
				3D-30.025	24/18		
				3D-30.026	24/18		
				STATE			
				3D-40.099	22/29c		
				3D-40.100	22/29c		
1B-2.011	24/39	24/50	25/5	3D-40.101	22/29c		
1B-6.001	22/18			3D-40.105	22/29c		
				3D-40.106	22/29c		
				LEGAL AFFAIRS			
				3D-40.201	22/29c		
				3D-40.202	22/29c		
2ER98-1			24/48	3D-40.210	22/29c		
2-11.001	21/30c			3D-40.290	22/29c		
2-11.002	21/30c			3E-200.001(7)(a)(b)	20/8c		
2-11.003	21/30c			3F-5.0015	21/2c		
2-11.004	21/30c			3F-5.0016	21/2c		
2-11.006	21/30c			3F-6.003	25/9		
2-11.007	21/30c			3F-7.016	25/9		
2-40.004	24/52		25/5	3F-8.005		21/41	
2A-7.001	24/48		25/3		21/39c		
2A-7.002	24/48		25/3		22/51	23/9	
2A-7.003	24/48		25/3				
2A-7.004	24/48		25/4				
2A-7.005	24/48		25/3				
2A-7.006	24/48		25/3	4-121.001	24/41		25/3
2A-7.007	24/48		25/3	4-121.002	24/41		25/3
2A-7.008	24/48		25/3	4-121.003	24/41		25/3
2A-7.009	24/48		25/3	4-121.004	24/41		25/3
2B-1.001	24/36		25/1	4-121.005	24/41		25/3
2B-1.0025	24/36	24/47	25/1	4-121.006	24/41		25/3
2B-1.0027	24/36		25/1	4-121.008	24/41		25/3
2B-1.003	24/36		25/1	4-121.009	24/41		25/3
2B-1.004	24/36	24/47	25/1	4-121.020	24/41		25/3
2B-1.005	24/36	24/47	25/1	4-121.021	24/41		25/3
2B-1.0052	24/36		25/1	4-121.022	24/41		25/3
2B-1.0055	24/36		25/1	4-121.023	24/41		25/3
2B-1.007	24/36	24/47	25/1	4-121.030	24/41		25/3
				4-121.031	24/41		25/3
				BANKING AND FINANCE			
				4-121.032	24/41		25/3
				4-121.033	24/41		25/3
3A-44.020	24/47		25/3	4-121.034	24/41		25/3
3A-68.005	20/40			4-121.035	21/5c		
3C-1.022	21/25				24/41		25/3
3C-100.061	24/52		25/6	4-121.036	24/41		25/3

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-121.037	24/41		25/3	4-149.007	23/45		
4-121.040	24/41		25/3		24/46		
4-121.041	24/41		25/3	4-149.008	23/45		
4-121.042	24/41		25/3		24/46		
4-121.043	24/41		25/3	4-149.009	23/45		
4-121.052	24/41		25/3		24/46		
4-121.060	24/41		25/3	4-149.010	23/45		
4-121.061	24/41		25/3		24/46		
4-121.062	24/41		25/3	4-149.020	23/45		
4-121.063	24/41		25/3		24/46		
4-121.064	24/41		25/3	4-149.021	20/49c		
4-121.065	24/41		25/3		23/45		
4-121.067	24/41		25/3		24/46		
4-121.068	24/41		25/3	4-149.022	23/45		
4-121.069	24/41		25/3		24/46		
4-121.070	24/41		25/3	4-149.023	23/45		
4-121.071	24/41		25/3		24/46		
4-121.072	24/41		25/3	4-149.024	23/45		
4-121.073	24/41		25/3		24/46		
4-121.074	24/41		25/3	4-149.030	23/45		
4-121.075	24/41		25/3		24/46		
4-121.076	24/41		25/3	4-149.031	23/45		
4-121.080	24/41		25/3		24/46		
4-121.081	24/41		25/3	4-149.032	23/45		
4-121.082	24/41		25/3		24/46		
4-121.084	24/41		25/3	4-149.033	23/45		
4-121.085	24/41		25/3		24/46		
4-121.086	24/41		25/3	4-149.034	23/45		
4-137.001	25/2				24/46		
4-137.010	24/43	25/1		4-149.035	23/45		
4-138.001	25/2				24/46		
4-138.002	23/33	24/18		4-149.037	23/45		
4-138.005	24/52				24/46		
4-138.044	25/2			4-149.038	23/45		
4-141.020	20/11c				24/46		
	20/11c			4-149.039	23/45		
4-141.021	20/11c				24/46		
	20/11c			4-149.040	23/45		
4-149	24/3c				24/46		
	24/3c			4-149.041	23/45		
	24/28c				24/46		
4-149.001	23/45			4-149.043	23/45		
	24/46				24/46		
4-149.002	23/45			4-149.051	23/45		
	24/46				24/46		
4-149.003	23/45			4-149.052	23/45		
	24/46				24/46		
4-149.004	23/45			4-149.053	23/45		
	24/46				24/46		
4-149.005	23/45			4-149.101	23/45	24/31	
	24/46				24/3c		
4-149.006	23/45				24/3c		
	24/46				24/46		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.102	23/45 24/3c 24/3c 24/46	24/31		4-149.120	23/45 24/3c 24/3c 24/46	24/31	
4-149.103	23/45 24/3c 24/3c 24/46	24/31		4-149.121	23/45 24/3c 24/3c 24/46	24/31	
4-149.104	23/45 24/3c 24/3c 24/46	24/31		4-149.122	23/45 24/3c 24/3c 24/46	24/31	
4-149.105	23/45 24/3c 24/3c 24/46	24/31		4-149.123	23/45 24/3c 24/3c 24/46	24/31	
4-149.106	23/45 24/3c 24/3c 24/46	24/31		4-149.124	24/3c		
4-149.107	23/45 24/3c 24/3c 24/46	24/31		4-149.125	24/3c		
4-149.108	23/45 24/3c 24/3c 24/46	24/31		4-149.126	24/3c		
4-149.109	23/45 24/3c 24/3c 24/46	24/31		4-149.127	24/3c		
4-149.110	23/45 24/3c 24/3c 24/46	24/31		4-149.128	24/3c		
4-149.1105	23/45 24/3c	24/31		4-149.129	24/3c		
4-149.111	23/45 24/3c 24/3c 24/46	24/31		4-149.130	23/45 24/3c	24/31	
4-149.112	23/45 24/3c 24/3c 24/46	24/31		4-149.131	24/3c 24/46 23/45 24/3c	24/31	
4-149.113	24/3c 24/3c			4-149.132	24/46 23/45 24/3c	24/31	
4-149.114	24/3c			4-149.1325	24/20	24/20	
4-149.115	24/3c			4-149.133	23/45 24/3c 24/3c 24/46	24/31	
4-149.116	24/3c			4-149.150	23/45	24/31	
4-149.117	24/3c			4-149.151	23/45 24/46	24/31	
4-149.118	24/3c			4-149.152	23/45	24/20 24/31	
4-149.119	24/3c			4-149.190	24/46 23/45 24/3c 24/46		
				4-150.002	24/30	25/8	
				4-150.003	24/30	25/8	
				4-150.005	24/30	25/8	
				4-150.006	24/30		
				4-150.013	24/30	25/8	
				4-150.016	24/30	25/8	
				4-150.016(4)	24/40c		
				4-150.017	24/30		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-150.018	24/30			4-157.001	23/10	23/42	
4-150.019	24/30			4-157.002	23/10	23/42	
4-150.102	24/30	25/8		4-157.002(2)	23/19c		
4-150.102(2)(a)	24/40c			4-157.004	23/10	23/42	
4-150.103		22/10		4-157.004(2)(b)	23/19c		
	24/30	25/8		4-157.004(4)	23/19c		
4-150.105		22/10		4-157.017	23/10	23/42	
	24/30	25/8		4-157.022	23/10	23/42	
4-150.106		22/10		4-157.022(1)(b)	23/19c		
	24/30	25/8		4-157.022(1),			
4-150.107		22/10		(2)(c),(4)	23/52c		
4-150.114		22/10		4-157.022(2)	23/19c		
	24/30	25/8		4-157.022(3)	23/19c		
4-150.114(1)	24/40c			4-157.022(4)	23/19c		
4-150.117		22/10		4-157.022(5)	23/19c		
4-150.118	24/30			4-157.023	23/10	23/42	
4-150.119	20/43	21/38		4-157.023(1)(b)	23/52c		
		22/10		4-170.014	24/41		25/3
	24/30			4-170.0141	24/41		25/3
4-150.120	24/30			4-170.016	22/36c		
4-150.202	24/30	25/8		4-170.0165	22/36c		
4-150.203	24/30	25/8		4-171.003	24/41		
4-150.205	24/30			4-171.005	24/41		
4-150.213	24/30	25/8		4-171.006	24/41		
4-150.215	24/30			4-175.003	24/41		25/3
4-150.216	24/30			4-175.011	20/8c		
4-150.217	24/30				20/20c		
4-150.218	24/30			4-175.013	21/5c		
4-154.101	24/45			4-190.030	24/44	24/51	
4-154.102	24/45			4-190.030(8),(20)	25/4c		25/5d
4-154.104	24/45			4-190.031	24/44		
4-154.106	24/52			4-190.035	24/44		
4-154.108	24/45			4-190.036	24/44		
4-154.109	24/45			4-190.037	24/44		
4-154.110	24/45			4-190.038	24/44		
4-154.111	24/45			4-190.039	24/44		
4-154.112	24/45			4-190.056	24/44		
4-154.113	24/45			4-190.057	24/44		
4-154.114	23/52c			4-190.058	24/44		
4-154.115	24/45			4-190.059	24/44		
4-154.116	24/45			4-190.0591	24/44		
4-154.201	24/41			4-190.060	24/44		
4-154.202		25/7		4-190.061	24/44		
4-154.203	24/41	25/1		4-190.062	24/44		
4-154.204		25/7		4-190.063	24/44		
4-154.205	24/41			4-190.064	24/44		
4-154.206	24/41			4-190.065	24/44		
4-154.210	24/41			4-190.066	24/44	24/51	
4-154.410	23/52c				25/4c		25/5d
4-154.512	23/52c			4-190.067	24/44		
4-154.520	24/3c			4-190.068	24/44		
	24/49	25/8		4-190.069	24/44		
	25/5c			4-190.071	24/44		
	25/5c			4-190.072	24/44		
	25/5c			4-190.073	24/44		

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4-190.074	24/44			4-196.030(5),			
4-192.023	18/17c			(8)(b)(d)(e)	20/43c		
4-192.038	18/17c			4-196.031	20/43c		
4-192.053	18/17c			4-196.032	20/43c		
4-192.058	18/17c			4-196.033	20/43c		
4-196.001	20/43c			4-196.034	20/43c		
	20/43c			4-196.035	20/43c		
	20/49c				20/49c		
4-196.002	20/43c			4-196.036	20/43c		
	20/43c			4-196.037	20/43c		
	20/43c			4-196.038	20/43c		
	20/49c			4-196.039	20/43c		
4-196.003	20/43c			4-196.040	20/43c		
	20/43c				20/43c		
	20/49c				20/49c		
4-196.004	20/43c			4-211.002	24/40		
4-196.005	20/43c			4-211.006	24/47		25/8w
4-196.006	20/43c			4-213.050	19/30c		
	20/49c			4-213.080	19/30c		
4-196.007	20/43c			4-213.090	19/30c		
	20/49c			4-213.100	19/30c		
4-196.008	20/43c			4-213.120	19/30c		
4-196.009	20/43c			4-223.001	18/31c		
	20/49c				18/31c		
4-196.009(2)	20/43c				18/31c		
4-196.010	20/43c				18/31c		
	20/43c				18/31c		
	20/49c				18/31c		
4-196.011	20/43c				18/31c		
4-196.012	20/43c			4-223.002	18/31c		
4-196.013	20/43c				18/31c		
4-196.014	20/43c				18/31c		
4-196.015	20/43c				18/31c		
4-196.016	20/43c				18/31c		
4-196.017	20/43c				18/31c		
4-196.018	20/43c				18/31c		
4-196.019	20/43c			4-223.003	18/31c		
4-196.020	20/43c				18/31c		
4-196.021	20/43c				18/31c		
4-196.022	20/43c				18/31c		
4-196.023	20/43c				18/31c		
4-196.024	20/43c				18/31c		
	20/43c				18/31c		
	20/43c			4-223.004	18/31c		
	20/43c				18/31c		
4-196.025	20/43c				18/31c		
4-196.026	20/43c				18/31c		
4-196.027	20/43c				18/31c		
4-196.028	20/43c				18/31c		
	20/43c				18/31c		
	20/43c			4-223.005	18/31c		
	20/49c				18/31c		
4-196.029	20/43c				18/31c		
4-196.030	20/43c				18/31c		
	20/43c				18/31c		
	20/49c				18/31c		

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4-223.005(1)(g)	18/31c			4-224.013	23/33c		
4-223.006	18/31c				23/33c		
	18/31c				23/33c		
	18/31c			4-224.014	23/33c		
	18/31c				23/33c		
	18/31c				23/33c		
	18/31c			4-228.180	19/51	20/13	
	18/31c			4A-45.001	25/1		
4-223.006(2)(d)	18/31c			4A-45.004	25/1		
4-223.007	18/31c			4A-45.006	25/1		
	18/31c			4A-45.007	25/1		
	18/31c			4A-45.008	25/1		
	18/31c			4A-45.009	25/1		
	18/31c			4A-45.010	25/1		
	18/31c			4A-45.011	25/1		
4-223.008	18/31c			4A-45.012	25/1		
	18/31c			4A-45.013	25/1		
	18/31c			4A-45.014	25/1		
	18/31c			4A-45.015	25/1		
	18/31c			4A-45.016	25/1		
	18/31c			4A-45.017	25/1		
	18/31c			4A-51.035	24/45		25/3
	18/31c			4A-53.001	16/25		
4-223.009	18/31c			4A-53.002	16/25		
	18/31c			4A-53.003	16/25		
	18/31c			4A-53.004	16/25		
	18/31c			4C-2.004	24/45	25/5	
	18/31c			4C-2.009	24/45		
	18/31c			4C-2.0095	24/45	25/5	
	18/31c			4C-2.022	24/45		
4-223.010	18/31c			4C-2.023	24/45		
	18/31c			4C-2.026	24/45	25/5	
	18/31c			4C-2.032	24/45		
	18/31c			4C-4.001	24/30		25/3
	18/31c			4C-4.002	24/30		25/3
	18/31c			4C-4.003	24/30	24/48	25/3
	18/31c			4C-4.0035	24/30		25/3
4-223.011	18/31c			4C-4.004	24/30	24/48	25/3
	18/31c			4C-4.0045	24/30	24/48	25/3
	18/31c			4C-4.007	24/30		25/3
	18/31c			4C-4.008	24/30		25/3
	18/31c			4C-4.009	24/30		25/3
	18/31c			4C-4.010	24/30		25/3
4-223.011(4)(a)3.	18/31c			4J-1.021	20/30c		
4-223.032	24/40	24/48	25/3		20/30c		
		24/51	25/3		20/30c		
4-223.038	21/35			4J-1.022	25/6		
4-224.002	23/33c			4J-2.002	20/30c		
4-224.004	23/33c				20/30c		
	23/33c			4J-5.006	20/15c		
4-224.012	23/33c			AGRICULTURE AND CONSUMER SERVICES			
	23/33c			5B-60.001	24/19		25/8w
	23/33c			5B-60.003	24/19		25/8w
				5B-60.004	24/19		25/8w

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5B-60.005	24/19		25/8w	5I-4.010	20/47		
5B-60.006	24/19		25/8w	5J-3.005	19/48		
5B-60.007	24/19		25/8w	5J-3.006	19/48		
5B-60.009	24/19		25/8w	5J-9.006	19/26		
5B-60.010	24/19		25/8w	5J-12.005	25/2		
5B-60.011	24/19		25/8w				
5B-60.012	24/19		25/8w				
5B-60.015	24/19		25/8w				
5B-60.016	24/19		25/8w	6A-1.0011	20/34		
5C-3.002	21/7			6A-1.043	24/53		
5C-3.003	21/7			6A-1.04512	25/7		
5C-3.004	21/7			6A-1.0761	24/17		
5C-3.005	21/7			6A-1.09411	24/53		
5C-3.008	21/7			6A-1.09412	25/7		
5C-3.013	21/7			6A-1.09422	24/43	24/50	25/2
5C-3.014	21/7			6A-1.09441	25/7		
5C-3.015	21/7			6A-1.095	24/53		
5D-1.003	21/38			6A-1.0951	24/53		
5D-1.0061	21/13			6A-1.0953	24/53		
5F-8.001	24/42	24/53	25/5	6A-1.09532	24/53		
5F-8.0011	24/42		25/5	6A-1.09981	24/43	24/50	25/2
5F-8.0012	24/42	24/53	25/5	6A-3.075	20/38		
5F-8.002	24/42		25/5	6A-4.0006(2)(b),			
5F-8.003	24/42		25/5	(3)(c)	23/4c		
5F-8.004	24/42		25/5	6A-4.006(2)(b),			
5F-8.005	24/42		25/5	(3)(c)	24/28c		
5F-8.0051	24/42		25/5		25/5c		
5F-8.006	24/42		25/5	6A-4.0161	24/17		
5F-8.007	24/42		25/5	6A-4.01761	24/28c		
5F-8.008	24/42		25/5		25/5c		
5F-8.009	24/42		25/5	6A-6.03012(5)(6)	25/5c		
5F-8.010	24/42		25/5	6A-6.03030	19/40		
5F-8.011	24/42		25/5	6A-6.03031	19/40		
5F-8.012	24/42		25/5	6A-6.080	16/30		
5F-8.013	24/42	24/53	25/5	6A-7.0321	20/34		
5F-8.014	24/42		25/5	6A-7.065	24/53		
5F-8.0141	24/42		25/5	6A-7.075	24/53		
5F-8.0142	24/42		25/5	6A-7.097	24/53		
5F-8.015	24/42		25/5	6A-10.013	24/53		
5F-8.016	24/42		25/5	6A-10.020	24/53		
5F-8.023	24/42		25/5	6A-10.021	24/53		
5F-8.025	24/42	24/53	25/5	6A-10.0243	19/36	19/42	
5F-8.050	24/42		25/5	6A-10.037	24/53		
5F-11.002	24/53			6A-10.040	24/43	24/50	25/2
5F-11.004	24/53			6A-14.0734	24/45	24/52	25/5
5F-11.028	24/53			6A-16.004	24/53		
5H-1.001	22/11c			6A-16.006	19/36	19/42	
	22/11c			6A-16.008	19/36	19/42	
	22/11c			6A-16.009	19/36	19/42	
	22/12c			6A-16.016	19/36	19/42	
	22/12c			6C-8.007	21/33		
	22/12c			6C-14.002	24/43		25/1
5H-12.001	21/10			6C-14.0025	24/43		25/1
5I-3.004	21/11			6C-14.004	24/43		25/1
5I-4.008	20/47			6C-14.005	24/43		
5I-4.009	20/47			6C-14.0055	24/43		25/1

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6C-14.007	24/43		25/1	6E-1.0034	24/42		
6C-14.018	24/43		25/1	6E-1.0035	24/42		
6C-14.020	24/43		25/1	6E-1.0045	24/42		
6C-14.021	24/43		25/1	6E-2.008	24/42		
6C-14.022	24/43		25/1	6H-1.004	15/41		
6C-14.023	24/43		25/1	6H-1.015	25/4		
6C-18.003	24/43		25/1	6H-1.021	24/32		
6C-18.004	24/43		25/1	6H-1.031	24/32		
6C-18.005	24/43		25/1				
6C-18.006	24/43		25/1				
6C-18.007	24/43		25/1				
6C-18.008	24/43		25/1	9B-43.003	25/5		
6C-18.009	24/43		25/1	9B-43.004	25/5		
6C-18.010	24/43		25/1	9B-43.005	21/7c		
6C-18.011	24/43		25/1	9B-43.006	25/5		
6C-18.013	24/43		25/1	9B-43.007	25/5		
6C-18.014	24/43		25/1	9B-43.009	25/5		
6C-18.015	24/43		25/1	9B-43.011	21/43	22/46	
6C-18.016	24/43		25/1	9B-43.014	22/38		
6C-18.018	24/43		25/1		25/5		
6C-18.019	24/43		25/1	9B-50.003	24/51		
6C-18.020	24/43		25/1	9B-50.004	24/51		
6C-18.022	24/43		25/1	9B-50.022	24/51		
6C-18.023	24/43		25/1	9B-61.002	24/48		25/9
6C-18.024	24/43		25/1	9B-61.003	24/48		25/9
6C-18.025	24/43		25/1	9I-29.001	18/49		
6C-18.026	24/43		25/1	9I-29.0085	18/49		
6C-18.028	24/43		25/1	9I-29.0086	18/49		
6C-18.030	24/43		25/1	9I-31.005	16/35		
6C-18.035	24/43		25/1	9I-31.011	16/35		
6C-18.040	24/43		25/1	9I-34.009	19/22	19/29	
6C-18.045	24/43		25/1	9I-35.006	19/31	19/43	
6C-18.050	24/43		25/1	9I-38.002	23/46	24/7	
6C-18.055	24/43		25/1	9I-38.0025	23/46	24/7	
6C-18.060	24/43		25/1	9I-38.003	23/46	24/7	
6C-18.065	24/43		25/1	9I-38.004	23/46	24/7	
6C-18.070	24/43		25/1	9I-38.005	23/46	24/7	
6C2-5.0021	20/47c			9I-38.006	23/46	24/7	
6C4-1.005	Newspaper		25/4	9I-38.007	23/46	24/7	
6C7-1.0121	Newspaper		25/8	9I-38.008	23/46	24/7	
6C7-1.0123	Newspaper		25/8	9I-38.009	23/46	24/7	
6C7-1.0124	Newspaper		25/8	9I-38.010	23/46	24/7	
6C7-1.013	Newspaper		25/8	9I-38.011	23/46	24/7	
6C7-1.015	Newspaper		25/8	9I-38.012	23/46	24/7	
6C7-1.016	Newspaper		25/8	9I-38.013	23/46	24/7	
6C10-4.001	Newspaper		25/1	9I-38.014	23/46	24/7	
6C10-4.002	Newspaper		25/1	9I-38.0145	23/46	24/7	
6C10-4.003	Newspaper		25/1	9I-38.015	23/46	24/7	
6C10-4.004	Newspaper		25/1	9I-38.016	23/46	24/7	
6C10-4.005	Newspaper		25/1	9I-38.065	23/46	24/7	
6D-3.003	21/35			9I-44.001	23/47	24/7	
6D-13.001	24/33			9I-44.002	23/47	24/7	
6E-1.003	24/42			9I-44.003	23/47	24/7	
6E-1.0031	24/42			9I-44.004	23/47	24/7	
6E-1.0032	24/42			9I-44.005	23/47	24/7	
				9I-44.006	23/47	24/7	

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9I-44.007	23/47	24/7		9M-1.007	24/51		
9I-44.008	23/47	24/7		9M-1.009	24/51		
9I-44.009	23/47	24/7		HEALTH AND REHABILITATIVE SERVICES			
9I-44.010	23/47	24/7		10-5.011(1)(o)	16/4		
9I-44.011	23/47	24/7		10-5.011(1)(p)	16/4		
9I-45.006	21/17			10-5.011(1)(v)	15/46c		
9I-47.035	23/25			10-23.006	22/2		
9J-5.001	24/33			10-23.010	22/2		
9J-5.003	24/33	24/49 25/2		10-23.011	22/2		
9J-5.005	24/33			10-24.001	22/2		
9J-5.0053	24/33	24/49 25/2		10-24.002	22/2		
9J-5.0055	18/40 24/33			10A-5	21/5c		
9J-5.006	24/33			10A-17.001	24/45		25/7
9J-5.011	24/33			10A-17.002	24/45		25/7
9J-5.015	24/33			10A-17.003	24/45		25/7
9J-5.019	24/33			10A-17.004	24/45		25/7
9J-5.022	24/33	24/49 25/2		10A-17.005	24/45		25/7
9J-5.023		25/2	25/2w	10A-17.006	24/45		25/7
9J-5.024	24/33	24/49 25/2		10A-17.007	24/45		25/7
9J-8.004	22/39			10A-17.008	24/45		25/7
9J-8.006	22/39			10CER92-4		19/13 19/25 19/38 19/52	
9J-9.004	23/12			10C-1.113	18/6		
9J-9.004(3)	23/28c		25/3d	10C-1.601	20/26		
9J-9.006	19/6			10C-7.042	18/21	20/2	
9J-9.010	20/16			10C-7.0529	19/18		
9J-9.011	21/31			10C-7.069	19/18		
9J-9.012	21/31 21/39c			10C-8.011-.304	23/7c		
9J-11.004	24/45	25/7		10C-8.303	22/35		
9J-11.006	24/45	25/7		10C-25.016	20/20		
9J-11.008	24/45	25/7		10C-32.002	20/48		
9J-11.009	24/45	25/7		10C-32.200	20/48		
9J-11.010	24/45	25/7		10D-5.092	19/22		
9J-11.011	24/45	25/7		10D-5.093	19/22		
9J-11.012	24/45	25/7		10D-5.094	19/22		
9J-11.0131	24/45	25/7		10D-5.095	19/22		
9J-11.015	24/45	25/7		10D-5.096	19/22		
9J-11.018	24/45	25/7		10D-5.097	19/22		
9J-11.019	24/45	25/7		10D-5.098	19/22		
9J-11.021	24/45	25/7		10D-5.099	19/22		
9J-14.017	19/44c			10D-5.100	19/22		
9J-14.027	21/13	22/42		10D-5.101	19/22		
9J-33.003	25/2			10D-5.102	19/22		
9J-33.004	25/2			10D-5.103	19/22		
9J-33.005	25/2			10D-5.104	19/22		
9J-41.003	20/47			10D-5.105	19/22		
9M-1.002	24/51			10D-5.106	19/22		
9M-1.003	24/51			10D-5.107	19/22		
9M-1.004	24/51			10D-5.108	19/22		
9M-1.0045	24/51			10D-5.109	19/22		
				10D-5.110	19/22		
				10D-5.111	19/22		

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10D-5.112	19/22			10P-4.250(4)	19/28c		
10D-5.113	19/22			10Q-5.022	19/41		
10D-5.114	19/22			LAW ENFORCEMENT			
10D-5.115	19/22						
10D-5.116	19/22			11B-18.004	18/40		
10D-5.117	19/22			11B-18.0051	18/40		
10D-5.118	19/22			11B-27.004	19/22		
10D-5.119	19/22			11B-30.014	19/40		
10D-5.120	19/22			11D-8.005	22/40		
10D-6	20/39c			REVENUE			
	22/12c						
10D-6.041(11)	20/11c						
10D-6.046(7)(a)(b)(e)	20/11c			12-18.001	24/50		
10D-6.046(7)(f)2.	20/11c			12-18.002	24/50		
10D-6.0471(1)(a)	20/11c			12-18.003	24/50		
10D-6.048(5)	20/11c			12-18.004	24/50		
10D-13.0293	19/4			12-18.005	24/50		
10D-41.072	15/14			12-18.006	24/50		
10D-41.076	15/14			12-18.008	24/50		
10D-42.023	19/19			12-21.050	24/50		
10D-42.024	19/19			12-21.201	24/50		
10D-42.025	19/19			12-21.203	24/50		
10D-42.026	19/19			12-21.204	24/50		
10D-42.027	19/19			12-21.205	24/50		
10D-42.028	19/19			12-21.206	24/50		
10D-42.029	19/19			12-21.207	24/50		
10D-42.030	19/19			12-26.009	21/6c		
10D-42.031	19/19			12A-1.001	20/43c		
10D-42.032	19/19			12A-1.001(3)	20/43c		
10D-42.033	19/19			12A-1.001(3)(g)	20/43c		
10D-45	22/12c			12A-1.055	19/43		
10D-45.049	22/6			12A-1.070	20/17c		
10D-72.016	15/12	15/12		12B-5.013	22/36		
10D-105.001	16/50	17/7		12B-5.014	22/36		
10D-105.002	17/3c			12B-8	23/8c		
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10D-105.003	17/3c				19/39c		
	17/3c				19/39c		
10D-105.004	17/3c				21/41		
10D-105.007	17/3c			12B-8.003	23/7c		
10D-111.002	17/18			12B-8.016	23/7c		
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10D-115.001	22/8			12C-1.011(1)(v)	19/50c		
10D-125.005	20/13	20/34			19/50c		
10J-8.014	20/26c			12D-8.001	24/41	24/51	25/3
	20/29c			12D-8.0062	21/14c		
10L-12.002	23/7			12D-8.009	24/41	24/51	25/3
10M-1.003	18/12			12D-13.006	22/36	22/43	
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	24/46		25/5	14-85.004	25/6		
	25/3			14-96	21/2c		
14-15.010	24/52		25/4	14-96.0011	24/41	24/51	25/7w
14-17.011	17/49	17/50			25/7		
14-22.0011		21/6	25/1	14-96.007	24/41	24/51	25/7w
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14-22.012		21/6	25/6	14-96.011	24/41		25/7w
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		24/53	25/6	14-96.012	24/41	24/51	25/7w
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14-25.024	24/41		25/1	14-98.005	24/41		25/1
14-25.025	24/41		25/1	14-103.009	24/41		25/1
14-25.026	24/41		25/1	14A-1.013	24/41		25/1
14-26.009	24/29	24/32		14B-1.001	25/6		
14-26.014	24/41		25/1	14B-1.002	25/6		
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14-35.0011	24/41		25/1	14B-1.004	25/6		
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14-40.022	24/45		25/9	15C-1.01031	24/49	25/5	
14-40.030	23/32	23/49	25/2	15C-1.0104	24/49	25/5	
		24/1	25/2	15C-1.0107	24/49	25/5	
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14-46.001	22/25c			15C-2.0041	24/49		
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14-46.0011	25/2			15C-2.0072	24/49	25/7	
14-48.009	24/41	24/48	25/1	15C-2.0073	24/49	25/7	
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14-63.011	24/41	24/51	25/7w		20/40c		
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17-4.246	15/14c			17-701.620	19/33	19/37	
17-17.701	20/15c			17-701.630	19/33	19/37	
17-29.080	20/21	21/22		17-701.640	19/33	19/37	
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17-213.420	19/33	19/41		17-703.510	20/17		
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17-312	20/26c			17-773.900	17/39	17/46	
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17-330.200(3)(a)				18-21.019	24/15		
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17-331	20/26c			18-23.004	20/14	20/27	
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17-503.430	16/15			19B-4.001	24/51		25/6
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17-625.700	20/28	20/45		19B-6.001	22/13		
17-660.300	15/50	16/8			24/51		25/6
17-671.100	15/32			19B-8.001	25/4		
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20-94.003	24/45		25/2	25-21.022	18/24		
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21M-50.002	19/6c						
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25-24.515	24/38	24/50	25/4	29J-1.0007	24/52		25/9
		25/1	25/4	29J-1.0008	24/52		25/9
25-24.516	24/38	24/50	25/4	29J-1.0009	24/52		25/9
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25-24.610	24/29	24/50	25/4	29J-1.0012	24/52		25/9
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25-30.010	24/53			29J-1.0014	24/52		25/9
25-30.011	24/53			29J-1.0015	24/52		25/9
25-30.060	22/38			29J-1.0016	24/52		25/9
25-30.420	24/24	25/8		29J-1.0017	24/52		25/9
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28-24.036	19/40	19/43		33-3.018	17/14		
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29F-1.0042	24/45	25/5			22/23c		
29F-1.005	24/45			33-5.002	22/23c		
29F-1.104	24/45			33-5.003	22/23c		
29F-1.1042	24/45			33-5.004	22/23c		
29F-1.105	24/49			33-5.005	22/23c		
29J-1.0001	24/52		25/9	33-5.006	22/23c		
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33-5.012	22/23c			38J-1.004(1)	24/10c		
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33-11.0065	24/18			38J-1.006(2)	24/10c		
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33-15.004	22/23c			38K-1.0045	23/27		
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33-24.011	25/3			39-9.007	25/6		
33-25.031	20/11c			39-14.002	25/6		
33-29.005	24/50		25/6	39-15.004	25/6		
33-29.006	24/50		25/6	39-15.005	25/6		
33-29.007	24/50		25/6	39-15.061	25/6		
33-29.013	24/50		25/6	39-15.062	25/6		
33-29.015	24/50		25/6	39-15.063	25/6		
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38F-6.009	24/47	25/4			19/33c		
38F-6.012	24/47	25/4		39-27.005(26)(27)	19/33c		
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38F-8.055	22/4			40B-1.706	24/52		
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38H-14.010	25/1			40B-3.011	24/52	25/8	
38H-14.011	25/1			40B-3.021	24/52	25/8	
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40B-3.039	24/52	25/8		40C-4.381		21/39	25/1
40B-3.0391	24/52	25/8			24/40		25/1
40B-3.040	24/52	25/8		40C-5.101	24/40		25/1
40B-3.041	24/52	25/8		40C-5.301	24/40		25/1
40B-3.051	24/52	25/8		40C-6	20/26c		
40B-3.0511	24/52	25/8			20/26c		
40B-3.101	24/52	25/8		40C-20	21/47c		
40B-3.201	24/52	25/8		40C-22	21/47c		
40B-3.301	24/52	25/8		40C-40	20/26c		
40B-3.321	24/52	25/8			20/26c		
40B-3.341	24/52	25/8		40C-40.302	24/40		25/1
40B-3.411	24/52	25/8		40C-41.011	23/12c		
40B-3.451	24/52	25/8			23/12c		
40B-3.461	24/52	25/8		40C-41.023	23/12c		
40B-3.492	24/52	25/8			23/12c		
40B-3.500	24/52	25/8		40C-41.033	23/12c		
40B-3.502	24/52	25/8			23/12c		
40B-3.504	24/52	25/8		40C-41.043	23/12c		
40B-3.507	24/52	25/8			23/12c		
40B-3.512	24/52	25/8		40C-41.051	23/12c		
40B-3.517	24/52	25/8			23/12c		
40B-3.521	24/52	25/8		40C-41.063	23/12c		
40B-3.525	24/52	25/8			23/12c		
40B-3.531	24/52	25/8		40C-42	20/26c		
40B-3.902	24/52	25/8			20/26c		
40B-4	20/26c			40C-42.091	24/40		25/1
	20/26c			40C-43	20/26c		
40B-400	20/26c				20/26c		
	20/26c			40C-44	20/26c		
40C-1	20/26c				20/26c		
	20/26c			40C-44.091	24/40		25/1
	21/47c			40C-400	20/26c		
40C-1.1008	24/40		25/1		20/26c		
40C-1.181	20/18			40C-400.201	21/48	21/48	
40C-2	21/47c			40C-400.447		21/39	25/1
40C-2.101	24/40	24/48	25/5		24/40		25/1
	25/5c			40C-400.500		21/39	25/1
40C-4	20/26c				24/40		25/1
	20/26c			40D-0.201	20/3		
40C-4.051	24/52			40D-1.202	19/36	19/42	
40C-4.091		21/22	25/1	40D-1.602	20/29c		
		21/39	25/1	40D-1.659	24/36		25/6
	24/40		25/1				
	24/52	25/8					

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
40D-2	20/44c			40D-2.801	20/44c		
	20/44c				20/48	21/44	
	20/44c					24/7	
	20/44c			40D-3.521	24/40		25/5
	20/44c			40D-4	25/4c		25/5d
	20/44c			40D-4.041	20/24c		
	20/44c			40D-4.042	20/24c		
	20/44c			40D-4.051	20/24c		
	20/44c			40D-4.091	20/24c		
	20/47c				20/24c		
	20/47c				22/48		
	20/47c				24/36	24/53	
	20/47c				24/48		
	20/47c				25/3		
	20/47c				25/4c		25/5d
	20/47c			40D-4.201	21/22		
	20/47c			40D-4.301	20/24c		
	20/47c				20/24c		
	20/47c			40D-4.381	20/24c		
	20/47c			40D-6.521	24/50		
	20/47c			40D-8	20/44c		
	20/47c				20/44c		
	21/5c				20/44c		
	21/5c				21/5c		
	21/5c				21/5c		
	21/5c				21/5c		
	21/5c				21/5c		
	21/5c				25/4c		25/5d
	21/5c			40D-8.011	24/48		
	21/5c				25/4c		25/5d
	21/5c			40D-8.021	24/48		
	21/5c				25/4c		25/5d
	21/5c			40D-8.031	24/48		
	21/26c				25/4c		25/5d
	25/4c		25/5d	40D-8.041	21/5c		
40D-2.031	20/48				23/38	24/48	
40D-2.041	20/48				25/4c		25/5d
40D-2.091	20/44c			40D-8.0410	24/48		
	20/48	20/52		40D-8.091	25/4c		25/5d
	22/48			40D-8.603	24/48		
	24/48				25/4c		25/5d
	25/4c		25/5d	40D-8.605	24/48		
40D-2.101	20/48				25/4c		25/5d
40D-2.301	22/48			40D-8.611	24/48		
	24/48				25/4c		25/5d
	25/4c		25/5d	40D-8.613	24/48		
40D-2.321	20/48				25/4c		25/5d
40D-2.331	20/48			40D-8.616	24/48		
40D-2.381	20/48				25/4c		25/5d
40D-2.501	20/48			40D-8.621	24/48		
40D-2.601	20/44c				25/4c		25/5d
	20/48			40D-8.623	24/48		
40D-2.621	20/44c			40D-8.624	23/38	24/48	
	20/48				24/48		
40D-2.628	20/44c				25/4c		25/5d
				40D-8.6240	23/38	24/48	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
40D-8.626	24/48			40E-400	20/24c		
	25/4c		25/5d		20/24c		
40D-8.628	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
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	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	21/5c				21/6c		
	21/5c				21/6c		
	21/21c				21/6c		
	21/21c				21/6c		
	21/21c				21/6c		
	21/21c				21/6c		
40D-8.628(1)	21/12c				21/6c		
40D-45.341	19/42	20/3			21/6c		
40D-80.011	24/48				21/6c		
40D-80.073	24/48				21/6c		
40E-1	20/24c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
40E-1.510	20/18	21/36			21/6c		
40E-1.603	19/4c				21/6c		
40E-1.606	19/4c				21/6c		
40E-1.607	19/43				21/6c		
40E-1.6105	19/4c				25/3		
40E-1.612	20/18	21/36			21/6c		
40E-1.614	20/18	21/36			21/6c		
40E-1.659	19/4c				21/6c		
40E-4	20/24c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
40E-6	20/26c				21/6c		
40E-7.639	22/23	22/37			21/6c		
40E-40	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
40E-41	20/24c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				21/6c		
	20/26c				25/3		
40E-63.102	25/6				24/45		25/8
					24/45	24/52	25/8
					24/45		25/8

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

EXPRESSWAY AUTHORITIES

MARINE FISHERIES COMMISSION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
46-14.005	25/3			46-45.001	25/3		
46-15.002	21/35			46-45.004	25/3		
46-17.001	20/8c			46-47.007	22/27		
46-17.002	20/8c			46-53.001	24/45		25/8
46-17.003	20/8c			46-53.002	24/45	25/2	25/8
46-17.0031	20/8c			46-53.003	24/45		25/8
46-17.005	20/8c			THE CONSOLIDATED TAXICAB COMMISSION			
46-17.007	20/8c			51U-8.021	23/24		
46-21.007(1)	18/2			LOTTERY			
46-22.005	23/44			53ER98-51			24/45
46-22.006	23/29	24/27		53ER98-52			24/45
46-23.001	21/6c			53ER98-53			24/46
46-23.002	21/6c			53ER98-54			24/44
46-23.003	21/6c			53ER98-55			24/48
46-23.0035	25/3			53ER98-56			24/49
46-23.006	25/3			53ER98-57			24/46
46-24.003	21/27			53ER98-58			24/46
46-24.006	25/3			53ER98-59			24/48
46-24.007	21/6c			53ER98-60			24/51
46-27.014	25/3			53ER98-61			24/50
46-27.017	25/3			53ER98-62			24/51
46-29.0036	19/8c			53ER98-63			25/1
46-31.0035	24/45		25/8	53ER98-64			24/52
46-31.004	24/45		25/8	53ER98-65			25/1
46-31.006	25/3			53ER99-1			25/4
46-31.010	25/3			53ER99-2			25/5
46-36.002	21/6c			53ER99-3			25/5
46-37.001	20/18			53ER99-4			25/6
46-37.002	20/18	20/25		53ER99-5			25/6
46-37.003	20/18			53ER99-6			25/7
	23/44			53ER99-7			25/9
46-37.004	20/18	20/25		53ER99-8			25/7
46-37.005	20/18			53-1.018	24/53		
	23/44			INTERLOCAL AGENCIES			
46-37.006	20/18	20/25		54C-1.001	24/43		
	21/6c			VETERANS' AFFAIRS			
46-37.007	23/29	24/27		55-11.006	25/4		
46-38.002	25/3			55-11.007	25/4		
46-39.002	21/6c			55-11.008	25/4		
46-39.0035	21/6c			55-11.011	25/4		
46-39.0047	22/39c			ELDER AFFAIRS			
46-39.005	21/6c			58-14.001	20/1c		
46-39.006	21/6c			58-14.003	20/1c		
46-39.007	21/6c			58-14.005	20/1c		
46-39.008	21/6c			58-14.007	20/1c		
46-39.009	21/6c			58-14.009	20/1c		
46-39.010	21/6c			58A-1	20/43c		
46-39.011	21/6c			58A-1.001	24/30		
46-39.012	21/6c						
46-42.001	25/3						
46-42.003	20/35						
46-42.004	25/3						
46-42.006	25/3						
46-42.007	21/6c						
46-42.008	25/3						
46-43.005	21/6c						

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58A-1.004	24/30			59A-5.009	21/26c		
58A-1.006	24/30				21/26c		
58A-1.007	24/30			59A-5.010	21/26c		
58A-1.008	24/30			59A-5.011	21/26c		
58A-14.002	25/9			59A-5.012	21/26c		
58A-14.003	25/9			59A-5.013	21/26c		
58A-14.004	25/9			59A-5.014	21/26c		
58A-14.0061	25/9			59A-5.015	21/26c		
58A-14.0062	25/9			59A-5.016	21/26c		
58A-14.007	25/9			59A-5.017	21/26c		
58A-14.008	25/9			59A-5.018	21/26c		
58A-14.0085	25/9			59A-5.019	21/26c		
58A-14.009	25/9			59A-7.020	20/25		
58A-14.0091	25/9			59A-7.034	21/45c		
58A-14.010	25/9			59A-7.035	21/45c		
58C-1.003	24/30			59AA-2.001	22/48c		
58C-1.004	24/30			59AA-2.002	22/48c		
58C-1.005	24/30			59AA-2.003	22/48c		
58C-1.007	24/30			59AA-3.001	22/48c		
58D-1.002	24/30			59AA-10.001	22/48c		
58D-1.005	24/30			59AA-17.004	21/46		
58D-1.006	24/30			59B-7.020	19/30		
58E-1.008	24/30			59B-7.021	19/30		
58H-1.003	24/30			59B-7.022	19/30		
58H-1.004	24/30			59B-7.022(5)	19/36c		
58H-1.006	24/30			59B-7.023	19/30		
58H-1.007	24/30			59B-7.024	19/30		
AGENCY FOR HEALTH CARE ADMINISTRATION				59B-7.024(1)	19/36c		
				59B-7.025	19/30		
59-1.021	22/2c			59B-7.026	19/30		
59A-2.024	20/1			59B-7.027	19/30		
59A-3.078	20/47c				19/36c		
59A-3.170	21/20			59B-7.028	19/30		
59A-3.180	21/3			59B-7.029	19/30		
59A-3.202	21/12c			59B-10.050	21/45c		
59A-3.2055	22/52	23/10		59B-10.051	21/45c		
59A-4.1295	20/1c			59B-10.052	21/45c		
59A-5.001	21/26c			59B-10.053	21/45c		
59A-5.002	21/26c			59B-10.054	21/45c		
59A-5.003	21/26c			59B-10.055	21/45c		
59A-5.004	21/26c			59B-10.056	21/45c		
59A-5.005	21/26c			59B-10.057	21/45c		
59A-5.006	21/26c			59C-1.031	23/8c		
59A-5.007	21/26c				23/8c		
59A-5.008	21/26c				23/8c		
	21/26c				24/27		

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59C-1.036	22/48c			59EE-1.001	22/29c		
	22/48c				22/29c		
	22/48c				22/39c		
	22/48c				22/39c		
	22/48c			59F-1.002	20/33		
	22/48c			59F-1.005(2),(3),(4)	20/43c		
	22/48c			59G-3.010	24/7		
	22/48c				24/48		25/9
	23/12c			59G-4.010	25/7		
	23/12c			59G-4.030	25/7		
	23/12c			59G-4.040	25/8		
	23/12c			59G-4.055	21/39	21/45	
	23/12c			59G-4.060	25/8		
	23/12c			59G-4.070	24/40		25/8
	23/12c			59G-4.140	20/29c		
	23/12c			59G-4.150	25/4		
	23/12c			59G-4.150(4)(b)4.	22/2c		
	24/3c			59G-4.160	25/4		
	24/3c			59G-4.200	20/30c		
	24/3c				25/5		
	24/3c			59G-4.210	25/7		
59C-1.036(2)(i)	22/48c			59G-4.220	25/8		
	23/12c			59G-4.231	25/8		
59C-1.044	19/44c			59G-4.270	25/7		
	19/44c			59G-4.320	24/44	25/1	25/9
	19/44c			59G-4.340	25/7		
	19/44c			59G-5.020	23/12c		
59D-1.004(4)	19/47c			59G-5.110	24/45		25/7w
59D-1.004(5)	19/47c				25/7		
59D-1.007(1)(d)	19/47c			59G-6.010	20/49c		
59D-2.003(10)(b)	19/48c				20/49c		
59D-2.003(12)	19/48c				21/33c		
59D-2.003(15)	19/48c				22/34c		
59D-2.003(16)	19/48c				24/48		25/5
59D-2.011(1)(2)	19/48c			59G-6.020	22/2c		
59E-1.001	20/27			59G-6.040	24/34		25/9
59E-1.002	20/27				24/40c		25/9d
59E-1.003	20/27			59G-6.045	24/34		25/9
59E-1.004	20/27				24/40c		25/9d
59E-1.005	20/27			59G-7.056	22/34c		
59E-1.006	20/27			59G-8.100	21/45c		
59E-1.007	20/27			59G-11.010	24/50		
59E-5.201	24/52			59G-11.020	24/50		
59E-5.204	24/52			59G-11.030	24/50		
59E-5.205	24/52			59M-3.001	22/11c		
59E-5.206	24/52				22/11c		
59E-7.201	19/50c				22/11c		
59E-7.202	19/50c			59M-3.005	21/25		
59E-7.203	19/50c			59O-2	22/42c		
59E-7.204	19/50c			59O-2.002	20/47c		
59E-7.205	19/50c				22/34	24/49	
59E-7.206	19/50c			59O-2.002(7)	20/47c		
59E-7.207	19/50c			59O-2.003	22/34	24/49	
59E-7.208	19/50c			59O-3	22/42c		
				59O-3.001	22/34	24/48	25/1
				59O-3.002	22/34	24/49	

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59O-3.003		20/45	25/1	60AA-19.003	24/2		25/3w
	20/47c			60D-13.006	24/6c		
	22/34	24/48	25/1		25/6c		25/7d
59O-5	22/42c			60L-24.008	25/5		
59O-5.001(1)(b),				60Q-2.004	21/5c		
(2)(a)2.(b)	20/47c				22/25c		
59O-5.002	22/34	24/48	25/1	60R-1.002	24/51		
	22/42c			60R-1.0021	24/51		
59O-5.003	22/34	24/48	25/1	60R-1.0022	24/51		
	22/42c			60R-1.0023	24/51		
59O-5.004	22/34	24/48	25/1	60R-1.0024	24/51		
	22/42c			60R-1.0025	24/51		
59O-5.006	20/47c			60R-1.003	24/51		
	20/47c			60R-1.004	24/51		
59O-7	22/42c			60R-1.0041	24/51		
59O-9	22/42c			60R-1.0042	24/51		
59O-9.002	20/47c			60R-1.0043	24/51		
59O-9.002(4)	20/47c			60R-1.0044	24/51		
59O-9.003	22/34	24/48		60R-1.0046	24/51		
59O-9.004	20/47c			60R-1.0048	24/51		
59O-9.004(7)	20/47c			60R-1.00481	24/51		
59O-10	22/42c			60R-1.0052	24/51		
59O-10.004	20/47c			60S-1.004	24/50		25/7
59O-10.005	22/42c			60S-1.0045	24/50		
59O-13.006	20/47c			60S-1.0055	24/50		25/7
	20/47c			60S-1.0057	24/50		25/7
59P-31.006	22/36c			60S-2.002	24/50		25/7
	22/36c			60S-2.005	24/50		25/7
59Q-9.002	20/39			60S-2.006	24/50		25/7
59R-9.012	20/39c			60S-2.007	24/50		25/7
59R-62.010	21/5			60S-2.008	24/50		25/7
59R-62.040	21/5			60S-2.010	24/50		25/7
59T-11.013	23/22	23/35		60S-2.013	24/50		25/7
59T-14.004	23/22	23/35		60S-2.016	24/50		25/7
59T-15.002	23/22	23/35		60S-2.018	24/50		25/7
59T-16.001	23/22	23/35		60S-3.003	24/50		25/7
59T-16.002	23/22	23/35		60S-3.008	24/50		25/7
59U-11.019	20/51	21/7		60S-3.009	24/50		25/7
59U-14.002	23/24	23/35		60S-3.012	24/50		25/7
59U-16.002	23/14c			60S-3.014	24/50		25/7
59V-3.007	20/34	20/48		60S-4.002	24/50		25/7
	20/40c			60S-4.007	24/50		25/7
59X-28.150	21/2c			60S-4.008	24/50		
59Y-5.001	23/11			60S-4.009	24/50		25/7
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				60S-4.011	24/50		25/7
				60S-4.012	24/50		25/7
				60S-4.020	24/50		25/7
				60S-4.021	24/50		25/7
				60S-6.001	24/50		25/7
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60-6.002	24/45		25/1				
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60-6.004	24/45		25/1				
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60V-2.003	24/50		25/7		22/12c		
60V-2.004	24/50		25/7	61D-2.003	22/12c		
60V-3.005	24/51		25/7	61D-2.004	22/12c		
60V-4.002	24/50		25/7	61D-2.005	22/12c		
60W-3.003	24/51		25/7	61D-2.008	22/12c		
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61-20.5082	23/40	24/11		61D-3.002	22/12c		
61-25.004	22/12c			61D-3.003	22/12c		
61A-4.0271	22/47				23/36	23/44	
61B-7.009	24/50		25/6	61D-3.004	22/12c		
61B-7.010	24/50		25/6		23/36	23/44	
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61G5-18.011	24/40	24/51	25/3	61G10-12.015	24/24		25/1
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61G16-2.001	23/12			ENVIRONMENTAL PROTECTION			
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61G16-6.001	25/3			62-17.011	24/33		25/4
61G16-6.006	25/3			62-17.021	24/33	24/45	25/4
61G17-1.006	21/6			62-17.031	24/33	24/45	25/4
61G19-6.0035	24/43	24/52	25/7	62-17.041	24/33		25/4
61G19-6.008		21/38	25/7	62-17.051	24/33		25/4
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61G19-6.012	24/43	24/52	25/7	62-17.091	24/33		25/4
61H1-54.002	21/29			62-17.093	24/33		25/4
61J1-5.002	25/1		25/8	62-17.121	24/33		25/4
61J2-1.011	24/46		25/2	62-17.133	24/33	24/45	25/4
	25/5			62-17.135	24/33	24/45	25/4
61J2-2.031	24/46		25/2	62-17.141	24/33		25/4
61J2-3.009	25/2		25/8	62-17.143	24/33		25/4
61J2-3.018	25/2		25/8	62-17.147	24/33		25/4
61J2-10.025	25/5			62-17.151	24/45	24/45	
61J2-10.039	24/46				25/3		
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61J2-24.002		22/2	25/2		25/3		
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61K1-1.001	25/1			62-17.191	24/33	24/45	25/4
61K1-1.002	25/1			62-17.201	24/33		25/4
61K1-1.0023	25/1			62-17.205	24/33	24/45	25/4
61K1-1.0024	25/1			62-17.211	24/33	24/45	25/4
61K1-1.0025	25/1					24/50	25/4
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61K1-1.0028	25/1			62-17.231	24/33		25/4
61K1-1.003	25/1			62-17.241	24/33	24/50	25/4
61K1-1.0035	25/1			62-17.251	24/33		25/4
61K1-1.004	25/1			62-17.280	24/33		25/4
61K1-1.0043	25/1			62-17.281	24/33	24/45	25/4
61K1-1.005	25/1			62-17.282	24/33		25/4
61K1-1.006	25/1			62-17.283	24/33		25/4
61K1-1.007	25/1			62-17.293	24/33	24/45	25/4
61K1-1.008	25/1			62-160	22/12c		
61K1-1.009	25/1			62-204.800	22/12c		
61K1-1.010	25/1				25/4		
61K1-1.011	25/1			62-210.200	22/12c		
61K1-1.012	25/1				24/48		25/5
61K1-1.013	25/1				24/48		25/5
61K1-1.017	25/1			62-210.220	24/48		25/5
61K1-1.018	25/1			62-210.300		21/12	25/5
61K1-1.019	25/1				21/6c		
61K1-1.023	25/1				24/48		25/5
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62-210.900	24/46		25/5	62-342.550	24/36		
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62-210.920	24/48		25/5	62-342.650	24/36		
62-210.990	20/36			62-342.700	24/36	24/45	
62-212.400(6)	22/12c			62-342.750	24/36		
62-212.410	22/12c			62-342.800	24/36		
62-212.500	22/12c			62-342.850	24/36		
62-212.510	22/12c			62-342.900	24/36		
62-213.205	24/46		25/5	62-343	21/34c		
62-213.300	24/46		25/7	62-343.010	21/22		
62-213.400	24/46		25/5	62-343.020	21/22		
62-213.412	24/46		25/5	62-343.030	21/22		
62-213.420		21/37	25/5	62-343.040	21/22		
		21/38	25/5	62-343.050	21/22		
	24/46		25/5	62-343.060	21/22		
62-213.420(1)(b)2.	22/12c			62-343.070	21/22		
62-213.430	20/52	21/7		62-343.080	21/22		
	21/6c			62-343.090	21/22		
	24/46		25/5	62-343.100	21/22		
62-213.430(6)	22/12c			62-343.110	21/22		
62-213.440	24/46		25/5	62-343.120	21/22		
62-213.450	24/46		25/5	62-343.130	21/22		
62-213.900	24/46		25/5	62-343.140	21/22		
	24/46		25/7	62-343.900	21/22		
62-257.100	24/44		25/5	62-520.100	22/11c		
62-257.200	24/44		25/5	62-524.400	20/45		
62-257.301	24/44		25/5	62-528	21/6c		
62-257.400	24/44		25/5		21/6c		
62-257.900	24/44		25/5	62-528.307	24/36		
62-296.401	22/32	22/38		62-528.310	24/36		
62-296.405	24/46	24/52	25/8	62-528.630	24/36		
62-296.406	24/46		25/8	62-550.200	22/11c		
62-296.417	24/46		25/8	62-550.310	20/47		
62-296.570	24/46		25/8	62-550.730	20/19		
62-297.310	24/46		25/8	62-551	22/12c		
62-297.401	24/46		25/8		22/42c		
62-297.440	24/46		25/8	62-551.200	22/11c		
62-297.450	24/46		25/8	62-555	22/12c		
62-297.520	24/46		25/8		22/42c		
62-302.600	21/2c			62-560	22/12c		
62-302.600(3)(b)62.	21/2c				22/42c		
62-302.700	21/17c			62-561.100	24/52		
	24/25			62-600	22/12c		
62-302.700(9)(i)(38)	21/49c				22/42c		
62-312	21/34c			62-601	22/12c		
62-312.122	24/18				22/42c		
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62-341.602	21/22	21/22			22/42c		
62-342.100	24/36			62-604	22/12c		
62-342.200	24/36				22/42c		
62-342.300	24/36			62-610	25/5c		
62-342.400	24/36			62-610.100	24/52		
62-342.450	24/36	24/45		62-610.200	24/52		

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62-610.320	24/52			62-620.330	22/11c		
62-610.330	24/52			62-620.335	22/11c		
62-610.421	24/52			62-620.400	22/11c		
62-610.425	24/52			62-620.410	22/11c		
62-610.460	24/52			62-620.412	22/11c		
62-610.462	24/52			62-620.420	22/11c		
62-610.463	24/52			62-620.425	22/11c		
62-610.464	24/52			62-620.435	22/11c		
62-610.466	24/52			62-620.440	22/11c		
62-610.468	24/52			62-620.445	22/11c		
62-610.469	24/52			62-620.450	22/11c		
62-610.471	24/52			62-620.455	22/11c		
62-610.472	24/52			62-620.460	22/11c		
62-610.475	24/52			62-620.510	22/11c		
62-610.510	24/52			62-620.511	22/11c		
62-610.513	24/52			62-620.512	22/11c		
62-610.521	24/52			62-620.515	22/11c		
62-610.523	24/52			62-620.550	22/11c		
62-610.525	24/52			62-620.610	22/11c		
62-610.550	24/52			62-620.620	22/11c		
62-610.552	24/52			62-620.800	22/11c		
62-610.554	24/52			62-620.810	22/11c		
62-610.555	24/52			62-620.820	22/11c		
62-610.560	24/52			62-621	22/12c		
62-610.562	24/52				22/42c		
62-610.563	24/52			62-621.200	21/52		
62-610.564	24/52			62-650	22/12c		
62-610.565	24/52				22/42c		
62-610.567	24/52			62-650.120	22/11c		
62-610.568	24/52			62-660	22/12c		
62-610.571	24/52				22/42c		
62-610.573	24/52			62-660.300	22/11c		
62-610.574	24/52			62-670	22/12c		
62-610.621	24/52				22/42c		
62-610.651	24/52			62-671	22/12c		
62-610.652	24/52				22/42c		
62-610.654	24/52			62-673	22/12c		
62-610.656	24/52				22/42c		
62-610.662	24/52				22/42c		
62-610.668	24/52			62-701	22/12c		
62-610.800	24/52				22/42c		
62-610.810	24/52			62-701.720	22/11c		
62-610.814	24/52			62-702	22/12c		
62-610.830	24/52				22/42c		
62-610.865	24/52			62-702.530	24/46		25/1
62-610.870	24/52			62-703	22/12c		
62-610.890	24/52				22/42c		
62-611	22/12c			62-704	22/12c		
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62-620	22/12c			62-707	22/12c		
	22/42c				22/42c		
62-620.100	22/11c			62-707.500	22/30		
	22/12c			62-709	22/12c		
					22/42c		

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62-710	21/18c 22/12c 22/42c			62B-33.0051 62B-49 62D-2.014	22/25c 21/34c 21/52	22/13	
62-711	22/12c 22/42c			62N-3.002 62N-22.005	21/43 24/33 24/45c		
62-712.100	21/34			62N-22.005(1),(2), (3),(5)	24/45c		
62-712.200	21/34			62N-22.023	23/2c		
62-712.300	21/34			62N-24.017	24/53		25/8
62-712.400	21/34			62N-24.164	24/53	25/5	
62-712.410	21/34			62N-36.004	21/43		
62-712.420	21/34			62R-5.900	25/4		
62-712.430	21/34			62R-7.001	25/5		
62-712.440	21/34			62R-7.002	21/17		
62-712.450	21/34			62R-7.003	25/5		
62-712.460	21/34			62R-7.004	25/2		
62-712.500	21/34			62R-7.007	25/5		
62-712.800	21/34			62R-7.010	23/34		
62-712.810	21/34				25/2		
62-712.900	21/34			62R-7.011	24/53		
62-716.800	24/46		25/1		25/5		
62-716.850	24/46		25/1	62R-7.015	25/5		
62-722	22/12c 22/42c			62R-7.016	25/5		
62-723	22/12c 22/42c			62R-7.020	21/17		
62-728	22/11c			62R-7.022	21/17		
62-730.050	23/7			62R-7.025	21/17		
62-740	21/45c			62R-7.026	21/17		
62-761	22/12c 22/42c 24/22c			62R-7.028	21/17 22/47		
62-761.891	24/14			62R-7.032	21/17		
62-762	22/12c 22/42c			62R-18.005	25/4		
62-767	22/12c 22/42c			62R-18.010	25/4		
62-770	22/12c 22/42c			62R-18.011	25/4		
62-771	22/12c 22/42c			62R-18.012	25/4		
62-771.300	21/52			62R-18.013	25/4		
62-773.350(9),(10)	22/42c			62R-18.014	25/4		
62-775	22/12c 22/42c			62R-20.001	24/48		25/9
62-775.100	22/23c			62R-20.002	24/48		25/9
62-775.400	22/23c			HEALTH			
62-775.410	22/23c			64-1.001	24/48		25/1w
62-775.500	21/52	22/15		64-1.010	24/49		
62-788.100	25/5			64-1.011	24/49		
62-788.200	25/5			64-1.012	24/49		
62-788.300	25/5			64-1.013	24/49		
62-788.400	25/5			64-1.014	24/49	25/2 25/4	
62-788.900	25/5			64-1.015	24/49		
62B-33.002	22/25c			64BER99-1			25/8
62B-33.005	22/25c			64B-2.001	25/8		
				64B1-2.005	25/5		
				64B1-2.006	25/5		
				64B1-3.004	25/6		
				64B1-3.009	25/9		

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64B2-12.008	24/44		25/5	64B8-8.017	24/53	25/7	
64B2-12.009	24/37	25/8		64B8-9.009	25/3		
64B2-12.010	24/40		25/6w	64B8-13.005	24/53		
64B2-16.0075	24/16		25/5	64B8-30.001	25/3		
64B3-2.001	23/51			64B8-30.008	24/47		25/1
64B3-2.002	22/34	24/49		64B8-30.009	25/3		
64B3-2.003	22/34	24/49		64B8-30.012	25/3		
	25/4			64B8-44.0035	24/51		25/6
64B3-3.001	22/34	24/48	25/1	64B8-52.003	24/45		25/6
64B3-3.003	22/34	24/48	25/1	64B9-1.013	25/5		
	23/51			64B9-3.007	25/9		
64B3-3.004	23/51			64B9-8.001	25/9		
64B3-3.7001	24/22c			64B11-2.005	24/43	25/7	
64B3-5.002	22/34	24/48	25/1	64B11-3.003	24/43	25/7	
64B3-5.003	22/34	24/48	25/1	64B12-11.046	24/49		
64B3-5.004	22/34	24/48	25/1	64B12-15.001	24/47		
64B3-5.007	24/44	25/1	25/8	64B12-15.003	24/47	25/8	
64B3-7.001	25/4			64B12-16.003	24/47		25/6
64B3-8.002	25/4			64B14-2.001	24/53		25/7
64B3-9.001	25/4			64B14-2.002	24/53		25/7
64B3-9.003	22/34	24/48	25/3	64B14-4.0051	24/48		
64B3-9.006	25/4			64B15-6.001	25/3		
64B3-10.005	24/44		25/3	64B15-6.0038	24/43	25/3	25/9
64B3-12.003	24/44		25/3	64B15-6.004	25/3		
64B3-12.004	24/44		25/3	64B15-6.010	25/3		
64B3-12.006	24/44		25/3	64B15-13.001	24/50		
64B4-3.010	25/5			64B15-14.0015	24/50		
64B4-5.005	24/50		25/5	64B16-26.200	24/45		
64B4-5.007	24/50		25/5	64B16-26.2035	24/45	25/5	
64B4-6.001	24/50		25/5	64B16-28.107	24/45		25/4
64B4-6.002	24/50		25/5	64B16-28.140	24/38		
64B4-6.004	24/50		25/5	64B17-2.001	23/45	24/51	25/4
64B4-7.002	24/7c			64B17-2.003	23/45	24/51	25/4
64B4-7.007	24/50		25/5	64B17-3.005	25/4		
64B4-8.002	24/50		25/5	64B17-4.005	25/4		
64B5-2.013	25/3			64B17-6.001	24/47		25/1
64B5-7.001	24/52			64B17-6.0042	24/25	25/9	
64B5-7.003	24/52			64B17-6.0044	24/25	25/9	
64B5-7.0035	25/3			64B18-11.002	24/24		25/4w
64B5-7.006	25/3			64B19-11.001	24/41	24/53	25/6
64B5-12.013	24/43	24/52	25/6	64B19-18.0025	24/34	24/53	25/6
	24/52		25/9	64B20-7.009	24/48		25/3
64B5-12.0185	24/43	24/52	25/6	64B20-9.004	24/48		25/3
		24/53	25/6	64B20-9.005	24/48		25/3
64B5-16.006	25/3			64B23-1.001	25/5		
64B7-25.0025	24/48		25/4	64B23-2.001	25/5		
64B7-26.003	24/50		25/6	64B23-3.001	25/5		
64B7-26.008	24/50		25/6	64B23-3.002	25/5		
64B7-27.005	24/50		25/6	64B23-3.003	25/5		
64B7-27.012	24/12			64B23-3.004	25/5		
64B7-28.001	25/9			64B23-3.005	25/5		
64B7-28.009	24/50			64B23-3.006	25/5		
64B8-2.001	24/53	25/7		64B23-3.007	25/5		
64B8-5.002	25/8			64B23-4.001	25/5		
64B8-6.008	24/53	25/7		64B23-4.002	25/5		

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64B23-5.003	25/5			65A-1.712	24/44		25/3
64B23-6.001	25/5			65A-1.713	24/44		25/3
64B23-6.002	25/5			65A-1.730	24/51		
64B23-6.003	25/5			65A-2.036	24/43		25/3
64B23-6.004	25/5			65A-4.100	25/1		
64B23-6.005	25/5			65A-4.201(3)	24/19c		
64B23-7.001	25/5			65A-4.202	24/35		25/3
64B23-7.002	25/5			65A-4.203	24/50	25/9	
64B23-7.003	25/5			65A-4.213	25/3		
64B23-7.004	25/5			65A-4.214	25/6		
64B23-7.005	25/5			65A-4.216	25/6		
64B24-6.005	25/6			65A-4.301	24/48	25/5	
64B24-7.013	25/8			65A-32.001	24/48	24/52	25/8
64C-13.018	24/22			65C-5.001	23/32	23/41	
64D-3.011	25/4					23/45	
64E-1	25/5c					24/4	
	25/6c		25/7d		24/16		
64E5-14.002	24/46	25/7		65C-5.002	23/32	23/41	
64F-12.001	24/43		25/3			23/45	
64F-12.002	24/43		25/3			23/47	
64F-12.003	24/43		25/3			24/4	
64F-12.004	24/43		25/3		24/16		
64F-12.005	24/43		25/3	65C-5.003	23/32	23/45	
64F-12.006	24/43		25/3			23/49	
64F-12.007	24/43		25/3			24/4	
64F-12.008	24/43		25/3		24/16		
64F-12.009	24/43		25/3	65C-5.004	23/32		
64F-12.011	24/43		25/3		24/16		
64F-12.012	24/43		25/3	65C-5.005	23/32	23/45	
64F-12.013	24/43	24/48	25/3			24/4	
64F-12.014	24/43		25/3		24/16		
64F-12.015	24/43	24/50	25/3	65C-5.006	23/32	23/45	
64F-12.016	24/43		25/3			24/4	
64F-12.020	24/43		25/3		24/16		
64F-12.023	24/43	24/48	25/3	65C-5.007	23/32	23/45	
		24/50	25/3			24/4	
64F-12.024	24/43	24/50	25/3		24/16		
64G15-19.005	23/40			65C-5.008	23/32	23/45	
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65A-1.301	24/52	25/8		65C-5.009	23/32	23/45	
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65C-10.001	23/32			65C-12.002	23/32		
65C-10.002	23/32			65C-12.003	23/32		
65C-10.003	23/32			65C-12.004	23/32		
65C-10.004	23/32			65C-12.005	23/32		
65C-10.005	23/32			65C-12.006	23/32		
65C-10.006	23/32			65C-12.007	23/32		
65C-11.001	23/32						
65C-11.002	23/32						
65C-11.003	23/32						
65C-11.004	23/32						
65C-11.005	23/32						
