

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE TITLES: RULE NOS.:

Categories of Licensure for Pesticide	
Applicators	5E-9.021
Category Certification Standards	5E-9.024
Procedures for Pesticide Applicator	
Recertification	5E-9.029

PURPOSE AND EFFECT: The purpose of the proposed action is to amend Rules 5E-9.021, 5E-9.024 and 5E-9.029 to add one new category of pesticide applicator certification and clarify the competency standards of another category. The effect is to make the rules appropriately address current pesticide use in Florida.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment adds a new category of pesticide applicator certification, at the request of users, for application of herbicides to manage undesirable vegetation in natural areas. The proposal also clarifies the competency standards of the sewer root control category.

SPECIFIC AUTHORITY: 487.0435, 487.044, 570.07(23) FS.

LAW IMPLEMENTED: 487.0435, 487.044 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: 1:00 p.m., March 3, 1999

PLACE: Department of Agriculture and Consumer Services, AES Conference Room, Lab 8, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

If requested in writing by the date of the workshop, additional workshops may be held in other locations on dates to be announced later.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mr. Steven J. Rutz, Director, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, Room 130, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone (850)488-3731

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-9.021 Categories of Licensure for Pesticide Applicators.

- (1) Description of primary categories.

(a) through (q) No change.

(r) Category 21 – Natural Areas Weed Management. This category is applicable to individuals who use or supervise the use of restricted use herbicides to control unwanted vegetation to protect natural communities of conservation and recreation lands and natural areas. This category is valid for licensure of commercial and public applicators. Applicators acting under the authority of another license category prior to this category being established may continue activities under the alternate category until license renewal or expiration.

(2) No change.

Specific Authority 487.0435, 570.07(23) FS. Law Implemented 487.0435 FS. History—New 6-9-94, Amended 7-2-95, 9-24-98,_____.

5E-9.024 Category Certification Standards.

(1) Primary categories.

(a) through (n) No change.

(o) Category 7C – Sewer Root Control. Applicators seeking licensure in this category shall demonstrate practical knowledge of the safe handling and proper application of sewer root control chemicals, including practical knowledge of root growth and biology; equipment types and calibration procedures; proper pesticide handling, mixing and application procedures; proper use and maintenance of personal protective equipment; toxicity of root control pesticides to humans and non-target organisms via common exposure routes; proper cleaning, disposal and containment techniques; effects of root control pesticides on ground water, sewage treatment plants, septic tanks, holding tanks, lift stations, and other sewage treating, conveying, or handling equipment; environmental effect; factors that may lead to a hazardous condition; and the laws and regulations governing pesticide use.

(p) through (q) No change.

(r) Category 21 – Natural Areas Weed Management. Applicators seeking licensure in this category shall demonstrate practical knowledge of pest plants that invade natural communities in Florida, the chemical control measures that pertain to such pests, and the equipment or methodologies required to safely implement such pest control measures. This knowledge shall include special techniques and proper herbicide selection to effectively control target species and minimize adverse effects to the natural community. Knowledge of herbicide characteristics including toxicity to wildlife, behavior in plants, behavior in soil, persistence, and environmental fate, as well as methods for herbicide dilution and rate calculations will be demonstrated.

Specific Authority 487.0435, 570.07(23) FS. Law Implemented 487.0435, 487.044 FS. History—New 6-9-94, Amended 7-2-95, 9-24-98,_____.

5E-9.029 Procedures for Pesticide Applicator Recertification.

(1) No change.

(2) In all other circumstances, applicators shall have two options for recertification as follows:

(a) No change.

(b) Continuing Education Units (CEUs). An applicator may become recertified by accumulating a specified number of Continuing Education Units (CEUs) during the four (4) year licensure period. CEUs shall be earned by attending Department approved professional training meetings and seminars. The number of CEUs required for applicator recertification in each specific category is as follows:

PRIMARY CATEGORIES	CEU'S REQUIRED
Category 1A1 Agricultural Row Crop Pest Control	8
Category 1A2 Agricultural Tree Crop Pest Control	8
Category 1B Agricultural Animal Pest Control	4
Category 1C Private Applicator Agricultural Pest Control	8
Category 1D Soil and Greenhouse Fumigation	4
Category 1E Raw Agricultural Commodity Fumigation	4
Category 2 Forest Pest Control	8
Category 3 Ornamental and Turf Pest Control	12
Category 4 Seed Treatment	4
Category 5A Aquatic Pest Control	16
Category 5B Organotin Antifouling Paint Pest Control	4
Category 6 Right-of-Way Pest Control	8
Category 7A Wood Treatment	4
Category 7B Chlorine Gas Infusion	4
Category 7C Sewer Root Control	4
Category 9 Regulatory Pest Control	12
Category 20 Regulatory Inspection and Sampling	4
Category 21 Natural Areas Weed Management	16
SECONDARY CATEGORIES	CEU'S REQUIRED
Category 10 Demonstration and Research	4
Category 11 Aerial Application	8

The Ornamental and Turf Pest Control and Aquatic Pest Control categories may be renewed with 8 CEUs until January 1, 2000.

(3) through (11) No change.

Specific Authority 487.487.049, 570.07(23) FS. Law Implemented 487.049 FS. History--New 6-9-94, Amended 7-2-95, 9-24-98,_____.

If special accommodations are needed to attend this workshop because of a disability, please call: Mr. Steven J. Rutz, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Room 130, Tallahassee, Florida 32399-1650, telephone (850)488-8731, as soon as possible.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE: Fish and Fishery Products
 RULE NO.: 5K-4.010

PURPOSE AND EFFECT: The rule amendment updates the current fish and fishery and blue crab standards, amends the definition of "fish" and amends temperature standards for fish and fishery products.

SUBJECT AREA TO BE ADDRESSED: The safe and sanitary cooking, holding, processing and handling of fish and fishery products, crustacea including blue crab and blue crab food.

SPECIFIC AUTHORITY: 500.09, 500.12(1)(d), 570.07(23) FS.

LAW IMPLEMENTED: 500.03, 500.04, 500.09, 500.10, 500.11, 500.12, 500.13 FS.

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

TIME AND DATE: 9:00 a.m., February 24, 1999

PLACE: University of Florida, Animal Science Department, Building 459, Room 102, Shelly Drive, Gainesville, Florida 32611, Telephone (352)392-1991, extension 301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. H. Wayne Derstine, Environmental Administrator, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone (850)488-3951

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Sale of Agricultural Products, Including Poultry and Livestock
 RULE NO.: 12A-1.048

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.048, F.A.C., is to strike the definition of livestock from the rule, as livestock is now defined in Florida Statutes Section 212.02(29), and to incorporate the 1998 law changes to Section 212.08(5)(a), F.S., regarding the exemption for the sale of flower seeds and the exemption for plants used to produce food for human consumption. The effect of these proposed rule changes extends the exemption for the sale of flower seeds to all consumers. The rule also broadens the exemption for the sale of plants that produce food for human consumption, to include plants, shrubs, and trees that may bear edible nuts, fruits, and berries.

SUBJECT AREA TO BE ADDRESSED: Statutory changes affecting the structure of the rule.

NOTICE: For purposes of this workshop, and for the ease of the intended audience to solicit comments, statutory text has been included in the proposed rule text. The final draft will not contain statutory references or cites.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.
 LAW IMPLEMENTED: 212.02(29), 212.07(5),(6),(7),(8), 212.08(5)(a), 212.18(2) FS.

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

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

PLACE: Farm Bureau Building, Room 239A, 5700 South West 34th Street, Gainesville, Florida 32608

Copies of the agenda for the rule development workshop may be obtained from Richard Parsons, Tax Law Specialist, Sales Tax Section II, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4838.

Pursuant to the provisions of the Americans with Disabilities Act, any persons requiring special accommodations to participate in this program are asked to advise the Department at least five (5) calendar days before the program by contacting Tracie Grantham at (850)488-2577. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Richard Parsons, Tax Law Specialist, Sales Tax Section II, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4838

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.048 Sale of Agricultural Products, Including Poultry and Livestock.

(1) The sales of agricultural products, poultry, and livestock direct from the farm when made directly by the producers are exempt; provided, however, that the exemption does not apply to the sale of ornamental nursery stock. ~~For the purpose of this rule, livestock means domestic animals kept for agricultural purposes.~~ Neither does the tax apply when such agricultural products are produced by the farmer and used by him and members of his family or employees on his farm.

(2)(a) The term "ornamental nursery stock" applies to all plants, shrubs, and trees customarily sold by nurseries for landscaping purposes, excluding plants used to produce food for human consumption and includes plants, shrubs, and trees that may bear edible nuts, fruits, and berries provided, however, that such term shall not include plants, trees, or shrubs sold to a commercial farmer use on his own farm in producing a crop for sale.

(b)1. The sale of ornamental nursery stock by the producer to anyone for any purpose other than resale is subject to the tax. All sales of ornamental nursery stock will be presumed to be retail sales and subject to the tax, unless the seller shall have obtained a resale certificate from his customer in accordance with the provisions contained in ~~the Florida Department of Revenue Rules 12A-1.038 and Rule 12A-1.039, F.A.C.,~~ or, in the case of an out-of-state dealer, an ~~and~~ affidavit in accordance with the provisions contained in Rule 12A-1.064(2)(b)1., F.A.C.

2. For example: The sale by the producer of ornamental nursery stock (regardless of state of growth or maturity) to a broker, wholesaler, or retailer will be regarded as a retail sale and taxable unless the purchaser furnishes the seller with a resale certificate or affidavit as provided hereinabove.

(c) A landscape contractor who purchases ornamental nursery stock to fulfill a lump sum, cost plus, fixed fee, or guaranteed price contract for the improvement of realty is construed to be the consumer of such nursery stock and ~~he~~ is liable for the sales tax at the time of purchase. A person who fulfills a contract as above described should not collect the tax ~~as such~~ from his customers because the tax should be paid by the landscaper on all materials used in fulfilling the contract. A landscaper who produces his or her own ornamental nursery stock or who obtains stock that was ~~he~~ acquired without cost, such as by digging up wild plants in the woods, is not liable for the tax on such stock which he or she uses in fulfilling the aforesaid types of contracts.

(d) A person who agrees by contract to sell specifically described and itemized materials and supplies at an agreed price or at the regular retail price and to complete the work either for an additional agreed price or on the basis of time consumed is deemed to be selling tangible personal property (ornamental nursery stock) at an agreed retail price and shall collect sales tax from the ~~his~~ purchaser based upon the amount of the receipts from such sales, excluding installation charges if separately stated. Sales tax applies even though all or part of the ornamental nursery stock is grown or obtained from its natural habitat for no consideration by the person completing the contract.

(e) Plants, shrubs, trees, and other items of tangible personal property that a nurseryman donates in the course of ~~his~~ business to any person or organization shall be taxed at its cost. No tax is due on any items donated which the nurseryman produces or acquires from its natural habitat without cost.

(3) No change.

(4) A sale of such agricultural products or any part thereof, when sold by any person other than the producer as a marketable or finished product to the ultimate consumer (except in the form of general groceries, including food and food products) is taxable. For example: Marketable products such as nursery stock, etc., and finished products such as hides, bones, hooves, feathers, etc., are taxable. For the sale of ornamental nursery stock by the producer, refer to subsection Paragraph (1) of this Rule.

(5) Topsoil, peat moss, compost, and manure are exempt as agricultural products when sold by the producer but are taxable when sold by anyone other than the producer. The sale of sod and ferns is taxable as the sale of ornamental nursery stock.

(6) No change.

(7) Plants used to produce food for human consumption such as tomato, cabbage and other food plants are exempt.

(8) No change.

(9) Materials, containers, labels, sacks, or bags to be used one time only for packaging tangible personal property for shipment for sale, including burlap used to make bags for packaging plants and used cans for potting, are exempt to the commercial nurseryman.

(10) through (11) No change.

(12) Items entitled to exemption when purchased for use on a farm include cloth, plastic, and other similar materials used for shade, mulch, and protection from frost or insects.

(13) The purchase of nails and material to construct containers to be used one time only in packaging tangible personal property for sale is exempt. Nails and material purchased to build or repair sheds, greenhouses, and other structures are taxable.

(14) Topsoil, sand used for rooting purposes, moss, compost, and manure, but not fill dirt, are exempt to a nurseryman when bought for exclusive use in crop production or when sold directly by the producer. (See subsection paragraph (1) of this rule.) When sold by other than the producer or purchased for other than crop production, these items are taxable.

(15) Nursery stock, plants, shrubs, trees, etc., purchased by one nurseryman from another for stock are exempt. Nursery stock purchased for direct resale and sold at retail should be purchased with ~~on~~ a resale certificate and is taxable when sold to the ultimate consumer.

(16) No change.

(17) The sale of field and garden seeds, including flower seeds, is exempt ~~Flower seeds are taxable except when sold to commercial nurserymen or by the producer as an agricultural product.~~

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented ~~212.02(29), 212.07(5),(6),(7),(8); 212.08(5)(a), 212.18(2) FS. History-Revised 10-7-68, 6-16-72, 12-11-74, Amended 7-20-82, Formerly 12A-1.48, Amended~~.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Sales of Animals

RULE NO.: 12A-1.049

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.048, F.A.C., is to include the statutory definition of "livestock" as defined in Section 212.02(29), F.S.; to strike from the rule the exemption for animals sold for breeding purposes, and to strike from the rule superfluous information that selectively describes specific transactions which are taxable. The effect of the rule change is to exclude from the exemption for the sale of livestock by the producer, animals not specifically defined in Section 212.02(29), F.S.

SUBJECT AREA TO BE ADDRESSED: Statutory changes affecting the structure of the rule.

NOTICE: For purposes of this workshop, and for the ease of the intended audience to solicit comments, statutory text has been included in the proposed rule text. The final draft will not contain statutory references or cites.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS. LAW IMPLEMENTED: 212.02(29), 212.07(5)(a),(b),(6), (7),(8), 212.08(7)(vv) FS.

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

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

PLACE: Farm Bureau Building, Room 239A, 5700 Southwest 34th Street, Gainesville, Florida 32608

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Richard Parsons, Tax Law Specialist, Sales Tax Section II, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4838

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.049 Sales of Animals.

(1) Sales of livestock and poultry to consumers by any person other than a producer are taxable. However, gross proceeds derived from the sale in this state of livestock and poultry direct from the farm are exempt, provided that such sales are made directly by the producers. The producers shall be entitled to such exemptions although said livestock so sold in this state may have been registered with a breeders or registry association prior to such sale and although such sale takes place at a livestock show or race meeting, so long as the sale is made within this state by the original producer.

(2) Section 212.02(29), F.S., defines livestock as all animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, ostriches, and other grazing animals raised for commercial purposes. The term "livestock" also includes fish raised for commercial purposes.

~~(3)(2)~~ The sale of a race horse or a racing dog by its owner is exempt if the owner is also the breeder of the animal, even though he does not reside in this state. When the owner is not the breeder, such sales are taxable and he or she should register as a dealer and collect tax thereon.

~~(4)(3)~~ The sale of race horses in the State of Florida is taxable, and the tax is also to be paid on the claiming price of any horses which are claimed at any racing meet held in Florida.

~~(5)(4)~~ Sales tax should be collected on the maximum amount for which a horse is sold at a claiming race one time only during the entire racing season, i.e., from the opening of the first track in the state in the fall through the closing of the last track in the state in the spring. To avoid duplications, officials of the various race tracks have agreed to collect tax as required on such sales and to furnish other tracks with accurate, detailed lists of the sales. The following example is intended to show how this works out in practice. A horse is sold in a claiming race for \$5,000 and later is sold in a claiming race for \$6,000. The tax would be collected on the first sale of \$5,000 and on the second sale of \$1,000, the difference only. This track would forward a detailed list showing these sales to the next track. At another track, during the same racing season, the same horse is sold for \$6,000 at a claiming race and then at still another claiming race ~~it he~~ is sold for \$7,000. No tax would be collected on the latter \$6,000 because tax had already been collected on that amount during the current season; but on the \$7,000 sale, tax would be due on the additional \$1,000.

~~(5) The sale of livestock for breeding purposes is exempt.~~

~~(6) The sale of chinchillas for breeding purposes or for the future processing of their furs is exempt. The sale of chinchillas for any other purposes is taxable.~~

~~(7)(a) The sale of pets such as dogs, cats, parakeets, canaries, monkeys, etc., is taxable.~~

~~(b) The sale or rental of guide dogs for the blind, commonly referred to as "seeing-eye dogs," is exempt. (See Rule 12A-1.001(17), F.A.C.)~~

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(29), 212.07(5)(a),(b),(6),(7),(8), 212.08(7)(vv)(th) FS. History—Revised 10-7-68, 6-16-72, Amended 9-28-78, 7-20-82, Formerly 12A-1.49, Amended _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Partial Exemption for Farm Equipment
 PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.087, F.A.C., is to include the statutory amendments made to Section 212.08(3), F.S., regarding the exemption for the sale of farm equipment, and to strike from the rule exemptions for the sale of agricultural supplies specifically exempt pursuant to Section 212.08(5), F.S. The effect of the rule change extends the exemption for the sale of farm equipment to include: power-driven farm

RULE NO.: 12A-1.087

equipment; farm equipment used in a forest; farm equipment used in agricultural industries included in Section 570.02(1), F.S.; farm equipment used for fire prevention and suppression work; and the rental of farm equipment.

SUBJECT AREA TO BE ADDRESSED: Statutory changes affecting the structure of the rule.

NOTICE: For purposes of this workshop, and for the ease of the intended audience to solicit comments, statutory text has been included in the proposed rule text. The final draft will not contain statutory references or cites.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS. LAW IMPLEMENTED 212.02(14)(c),(30),(31),(32),(33), 212.05(1), 212.06(1), 212.07(5), 212.08(3),(5)(a), 570.02(1), 597.0015(1),(3), 597.004 FS.

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

TIME AND DATE: 1:00 p.m., February 24, 1999
 PLACE: Farm Bureau Building, Room 239A, 5700 Southwest 34th Street, Gainesville, Florida 32608

Copies of the agenda for the rule development workshop may be obtained from: Richard Parsons, Tax Law Specialist, Sales Tax Section II, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4838.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, are asked to advise the Department at least five (5) calendar days before the program by contacting Tracie Grantham at (850)488-2577. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Richard Parsons, Tax Law Specialist, Sales Tax Section II, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4838

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial Rewording of Rule 12A-1.087 follows. See Florida Administrative Code for present text.)

12A-1.087 Partial Exemption for Farm Equipment Sales to Farmers.

(1) Section 212.08(3), F.S., provides that the sale, rental, use, consumption, or storage for use in this state of self-propelled, power-drawn, or power-driven farm equipment is taxable at the rate of 3 percent. The equipment must be used exclusively on a farm or in a forest in plowing, planting, cultivating, or harvesting crops or products as produced by those agricultural industries included in s. 570.02(1), or for fire prevention and suppression work with respect to such crops or

products. Processing activities may not be construed to include harvesting and do not qualify for the exemption. This farms or forests.

(2) For purposes of this rule, the following definitions

(a) Agricultural industries included in Section 570.02(1), F.S., are: aquaculture, horticulture, floriculture, viticulture, of farm products and farm production.

(b) The term forest as defined in Section 212.02(33), F.S., production of forest products, or formerly having such tree cover, and not currently developed for nonforest use.

597.0015(3), F.S., means aquatic organisms and any product derived from aquatic organisms that are owned and

Such products do not include organisms harvested from the wild for depuration, wet storage, or relay for purification.

equipment as equipment that contains within itself the means for its own propulsion, including, but not limited to tractors. In

also includes but is not limited to:

- (a) All-terrain vehicles (mules and gators).
- (c) Forest fertilizer spreaders.
- (d) Irrigation equipment (traveling "gun-type" and center

not an integral part of the moving system.

(e) Motorized boats for use in planting, cultivating, or of this rule regarding specific guidelines for persons engaging in aquaculture activities.

(g) Skidders.

(4)(a) Persons engaged in planting, cultivating, and exemption on their purchase or lease of a motorized boat to be used exclusively for aquacultural purposes, provided they are

Services under Section 597.004, F.S., as a person engaged in aquaculture. For purposes of this rule, a farm includes

Section 253.68, F.S., by a person engaged in aquaculture activities.

from the state pursuant to Section 253.68, F.S., and who is certified under Section 597.004, F.S., with the Department of

partial exemption on the purchase or lease of a motorized boat used exclusively for planting, cultivating, or harvesting clams boats between farms.

(5) Section 212.02(31), F.S., defines power-drawn farm attached to self-propelled equipment, including, but not limited to, disks, harrows, hay balers, and mowers. In addition to the

farm equipment also includes but is not limited to:

- (a) Bale shredders.
- combines.
- (c) Cultivators.
- (e) Field trailers, wagons, and carts.
- (f) Livestock feeders.
- (h) Planters.
- (i) Plows.
- (k) Scrapers, graders, grade boxes.
- (l) Sprayers.
- (n) Tree bedders.
- (o) Wood chippers (field type).

equipment as moving or stationary equipment that is dependent upon an external power source to perform its function, systems, and pumps.

(7)(a) Generators (excluding generators purchased for use to supply power to power-driven farm equipment, do not qualify as power-driven farm equipment and are taxable at the an integral part of the qualifying farm equipment would qualify for the partial exemption.

power to an irrigation pump does not qualify, since it is the external power source that runs the qualifying equipment.

2. Example: A diesel-powered irrigation pump that pumps water from a supply source qualifies as power-driven farm powered by the irrigation pump, and the generator supplies power to the moving irrigation system. In this example, since qualifies as power-driven farm equipment when sold as part of the pump.

(b) Generators purchased or leased for use on a poultry farm are exempt from sales tax pursuant to Section 212.08(5)(a), F.S. The exemption will not be allowed unless the purchaser or lessee signs a certificate stating the generator is for exclusive use on a poultry farm.

(8) The partial exemption provided in subsection (1) of this rule will not be allowed unless the purchaser furnishes the seller with a written statement stating that the items qualify for the limitation under Rule 12A-1.087, F.A.C. Although the Department does not furnish the printed form to be executed by farmers when purchasing or leasing qualifying equipment, the following statement is suggested as being appropriate: "The self-propelled, power-drawn, or power-driven equipment is purchased or leased for exclusive use on a farm or in a forest in plowing, planting, cultivating, or harvesting, crops or products as produced by those agricultural industries included in Section 570.02(1), F.S., or for fire prevention and suppression work with respect to such crops or products, and such equipment is subject to tax at the rate of 3 percent under the provisions of Section 212.08(3), F.S."

(9) The partial exemption does not apply to charges for repairs to farm equipment or to purchases of replacement parts for such equipment.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(14)(c), (30), (31), (32), (33), 212.05(1), 212.06(1), 212.07(5), 212.08(3), (5)(a), 570.02(1), 597.0015(1), (3), 597.004 FS. History—Revised 10-7-68, 1-7-70, 6-16-72, Amended 10-18-78, 7-20-82, 4-12-84, Formerly 12A-1.87, Amended 12-13-88, _____.

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 U.S. No. 1 and Florida grades may be shown on a carton when packing fresh grapefruit under the Florida Fancy grade classification.

SUBJECT AREA TO BE ADDRESSED: Packing of fresh Florida grapefruit carrying both the Florida grades and U.S. No. 1 grades on a carton.

SPECIFIC AUTHORITY: 601.10(1),(7), 601.11, 601.45 FS.

LAW IMPLEMENTED: 601.16, 601.45, 601.51 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AT A TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Employee Grooming, Uniform and Clothing Requirements

RULE NO.: 33-4.007

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide guidelines for the wearing of the correctional officer badge and to change the color of the badge from silver to gold for officers with the rank of lieutenant and above.

SUBJECT AREA TO BE ADDRESSED: Correctional Officer uniforms.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

TIME AND DATE: 9:00 a.m., February 23, 1999

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-4.007 Employee Grooming, Uniform and Clothing Requirements.

(1) through (3) No change.

(4) The following provisions shall apply to employees in the positions of correctional officer colonel, correctional officer major, correctional officer captain, correctional officer lieutenant, correctional officer sergeant and correctional officer, with the exception of employees at community correctional centers and probation and restitution centers. For the purposes of this rule, "correctional officer" is used to refer to the individual position or the class which includes all of the above-listed positions.

(a) Class A Uniform. The correctional officer class A uniform issued by the department shall be worn while performing official duties as determined by the superintendent. The class A uniform will be mandatory for all court appearances. The class A uniform will consist of:

1. through 5. No change.

6. Correctional officer badges. Badges shall be issued to all certified correctional officers regardless of their work location. Correctional officer badges will be issued by the

department to be worn as part of the _____ uniform ~~only~~
~~correctional facility such as court or other appearances.~~ The
the pre-sewn holes. Wearing the department issued badge
representing the Department of Corrections, but the law
enforcement community and the State of Florida. The badge
reflect the pride and professionalism of the Department of
Corrections.
personal purposes is prohibited. Only badges issued by the
department shall be used to conduct officially designated
colored metal _____
color for lieutenants and above with black lettering, and
certified officers upon employment and will not be provided to
uncertified officers until after certification is received.
department for any issued badge which is lost or stolen. Issued
badges are considered state property and, except for retirement
upon the officer's termination of employment with the
department or removal from a position within the correctional
department under honorable conditions and are eligible to
retire under the State of Florida retirement system, including
retain their issued badges. Correctional officer sergeants who
badges to the superintendent prior to being issued gold colored
badges.

- 7. through 27. No change.
- (4)(b) through (13) No change.

New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88,
8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98_____.

DEPARTMENT OF CORRECTIONS

RULE NO.:

Community Release Programs
PURPOSE AND EFFECT: The purpose and effect of the
proposed rule is to clarify the criteria which render an inmate
provide additional instruction as to use of form DC4-840,
Checklist for Transfers to Community Residential Facilities,
of funds earned by inmates on community release.
SUBJECT AREA TO BE ADDRESSED: Community Release
SPECIFIC AUTHORITY: 945.091 FS.
LAW IMPLEMENTED: 945.091 FS.

UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE HELD AT THE

TIME AND DATE: 9:00 a.m., February 24, 1999
PLACE: Law Library, Conference Room, Room B-404, 2601

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500
THE PRELIMINARY TEXT OF THE PROPOSED RULE

- 33-9.023 Community Release Programs.
- (1) through (4) No change.

following inmates shall be ineligible to participate in
community release programs:

- 794.011 F.S.;
- (b) Any inmate convicted of escape pursuant to s. 945.092
- ;
- (c) Any inmate that has an outstanding criminal

been removed from the NCIC/FCIC data base by the issuing
agency;

___(e) Absent extenuating circumstances, the following
programs:

- 1. Inmates who have been terminated from a community
violation or disciplinary action. Inmates removed pursuant to
33-9.023(13)(c) shall be ineligible for return to a community
recommended substance abuse programs or are deemed
appropriate for return by the substance abuse or mental health

- 2. Inmates who are serving more than their third
commitment to prison, including commitments in any other
the opportunity to participate in a community release program
during a previous commitment.

violation for escape within the last 5 years.
(e) — No inmate can participate in community work
release, center work assignment or study release if he or she
programs, unless subsequently completing a comparable
treatment program.

- (a) through (e) No change.

(f) Any inmate who has a detainer filed against him or her shall be ineligible for community release unless:

1. The detaining authority has, in writing, not objected to the inmate's placement and furlough participation in the program; ~~and~~ ~~or~~

2. It can be established that the detainer would be withdrawn upon the payment of restitution, fines, or court costs and it appears likely that the inmate will earn sufficient funds in order to pay the restitution, fines or court costs within the time frame that the inmate is participating in the program.

(g) through (h) No change.

(7) Requirements and General Considerations.

(a) through (b) No change.

(c) A DC4-840 shall be completed on each inmate recommendation for community release, except that any inmate currently housed at a community correctional center or community based Tier IV facility in community work assignment or Tier IV status going to community work release status need not have a DC4-840 completed. A copy of the completed DC4-840 shall be placed in the inmate's file prior to transfer. The correctional probation officer assigned to the receiving facility shall review the form, inmate file, and all other pertinent documents immediately upon the inmate's arrival at the facility to ensure that placement of the inmate in a community residential facility is appropriate according to criteria established in this rule and form DC4-840.

(d) No change.

(8) Inmate Conduct While On Community Release.

(a) through (d) No change.

(e) As a condition of community release, each inmate shall turn over all monies received or earned while on community release, other than weekly draws, to the fiscal officer or other designated staff member at the community correctional center or contract facility immediately upon the return to the facility. The collected funds will be deposited into the facility's banking system for the purpose of disbursement of earnings-subsistence, court costs, restitution, and any other obligations as determined by the inmate's personalized program plan. Failure of the inmate to abide by this condition shall result in disciplinary action in accordance with chapter 33-22, Inmate Discipline.

(9) through (12) No change.

(13) Termination From Community Release.

(a) The approving authority shall consider and have the authority to terminate an inmate from community release if:

1. The approving authority, following placement of the inmate in a community release program, receives any information concerning the inmate which would impact adversely on the safety and security of the community;

2. The inmate engages in conduct that causes the approving authority to believe that the inmate will not honor the trust bestowed upon him or her;

3. The approving authority determines that it is not in the best interest of the safety and security of the public, the department or the inmate to continue the inmate in the program;

4. Based on actions and behavior, the inmate is not amenable to the status changes allowed in 33-9.023(12);

5. If, upon arrival at the facility, it has been determined that the inmate is not appropriate for placement at the facility based on criteria specified on form DC4-840.

(b) through (e) No change.

(14) through (22) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 12-7-97, Amended 4-13-98, 10-20-98,_____.

GAME AND FRESH WATER FISH COMMISSION

RULE TITLE:

RULE NO.:

Regulations Governing the Processing of

Alligator Meat and Parts

39-25.052

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish regulations for processing of alligator meat and parts.

SUBJECT AREA TO BE ADDRESSED: Requirements for processing of alligator meat and parts.

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

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

WORKSHOPS ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S WORKSHOPS AND PUBLIC MEETINGS AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATES: 1:30 p.m. on the following dates: March 11, 1999, May 14, 1999, July 16, 1999, September 17, 1999, and November 19, 1999.

PLACE: Location of March 11, 1999 workshop: Second Floor, Auditorium, Farris Bryant Building, 620 South Meridian Street, Tallahassee, Florida; Specific location of other workshops will be announced at a later date.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. James V. Antista, General Counsel

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Game and Fresh Water Fish Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Andrena Knicely at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE: Hospitality Training Programs Grants
RULE CHAPTER NO.: 61C-8
RULE TITLE: Program Requirements
RULE NO.: 61C-8.004

PURPOSE AND EFFECT: The purpose of this amendment is to clarify terminology used in section 509.302(7), Florida Statutes.

SUBJECT AREAS TO BE ADDRESSED: The area to be discussed is the definition of the term, "statewide organizations," as it applies to administration and distribution of hospitality education grants authorized by statute.

SPECIFIC AUTHORITY: 509.302(7)(b) FS.

LAW IMPLEMENTED: 509.302(7) 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., February 26, 1999

PLACE: Secretary's Conference Room, Room 259, The Johns Building, 725 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the hearing by contacting: Lee M. Cornman, Management Review Specialist, (850)488-9263. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lee M. Cornman, Management Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Sanitation and Safety Inspections, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-1012, Telephone (850)488-9263

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-8.004 Program Requirements.

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

(g) "Statewide organizations" as used in s. 509.302(7), F.S., and this rule, means organizations providing services or programs throughout this state to residents of this state or licensees of the division. State agencies, state universities and colleges, and recognized associations that represent licensees of the division shall be deemed to be statewide organizations. Other applicants shall be considered statewide organizations

upon a determination that their membership and the proposed program are available throughout the state to residents of the state or to licensees of the division.

(g) renumbered (h) No change.

(2) through (4) No change.

Specific Authority 509.302(7)(b) FS. Law Implemented 509.302(7) FS. History--New 2-27-92, Amended 8-11-92, Formerly 7C-8.004, Amended 3-31-94, 9-25-96, 1-18-98, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Certification of Pollutant Storage System
Specialty Contractors
RULE NO.: 61G4-15.016

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being promulgated in order to develop standards for the Certification of Pollutant Storage System Specialty Contractors.

SUBJECT AREA TO BE ADDRESSED: Certification of Pollutant Storage System Specialty Contractors.

SPECIFIC AUTHORITY: 489.108, 489.113(3),(7), 489.129(3), 489.133 FS.

LAW IMPLEMENTED: 489.113(3),(7),(8), 489.115(4), 489.133 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., February 22, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Pre-licensing Education for Broker and Salesperson Applicants
RULE NO.: 61J2-3.008

PURPOSE AND EFFECT: The purpose and effect is for the Florida Real Estate Commission to review the pre-license education rule to determine what changes are needed in light of

a new broker's course syllabus (Course II). The Commission will also determine if other changes are necessary to keep the rule up to date.

SUBJECT AREA TO BE ADDRESSED: The Commission's broker's course syllabus (Course II) has been updated and revised. The Commission will review this rule to determine what changes are necessary and to generally update the rule.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 FS.

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

TIME AND DATE: 8:30 a.m., March 17, 1999

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: James D. Kimbler, Acting Director, Division of Real Estate, Suite 308, North Tower, 400 West Robinson Street, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-77R

RULE CHAPTER TITLE: Operation Permits for Major Sources
RULE CHAPTER NO.: 62-213

of Air Pollution

RULE TITLE: Permit Applications
RULE NO.: 62-213.420

PURPOSE AND EFFECT: 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 Notice of Rule Development for 62-213.440 F.A.C. for the same project was published in the Florida Administrative Weekly, Page 6386, Vol. 24, No. 47, on November 20, 1998.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments would update the Title V Operating Permit Program with respect to EPA's Periodic Monitoring Guidance.

SPECIFIC AUTHORITY: 403.061, 403.087 FS.

LAW IMPLEMENTED: 403.087, 403.0872 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: 1:00 p.m. – 5:00 p.m., February 18, 1999

PLACE: Room 609, Twins Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IS: Ms. Sandy Ladner, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9590

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

PLEASE SUBMIT COMMENTS, OBJECTIONS AND ANY REQUESTS FOR WORKSHOP WITHIN 21 DAYS TO: Michael Hewett, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400.

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE TITLE: Standardized Credentialing for Health
RULE NO.: 64B-5.001

Care Practitioners

PURPOSE AND EFFECT: To Develop rules for establishing the verification procedures and quality assessment programs for the standardized credentialing for health care practitioners program.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed at the public workshop will be the verification and quality assessment programs for the standardized credentialing for health care practitioners program.

SPECIFIC AUTHORITY: 455.557 FS.

LAW IMPLEMENTED: 455.557 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 5, 1999

PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

PROPOSED RULE DEVELOPMENT IS: Regina Davis,
OMC Manager, Bureau of Operations, 2020 Capital Circle,

DEPARTMENT OF HEALTH
Division of Medical Quality Assurance

RULE NO.:

Standardized Credentialing for Health

64B-5.001

PURPOSE AND EFFECT: To Develop rules for establishing
for the standardized credentialing for health care practitioners
program.

be addressed at the public workshop will be the verification
and quality assessment programs for the standardized

SPECIFIC AUTHORITY: 455.557 FS.
LAW IMPLEMENTED: 455.557 FS.

UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE HELD AT THE

TIME AND DATE: 10:00 a.m., March 9, 1999
PLACE: 1313 Winewood Boulevard, Building 6, Room 103,

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT IS: Regina Davis,
Southeast, BIN #C-10, Tallahassee, Florida 32399-3260

DEPARTMENT OF HEALTH

RULE TITLE: Care Practitioners
RULE NO.: 64B-5.001

the fee(s) for the standardized credentialing for health care
practitioners program.

be addressed at the public workshop will be the fee(s) for the
standardized credentialing for health care practitioners

SPECIFIC AUTHORITY: 455.557 FS.
LAW IMPLEMENTED: 455.557 FS.

UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE HELD AT THE

TIME AND DATE: 10:00 a.m., March 16, 1999

PLACE: Medical Quality Assurance, Northwood Centre,
Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE

OMC Manager, Bureau of Operations, 2020 Capital Circle,
Southeast, BIN #C-10, Tallahassee, Florida 32399-3260

Division of Medical Quality Assurance

RULE TITLE:
Standardized Credentialing for Health
Care Practitioners

PURPOSE AND EFFECT: To Develop rules for establishing
the form(s) for the standardized credentialing for health care

SUBJECT AREA TO BE ADDRESSED: The subject area to
be addressed at the public workshop will be the form(s) for the
program.

SPECIFIC AUTHORITY: 455.557 FS.

IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE

TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:00 a.m., March 19, 1999

National Drive, Orlando, Florida
THE PERSON TO BE CONTACTED REGARDING THE

OMC Manager, Bureau of Operations, 2020 Capital Circle,
Southeast, BIN #C-10, Tallahassee, Florida 32399-3260

Division of Medical Quality Assurance

RULE TITLE:
Standardized Credentialing for Health
Care Practitioners

PURPOSE AND EFFECT: To Develop rules for establishing
the form(s) for the standardized credentialing for health care

SUBJECT AREA TO BE ADDRESSED: The subject area to
be addressed at the public workshop will be the form(s) for the
program.

SPECIFIC AUTHORITY: 455.557 FS.

IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE

TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., March 23, 1999
 PLACE: 1313 Winewood Boulevard, Building 6, Room 103, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Regina Davis, OMC Manager, Bureau of Operations, 2020 Capital Circle, Southeast, BIN #C-10, Tallahassee, Florida 32399-3260

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE TITLE: Standardized Credentialing for Health Care Practitioners

RULE NO.: 64B-5.001

PURPOSE AND EFFECT: To Develop rules for establishing the fee(s) for the standardized credentialing for health care practitioners program.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed at the public workshop will be the fee(s) for the standardized credentialing for health care practitioners program.

SPECIFIC AUTHORITY: 455.557 FS.

LAW IMPLEMENTED: 455.557 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 26, 1999
 PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Regina Davis, OMC Manager, Bureau of Operations, 2020 Capital Circle, Southeast, BIN #C-10, Tallahassee, Florida 32399-3260

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Endorsements

RULE NO.: 64B7-25.004

PURPOSE AND EFFECT: The purpose of the amendment is to eliminate the requirement of a laws and rules exam, for which the Board no longer has authority. The Board used to have authority in Chapter 480, but the legislature amended the statute in 1997 to delete the exam requirement.

SUBJECT AREA TO BE ADDRESSED: Endorsements.

SPECIFIC AUTHORITY: 455.564(2), 480.035(7), 480.041(5) FS.

LAW IMPLEMENTED: 455.564(2), 480.041(5) 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:

64B7-25.004 Endorsements.

(1) The Department shall issue a license by endorsement to a person who:

(a) through (d) No change.

(e) Has successfully completed ten hours of Florida Statutes/Rules and History of Massage and 3-hour HIV/AIDS course at Board-approved massage school ~~demonstrated knowledge of statutory requirements related to the practice of massage therapy by achieving a passing score on the Statutes & Rules Examination, as set forth in Rule 64B7-25.001(1)(e), F.A.C.~~

(2) No change.

Specific Authority 455.564(2), 480.035(7), 480.041(5) FS. Law Implemented 455.564(2), 480.041(5) FS. History–New 11-27-79, Amended 7-9-80, 8-29-83, 10-9-85, Formerly 21L-25.04, Amended 6-12-88, 8-15-89, 2-11-93, Formerly 21L-25.004, Amended 9-15-94, 1-9-95, 8-18-96, 1-29-97, Formerly 61G11-25.004, Amended _____.

**Section II
 Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: Florida Small Cities Community Development

RULE CHAPTER NO.: 9B-43

Block Grant Program

RULE TITLES: Definitions 9B-43.003

Eligible Applicants 9B-43.004

Application Procedures for All Categories 9B-43.006

Scoring System 9B-43.007

Program Requirements for Housing 9B-43.009

General Grant Administration for All Categories 9B-43.014

PURPOSE AND EFFECT: This amendment revises the rule in order to improve the program administration of the Small Cities Community Development Block Grant. The effect of these amendments will be to clarify definitions, improve administrative efficiency and streamline and simplify the application requirements.

SUMMARY: The proposed amendments to this rule incorporate the following changes: definitions were added for “authorized signature,” “engineer,” in the definition under additional engineering services for “redesigns,” and the

definition of “retained jobs” was clarified by reference to the Code of Federal Regulations citation; the requirements were clarified relating to joint and individual applications and conformance with the Comprehensive Plan when a project is located under two different local government jurisdictions; on-schedule contract performance is defined under economic development applications; the requirement for Notice of Outstanding Closeout Issues is clarified; audit penalties are revised for outstanding audit findings; minor changes are recommended in the Economic Development program to clarify the fund reservation process; census data source material is referenced; housing is modified to allow construction activity to be limited to water and sewer hookups and other modifications without the housing being brought to Section 8 standards; applications manuals are revised by reference and administrative requirements are clarified.

STATEMENT OF THE ESTIMATED REGULATORY COSTS: These changes to 9B-43 are intended to reduce the regulatory burden of administering the Small Cities Community Development Block Grant through clarification of procedures, streamlining of application requirements and simplification of procedures.

Any person who wishes to provide the agency with 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 after publication of this notice.

SPECIFIC AUTHORITY: 120.53, 290.048 FS.

LAW IMPLEMENTED: 290.0401-.049 FS.

TWO PUBLIC HEARINGS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

DATE AND TIME: 10:00 a.m., Wednesday, March 3, 1999

PLACE: Courtyard by Marriott, 3712 Southwest 38th Avenue, Ocala, Florida, Call (352)237-8000 for directions

DATE AND TIME: 10:00 a.m., Thursday, March 4, 1999

PLACE: Department of Community Affairs, Capital Circle Office Complex, Sadowski Building, Room 305, Randall Kelley Training Room, 2555 Shumard Oak Boulevard, Tallahassee, Florida, Call (850)487-3644 for directions

Any person requiring a special accommodation at this meeting because of a disability, physical impairment or English language deficiency should contact the CDBG Program at (850)487-3644 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Relay System which can be reached at 1(800)955-8771 (TDD). If a person desires to appeal any decision with respect to any matter considered at the above cited hearing, he will need a record of the proceeding, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Dr. Susan M. Cook, Community Program Administrator, Division of Housing and Community Development, Department of Community Affairs, Sadowski Building, Room 260A, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-3644

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-43.003 Definitions.

(1) through (6) No change.

(7) “Architectural and engineering services” means the basic services required to be performed by an architect or engineer licensed by the State of Florida. Specific costs may include, but are not limited to, the following:

(a) through (e) No change.

(f) Additional engineering services as used in Section D of Rural Development (RD) (formerly known as the Farmers Home Administration (FmHA)) Form 1942-19 including, but not limited to:

1. through 4. No change.

5. Redesigns ordered by the owner after final plans have been accepted by the owner and the local government, except if the redesigns ~~to are for the purpose of~~ reducing the project cost to within the funds available.

6. through 12. No change.

(8) “Authorized signature” means the original signature of the Chief Elected Official or the signature of a person who is designated by an adopted resolution of the local government to sign CDBG related documents. If a signature other than the Chief Elected Official is submitted, a copy of the authorizing resolution must accompany that CDBG document. ~~“Blighted area” means an area as defined in Section 163.340, F.S.~~

(9) through (21) No change.

(22) “Engineer” means a person meeting the qualifications determined in Section 471.005(4), F.S. This number omitted intentionally.

(23) through (50) No change.

(51) “Retained jobs” means the total number of permanent jobs which, without CDBG assistance, would be abolished by layoffs, plant closing, or other severe economic or natural conditions or as otherwise clarified in 24 C.F.R Part 570.208(a)(4)(ii).

(52) through (58) No change.

Specific Authority 120.53, 290.048 FS. Law Implemented 290.042, 290.043 FS. History—New 11-30-87, Amended 10-11-88, 9-25-89, 10-14-90, 12-29-91, 4-26-93, 1-30-95, 2-13-96, 12-25-96, 1-29-98, _____.

9B-43.004 Eligible Applicants.

(1) Individual Applicants.

(a) An eligible applicant may submit an individual application to undertake eligible activities in a service area, project area, housing unit, or at a job creation location within its jurisdiction. The construction of any proposed CDBG

applying local government's jurisdiction and all proposed beneficiaries must reside within the local government's

(a) An eligible applicant's activities may extend beyond its jurisdiction, provided the areas outside its jurisdiction are

such services or undertake such activities and be supported by a signed interlocal agreement executed by both eligible local governments.

(b) An eligible individual applicant may apply to undertake a portion of an eligible Neighborhood Revitalization activity in an otherwise eligible location outside its jurisdiction or service areas, if it can demonstrate that the activities are necessary to meet the needs of the beneficiaries of the activities undertaken within its jurisdiction or service areas, and are consistent with state and local law. (For example, it may be necessary from an engineering perspective for a water line to be extended outside the service area or outside the jurisdiction to "loop" the water line for safety and health reasons, and for proper functioning of the water system.) Any benefit to persons outside the jurisdiction or service area must be an indirect benefit and only be incidental to the like activity undertaken within the jurisdiction or service area. Indirect benefit to persons outside the jurisdiction or service area shall not be used to establish activity eligibility or for scoring purposes. All service area residents shall reside within the jurisdiction of the local government submitting the individual application. If an eligible applicant proposes a Housing activity outside its jurisdiction, it shall document in the application that the activity relates to other community development activities being proposed, and that the beneficiaries of each activity are low and moderate income persons. All beneficiaries shall reside within the jurisdiction of the local government submitting the individual application.

(c) An eligible individual applicant may apply to undertake a portion of an eligible Economic Development activity in an otherwise eligible location outside its jurisdiction, if it can demonstrate that the portion of the activities outside its jurisdiction are necessary to meet the needs of a job-creating Participating Party. (For example, it may be necessary for a sewer line to be extended outside the applying local government's jurisdiction to connect the sewer line to the sewage transmission system of the entity who will be providing sewer service to the job creation location.) Any benefit to persons outside the jurisdiction must be an indirect benefit and only be incidental to the like activity undertaken within the jurisdiction of the applying local government. Indirect benefit to persons outside the jurisdiction shall not be used to establish activity eligibility unless required pursuant to 24 C.F.R. Section 570.482(e)(1) or for scoring purposes. The job creation location must be within the jurisdiction of the local government applying for the individual application. The

location of the residence of the beneficiaries of the economic development activity (the employees of the Participating Party) shall not be an application issue. If an eligible applicant proposes a Neighborhood Revitalization activity outside its jurisdiction or the service area, it shall document in the application that the activity relates to other community development activities being proposed within the service area and that the only beneficiaries of each activity are residents of the service area. All service area residents shall reside within the jurisdiction of the local government submitting the individual application.

(d) In all instances where an individual eligible applicant proposes activities both inside and outside its jurisdiction as provided in the paragraph, the following shall be required: In instances where an individual eligible applicant proposes activities both inside and outside its jurisdiction, a written Interlocal agreement shall be executed authorizing the applicant to undertake the activities outside its jurisdiction, giving the concurrence of the other local government with the activity and committing resources by one or both local governments to maintain the activity. Such an Interlocal agreement must be submitted with the application for funding.

1. A written Interlocal Agreement shall be executed by all local governments in whose jurisdictions the CDBG activities are to be undertaken. The Interlocal Agreement must authorize the applying local government to undertake the activities outside its jurisdiction, giving the concurrence of the other local government(s) with the activity and committing resources by one or both local governments to maintain the activity. Such an Interlocal Agreement must be submitted with the application for funding.

2. Each local government signing an Interlocal Agreement shall certify that all activities, project areas, service areas, and job creation locations are in conformance with that local government's comprehensive plan.

(e) The application shall contain excerpts of the comprehensive plans of all local governments in whose jurisdiction activities will take place that document that all activities, project areas, service areas, and job creation locations are in conformance with that local government's comprehensive plan.

(2) Joint Applicants.

(a) Eligible local governments applicants may submit a joint application to address a shared problem, the solution to which requires the common action of the applying local governments joint applicants. One local government shall be designated as the lead agency responsible for the administration of the grant. Both applicants must be eligible under the provisions of this rule. All provisions of this rule relating to past performance by any local government and future penalties to be assessed against any local government shall apply to all parties to the joint application.

~~___(a) Joint applicants shall execute a written Interlocal giving the concurrence of both local governments with the activity_____ government, and committing resources by one or both local applicants must submit must be submitted with their~~

~~(b) If a joint application proposes an activity outside its jurisdiction or service area, it shall document in the application activities being proposed within the service area and that the beneficiaries of each of the activities are only the service area jurisdiction of the local governments submitting the joint application.~~

~~Agreement shall certify that all activities, project areas, service areas, and job creation locations are in conformance with that~~

~~(d) The joint application shall contain excerpts of the comprehensive plans of all local governments in whose activities, project areas, service areas, and job creation locations are in conformance with that local government's~~

~~(e) The maximum amount of grant funds that may be applied for in a joint application shall be no more than the eligibility or \$750,000, whichever is less; and~~

~~(f) The mean average of the Community Wide Needs scoring purposes.~~

(3) The applicants submitting a joint application under Commercial Revitalization category cannot submit an individual application under any of these three categories—~~may submit an additional individual or joint application under the Economic Development category~~

~~(4) The eligible applicant may submit an additional joint or individual application under the Economic Development~~

(5) through (7) No change.

(8) Contract performance shall be determined to be on

and beneficiary data contained in the contract and/or the work plan(s) on any open CDBG grant have been met or surpassed or, in the case of economic development applications, thirty days prior to receipt of the application by the recipient's certification of on-time performance as required in the application. Failure to submit this certification

completeness period as set forth in Section 9B-43.006(3) and shall cause the application to be ineligible pursuant to Section subject to verification by Department staff during the site visit. If the Department determines as a result of the site visit that the performance is not in accordance with the expenditure rates and accomplishments described in the contract and/or ineligible in accordance with Section 290.046(2)(c), F.S. Requests for funds or rate of expenditure of funds that meet or performance issue for eligibility.

(9) The Department shall notify the local government package from the local government as to whether it is administratively closed out for the purpose of eligibility.

class mail. Notification shall be either of (1) administrative closeout or (2) Notice of Outstanding Closeout Issues

impediments to closeout which the recipient must resolve before the review of the closeout will proceed by the

45 day review period. A local government's response to a NOCISS letter must be received at least ten days before the

be eligible for the next funding cycle. For all NOCISS

deadline, eligibility will be established if the response is adequate as determined by the Department.

government is not eligible to apply for a grant until any cost determined to be ineligible by the Department on a prior

Specific Authority 120.53, 290.048 FS. Law Implemented 290.044, 290.046 FS. History—New 11-30-87, Amended 10-11-88, 10-14-90, 12-29-91, 1-30-95,

(1) Application Forms. Application forms are found in the application manuals which are hereby incorporated into this ~~1-29-98~~, and

Affairs at the address specified in the NOFA:

(a) Form CDBG-H, Housing Application Manual;

Application Manual;

(c) Form CDBG-C, Commercial Revitalization

(d) Form CDBG-E, Economic Development Application Manual.

(5) Architectural and Engineering Costs. The maximum percentage of contracted block grant funds that may be spent on architectural and engineering costs by an eligible local government shall be based on the total eligible grant activities which require architecture and engineering and shall not exceed the Rural Development (RD) (formerly U.S. Farmers Home Administration (FmHA)) schedule as applied to projects in Florida on the date of the application. If more than one design professional is needed for an activity or activities (i.e., a landscape architect in addition to an engineer for sidewalk construction in a commercial revitalization project), the local government shall not exceed the appropriate RD fee curve for each activity covered by each design professional negotiated separately. For unusually complex items as designated by RD (FmHA) (water treatment plants, sewers, sewage treatment plants, rehabilitation of existing water and wastewater treatment facilities) engineering costs are calculated using Tables I and I-A of Attachment I of RD (FmHA) Form 1942-19. For all other projects, engineering costs are calculated using Tables II and II-A of Attachment I of RD (FmHA) Form 1942-19. For projects involving both unusually complex and other activities, engineering costs shall be pro-rated appropriately. For each additional engineering service as defined in Rule 9B-43.003(6)(f) and for preliminary engineering, the local government shall negotiate a reasonable fee for the service following procurement procedures in 24 C.F.R. 85.36. Preliminary engineering costs not to exceed one-half of one percent of the estimated construction cost may be paid with CDBG funds over and above the amounts included in Tables I, IA, II, and IIA of Attachment I of RD (FmHA) Form 1942-19.

(6) Past Performance for All Categories.

(a) Audits. Audits or attestation statements, signed by the Chief Elected Official, for the preceding local government fiscal year must be received at the Department by 5:00 PM on or before April 30 of the following year. If April 30th falls on a weekend, the audit or attestation statement is due on the next workday. No waivers or extensions of this provision will be granted by the Department for any reason. If the Single Audit is not required pursuant to OMB Circular A-133, the local government shall submit an attestation statement, pursuant to Section 216.349(c), Florida Statutes, stating that it has complied with the provisions of the grant.

1. If the Department has not received an audit report or attestation statement by April 30 that meets the requirements of OMB Circular A-133 and Section 216.349(c), Florida Statutes, a 15 point penalty will be assessed against future grant applications. If the local government has not responded to an audit findings letter issued by the Department within the time frame prescribed by the Department, the Department shall not execute a new contract or shall withhold funding from an existing contract until a satisfactory response is received and approved by the Department. ~~a 15 point penalty will be~~

~~assessed against future grant applications for each outstanding finding.~~ These assessments of penalty points shall apply to all audits due after the effective date of this rule amendment including any audits that are required to be submitted for any administratively-closed CDBG Grants. These penalties expire two years from the date of the clearance of the audit or audits involved. Audit penalties accrued from any prior year audit due before the effective date of this rule will also expire two years from the date of the clearance. Audit penalties will be nullified upon successful competition for CDBG funding.

2. If an annual local government audit or attestation statement from an open or administratively closed grant, is not received ~~and/or all audit findings cleared in writing~~ by the Department within 12 months of the end of any audit period, ~~prior to application deadline,~~ a 251 point penalty will be assessed at application deadline against the total Project Impact score of any application received by the Department. This penalty shall continue until such time as the audit and all audit findings are cleared by the Department that applying local government. Once this late audit penalty is assessed against a CDBG application, the penalty levied against that application shall not be abrogated by subsequent submission of the audit after the application due date.

(b) through (e) No change.

(7) No change.

(8) Conformance with Local Comprehensive Plan.

(a) The application shall include a certification (or certifications for projects which cross jurisdictional boundaries) that the proposed activities are in conformance with the applicable elements of the adopted local comprehensive plan.

(a) No change.

(9) No change.

(10) Economic Development Application and Contracting Process

(a) Economic Development Funding Reservation Process

1. Receipt of Application: Economic Development Applications will be date stamped upon receipt by the Community Development Block Grant Section. The date and time received by any other part of the Department shall not establish a date and time for fund reservation purposes and funds will be reserved ~~considered~~ in the order received by time and date.

2. through 3. No change.

a. No change.

b. The Department will secondly undertake a review to determine that the application is complete and contains the items required on Form CDBG-E-1 through Form CDBG-E-10.

(I) Based upon the second review, any issues in Form CDBG-E1 through Form CDBG-E-10 which require elaboration or correction due to inconsistencies or lack of

person by telephone or facsimile (FAX) scheduling.

(II) No change.

e. Following the site visit, the Department will mail to the local government an award and offer to contract letter and a execution by the local government.

1. If any additional issues are generated during the site

information will accompany the award and offer to contract letter and the contract _____ that time.

receipt of the award and offer to contract letter (the 60 day period), the Department must receive from the applying local CDBG E-11, the award and offer to contract letter ~~e.1. above~~, and a contract ready for the

f. through h. No change.

i. If no unreserved funds are available, the applications of their eligibility as established in this section ~~received~~ until additional funds become available.

1. An Economic Development application shall lose its fund reservation if:

f. Prior to the end of the site visit, the local government fails to provide _____ requested items requiring elaboration or correction due to inconsistencies or lack of clarity _____ referenced in 9B-43.006(10)(a)3.d.1. and 2.

documentation and the contract signed and ready for the Department's execution with _____ 60 days of the applying local _____ ~~their~~ letter.

h. through i. No change.

(11) Documenting LMI Service Area Benefit

(a) HUD Census Data – LMI benefit may be documented “CDBG Program Listing from 1990 Census Special Tab Tape, Percent of Low and Moderate _____ census data service area geographically corresponds with block groups, census tracts, or local government geographical limits.

Specific Authority 120.53, 290.048 FS. Law Implemented 290.044, 290.046, 290.047, 290.0475 FS. History–New 11-30-87, Amended 10-11-88, 9-25-89, _____.

(1) The maximum score possible in each program category is 1,000 points. These points shall be divided among three

for program impact are found in the rule section pertaining to individual program categories:

Program impact, Scope of Work,	250 points
Outstanding performance in equal	650 points
<u>fair housing</u>	
Total points	1,000 points

Specific Authority 120.53, 290.048 FS. Law Implemented 290.046 FS. History–New 11-30-87, Amended 10-11-88, 10-14-90, Repromulgated _____.

(1) through (9) No change.

(10) Upon completion of the rehabilitation program, all

in compliance with the local housing code (if any), and the HUD Section 8, Housing Quality Standards detailed in 24 If the construction activity is limited to water hookups, sewer

septic systems with no internal or external modifications to the housing unit, this requirement does not apply.

Specific Authority 120.53, 290.048 FS. Law Implemented 290.043, 290.044, 290.046 FS. History–New 11-30-87, Amended 10-11-88, 10-14-90, 12-29-91, _____.

Categories.

(1) No change.

C.F.R. Section 85.36 and for covered professional services contracts, Section 287.055, F.S., (Consultants Competitive in a newspaper shall be published in the daily newspaper of the

geographically closest OMB designated metropolitan statistical area (MSA) or any combination of publication and

at least three responsible and responsive proposals or bids. Such publication and mailing shall occur to the deadline for receipt of the proposals or bids ~~procured submission~~ This requirement becomes effective 45 days after the effective date of this rule and does not apply to

(b) through (d) No change.

(e) All contracts for professional services shall conform to the following:

1. through 2. No change.

3. A separate professional services contract must be procured and executed between the local government and any professional service ~~the~~ consultant for each particular CDBG grant. Each advertisement for procurement of CDBG professional services, except for grant application preparation, must specify the proposed scope of work, ~~program category~~ and CDBG grant cycle by federal fiscal year, ~~grant number provided by the Department, or application due date.~~

4. through 9. No change.

(f) No change.

(2) through (6) No change.

(7) Amendments Not Requiring Prior Written Approval by the Department. Any proposed amendment that does not reduce the number of intended beneficiaries, accomplishments or scoring points from the original contract or any subsequent approved amendment shall not require prior written Department approval. If the first six-month request for an extension of the contract does not require prior written approval for other reasons, it may be submitted as an amendment not requiring prior approval. Upon receipt by the Department, the non-prior approval amendment will be reviewed immediately. The acknowledgment letter will indicate that the amendment became effective upon receipt and will be immediately incorporated into the contract.

(a) No change.

(b) The following types of minor amendments do not require prior written approval by the Department:

1. through 5. No change.

6. Any proposed budget change which does not also reflect a reduction in score, benefit or accomplishments, shall not require prior approval by the Department. Budget amendments which result in a decrease in score do not require prior approval if they do not reduce accomplishments or beneficiaries, do not add activities not previously included in the contract, and remain above the fundable range. All requests for budget amendments shall include revised application forms to document how the score is affected. Any such change shall be submitted in writing to the Department on Forms DCA-69 and DCA-70, which are hereby incorporated into this rule by reference, effective as of _____ and which are available from the Department of Community Affairs at the address specified in the NOFA and a scoring sheet from the original application showing that the original score has increased or had no change as a result of this budget change. This requirement applies to changes to any portion of the approved budget – CDBG, non-CDBG, or program income.

(b) No change.

(8) Grant Closeout.

(a) No change.

(b) Upon completion of the activities contained in the local government’s CDBG contract, including any amendments, the local government shall submit to the Department a closeout package which gives the final statement of costs, certifies that the project and all non-administrative activities are completed and accepted, that all costs except those reflected on the closeout package have been paid, that the final score at close-out is within the fundable range as last amended and reports demographics of the program’s beneficiaries.

1. through 2. No change.

(c) through (e) No change.

(9) No change.

(10) Audit Requirements. A local government shall provide the Department with an annual financial audit report or attestation statement which meets the requirements of Sections 11.45 and 216.349, Fla. Stat., and Chapter 10.550 and 10.600, Rules of the Auditor General, and, to the extent applicable, the Single Audit Act of 1984, 31 U.S.C. ss. 7501-7507, OMB Circular A-133 for the purposes of auditing and monitoring the funds awarded under CDBG Grant Agreements.

(a) through (g) No change.

(h) Grantees shall comply with the requirement of s. 216.349, F.S., concerning the submission of audits and attestation statements.

(11) through (16) No change.

Specific Authority 120.53, 290.048 FS. Law Implemented 290.046 FS. History–New 11-30-87, Amended 10-11-88, 10-14-90, 12-29-91, 4-26-93, 1-30-95, 2-13-96, 12-25-96, 1-29-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Cook, Community Program Administrator, Division of Housing and Community Development, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-3644
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Buck, Director, Division of Housing and Community Development, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7956
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Ownership and Use of “Made with Florida Citrus” Certification Mark	20-111
RULE TITLE:	RULE NO.:
Exclusive Category Rights	20-111.0021
PURPOSE AND EFFECT: Would provide for exclusive category rights when using the “Made With Florida Citrus” symbol.	

SUMMARY: Exclusive category rights for those licensed to use the "Made With Florida Citrus" symbol.

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 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, 601.15(10)(a) FS.

LAW IMPLEMENTED: 601.101 FS.

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

TIME AND DATE: 10:30 a.m., March 17, 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:

20-111.0021 Exclusive Category Rights.

Upon request of the applicant, exclusive rights to use the "Made with Florida Citrus" mark in a specific food category shall be granted by the Department with the following restrictions.

(1) Exclusive rights shall be extended only to the first user of the mark in that specific food category.

(2) Such exclusive rights shall be granted for a maximum of two years from the date license to use the mark is issued and shall not be renewable. If, during the period such rights are effective, Department determines that licensee has failed to comply with the provisions for use of the "Made With Florida Citrus" mark as set forth herein, such exclusive category rights shall be withdrawn.

(3) To qualify for exclusive category rights, the licensee must agree to utilize an estimated minimum of 638,000 pounds of Florida citrus solids on an annual basis and shall furnish Department with records to substantiate use.

Specific Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History--New.

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: December 17, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 1998

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Nursing Facility Services
 RULE NO.: 59G-4.200

PURPOSE AND EFFECT: The purpose of the proposed rule is to incorporate by reference the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, January 1997, and corresponding Florida Medicaid Provider Reimbursement Handbook, Institutional 021, September 1996, and to repeal portions of the rule that are duplicated in other Medicaid rules of general applicability, Florida Statutes, Federal Regulations or in provider handbooks.

SUMMARY: The rule amendment will incorporate by reference the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, January 1997, and the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, September 1996, and repeal portions of the rule that are duplicated in the Medicaid handbooks, other Medicaid rules of general applicability, Florida Statutes, or federal regulations.

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

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

SPECIFIC AUTHORITY: 395.602, 409.919 FS.

LAW IMPLEMENTED: 395.602, 400 Part II, 409.905, 409.908 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: 2:00 p.m., Tuesday, March 2, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elsa Kellberg, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7353

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of 59G-4.200 follows. See Florida Administrative Code for present text.)

59G-4.200 Nursing Facility ~~Home~~ Services.

(1) This rule applies to all nursing facilities licensed under Chapter 400, Part II, rural hospital swing beds and distinct part skilled nursing facilities located in hospitals licensed under Chapter 395, Florida Statutes, certified by the Agency for Health Care Administration for participation in the Medicaid program for nursing facility care under section 409.902, F.S.

comply with the provisions of the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, January

Reimbursement Handbook, Institutional 021, September 1996, which are incorporated by reference. Both handbooks are

Specific Authority 395.602, 409.919 FS. Law Implemented 400 Part II 409.905(8) 409.913(5)(e),(8)(h), 395.602— FS. History—New 1-1-77, Amended 6-13-77, 10-1-77, 1-1-78, 2-1-78, 12-28-78, 2-14-80, 4-5-83, 8-19-86, 6-1-89, 7-2-90, 6-4-92, 8-5-92, 11-2-92, 7-20-93, Formerly 10C-7.048, Amended 11-28-95.

NAME OF PERSON ORIGINATING PROPOSED RULE:

12600, Tallahassee, Florida 32317-2600, (850)922-7353

NAME OF SUPERVISOR OR PERSON WHO APPROVED

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 19, 1999

IN FAW: November 6, 1998

DEPARTMENT OF MANAGEMENT SERVICES

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Campaign (FSECC)

60L-24

RULE NO.:

Appeals

PURPOSE AND EFFECT: The amendment to subsection (2) is needed because Rule 60-4.012 has been repealed; uniform

Commission; and 120.57, F.S. has been amended.

SUMMARY: The amendments describe the appeal procedures

Florida State Employees' Charitable Campaign.

SUMMARY OF STATEMENT OF ESTIMATED

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of

SPECIFIC AUTHORITY: 110.181(3) FS.

LAW IMPLEMENTED: 110.181 FS.

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

PLACE: Room 360P, 4040 Esplanade Way, Tallahassee, FL 32399-0950

PROPOSED RULE IS: Carolyn Johnson, Personnel Consultant, 4040 Esplanade Way, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

60L-24.008 Appeals.

requesting a hearing must be filed in compliance with ~~Section~~ Rule 28-106.201, 60-4.012, Florida Administrative Code with Rule 28-106.301, if there is no dispute of material fact. The hearing must be held within 7 working days after receipt

must be rendered within 3 working days of the hearing. The final order must then be issued within 2 working days after the

final order must be issued within 5 working days after the hearing. The proceedings must be conducted in accordance

forth in this rule prevail to the extent of any conflict.

(3) No change.

New 4-19-95, Amended

NAME OF PERSON ORIGINATING THE PROPOSED RULE: Sharon D. Larson, Director, Human Resource

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Derick Daniel, Deputy Secretary,

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 1999

PUBLISHED IN FAW: January 8, 1999

DEPARTMENT OF MANAGEMENT SERVICES

RULE TITLE: RULE NO.:

60S-9.001

PURPOSE AND EFFECT: The purpose of this proposed rule

Florida Retirement System participation, service credit, and benefits.

Deferred Retirement Option Program (DROP) forms to be used for verification of the DROP participant's termination

method of DROP funds, and verification of the DROP rollover

amount by the participant and custodian of the amount, respectively, to implement the provisions of Section 121.091(13), F.S. Form FR-30 is being revised to include certain non-FRS in-state service as service that FRS members can claim for retirement credit, to implement the provisions of Section 121.1122, F.S. Form FR-30b is being adopted, in compliance with Section 121.091(7), F.S., for verification of out-of-state or in-state service to be purchased by the spouse or other joint annuitant of a deceased member in order to vest. Form JA-NUL is being adopted to allow a retiree, following a divorce, to nullify the designation of a joint annuitant, to implement the provisions of Section 121.091(6)(d). Form EOC-1 is being adopted to allow elected officers the opportunity to elect to participate in the Senior Management Service Class (SMSC), the Senior Management Service Optional Annuity Program (SMSOAP), or a local annuity in lieu of the Elected Officers' Class, in compliance with Sections 121.052(3)(c) and 121.055(1)(f), F.S. Form OCC-1 is being adopted to allow eligible community college employees to elect to participate in the Community College Optional Retirement Program or to remain in the Florida Retirement System, to implement the provisions of Section 121.051(2)(c), F.S. Form FRS-M10 is being revised to declare a deceased member's spouse to be the primary beneficiary unless a beneficiary is designated after the member's most recent marriage, according to the provisions of Section 121.091(8), F.S. Form SMSD-1 is being revised to implement Section 121.055(1)(b), F.S., which changed the number of SMSC positions allowed for local agencies from one for every 200 employees to one for every 100 employees.

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

Any person who wishes to provide information regarding the statement of estimated regulatory 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: 121.031 FS.

LAW IMPLEMENTED: 121.051, 121.052, 121.055, 121.091, 121.1122 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 1, 1999

PLACE: 2nd Floor, Conference Room, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Beth Brewer, Senior Benefits Analyst, Division of Retirement, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida 32399-1560

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-9.001 Approved Forms.

The following is a list of the forms utilized by the Division of Retirement in its dealings with the public, which are hereby incorporated by reference into these rules. A copy of these forms may be obtained by writing to the Division of Retirement, Cedars Executive Center, Bldg. C, 2639 N. Monroe Street, Tallahassee, Florida 32399-1560.

(1) Bureau of Enrollment and Contributions

FORM NO./REVISION DATE TITLE

(a) FRS-M10 (Rev. ~~12/98~~ 7/97) Personal History Record
(b) through (i) No change.

(j) SMSD-1 (Rev. ~~11/1/98~~ 2/94) Senior Management Service Class Designated Position Form

(k) EOC-1 (11/98) Ballot Form for Employees of Elected Officers' Class

(l) OCC-1 (1/96) Ballot/Enrollment Form for Community College Optional Retirement Program Employees

(2) Bureau of Retirement Calculations

FORM NO./REVISION DATE TITLE

(a) through (m) No change.

(n) FR-30 (~~Rev. 6/98~~ 9/94) Florida Retirement System Verification for In-State or Out-of-State Service Credit

(o) through (v) No change.

(w) DP-TN (7/98) Florida Retirement System Deferred Retirement Option Program Termination Notification

(x) DP-PM (7/98) Florida Retirement System Deferred Retirement Option Program Selected Payout Method

(y) DP-RO (7/98) Florida Retirement System Deferred Retirement Option Program Rollover Election

(3) Bureau of Benefit Payments

FORM NO./REVISION DATE TITLE

(a) through (ee) No change.

(ff) JA-NUL (9/98) Florida Retirement System Joint Annuitant Nullification Form

(gg) FR-30b (12/98)

Verification for In-State
or Out-of-State Service
Credit

Specific Authority 121.031 FS. Law Implemented 112.361, 112.363, 120.55, 121.011, 121.031, 121.051, 121.0515, 121.081, 121.091, 121.111, 121.121, 121.125, 122.08, 122.09, 215.28, 238.05, 238.06, 238.07 FS. History—New 9-9-82, Amended 2-6-84, 11-6-84, 4-17-85, Formerly 22B-9.01, Amended 6-4-86, 12-5-90, Formerly 22B-9.001, Amended 1-4-93, 1-18-94, 4-26-94, 1-10-95, 11-2-95, 12-28-95, 3-12-96, 12-16-97, 10-14-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Virginia Bryant, Legislative Affairs Officer, Legislative Affairs, Policy and Communications Section, Division of Retirement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: A. J. McMullian III, Director, Division of Retirement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLES: RULE NOS.:

Embalmer Intern Training Program 61G8-18.001

Funeral Director Intern Training Program 61G8-18.002

PURPOSE AND EFFECT: The Board proposes to amend Rule 61G8-18.001 by increasing the application for registration fee from \$40.00 to \$100.00. In addition, new language is being added to clarify the time period in which a full-time embalmer shall complete the internship training program in order to obtain a license as an embalmer and unnecessary language is being deleted. Rule 61G8-18.002 is being amended to increase the intern funeral director application fee and to update the rule text.

SUMMARY: Rule 61G8-18.001 is being amended by the Board to increase the application for registration fee for an intern embalmer, and by adding language to clarify the time period for a full-time embalmer internship training program and unnecessary language is being deleted. Amendments are necessary for Rule 61G8-18.002 to increase the application for registration fee for an intern funeral director and by updating the rule text to further clarify the funeral director intern training program 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: 470.005, 470.008, 470.012 FS.

LAW IMPLEMENTED: 470.008, 470.009, 470.012 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: John Currie, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0754

THE FULL TEXT OF THE PROPOSED RULES IS:

61G8-18.001 Embalmer Intern Training Program.

(1) Persons desiring to become an intern embalmer shall submit an application for registration to the Department together with a one-hundred dollar (\$100.00) ~~\$40.00~~ nonrefundable fee. Such application shall demonstrate that the applicant for registration meets the requirements of Section 470.006(1)(b) and (c), F.S.

(2) No change.

(3) One year of substantially full-time embalmer internship training shall be required to qualify the intern embalmer for licensure as an embalmer. Full-time shall be deemed and construed to mean training comprising of at least 40 hours a week for at least 50 weeks to be completed within a twelve month period.

~~(4) The embalmer intern shall be limited to one year of registration and internship training prior to enrollment at a mortuary college, and credit for training received during this period of registration shall be forfeited if educational requirements are not completed within 3 years. An intern who fails to complete the required one year of training prior to attendance at mortuary college may be granted a new registration after graduation from mortuary college for the purpose of completing the required training and shall be allowed to continue such training only until he completes the one year of substantially full-time embalmer internship and until the date the results of the immediately subsequent licensure examination are mailed to applicants for licensure. No credit shall be given an embalmer intern for internship training during any period said intern is enrolled as a student at a mortuary college.~~

(5) renumbered (4) No change.

~~(5)(6)~~ If an intern fails to complete the intern training as stated in paragraph 4, paragraphs 4 and 5, because of illness or personal injury, the Board may permit the intern to reregister only for the period of time required to complete the one year of training.

Specific Authority 470.008 FS. Law Implemented 470.008 FS. History—New 11-11-79, Amended 7-28-80, 8-10-83, 10-16-85, Formerly 21J-18.01, Amended 12-11-88, 11-15-92, Formerly 21J-18.001, Amended 1-8-95.

(1) Persons desiring to become an intern funeral director shall submit an application for registration to the Department one-hundred dollar (\$100.00) ~~(\$40.00)~~ nonrefundable fee. Such application shall requirements for internship as set forth herein.

(2) through (3) No change.

internship training shall be required to qualify the intern funeral director for licensure as a funeral director. "Full-time"

least 40 hours each week for at least fifty weeks to be ~~12 consecutive~~

(5) The funeral director intern shall be able to serve in said internship capacity only until he completes the one year of

date and results of the immediately subsequent licensure examination are mailed to applicants for licensure. If the intern

may, upon a showing of good cause and payment of a one-hundred dollar (\$100.00) ~~\$40~~ non-refundable fee, permit

showing of good cause allow the intern to receive credit for previous training received.

FS. History--New 11-11-79, Amended 6-4-80, 8-10-83, Formerly 21J-18.02, Amended 12-11-88, 11-15-92, Formerly 21J-18.002, Amended 1-8-95,

Board of Funeral Directors and Embalmers
NAME OF SUPERVISOR OR PERSON WHO APPROVED

Embalmer
DATE PROPOSED RULE APPROVED BY AGENCY

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 7, 1998

REGULATION

Board of Funeral Directors and Embalmers

RULE NOS.:

Requirements for Inspection	
Registration for Centralized Embalming	
Facilities	
Inspections	61G8-24.041
	61G8-24.042
Fees	
Operating Procedures	61G8-24.044

61G8-24.031 by referencing the proper section with regard to refrigeration. The Board proposes to create a new rule,

embalming facilities. The Board proposes to promulgate a new rule, numbered 61G8-24.041 to address inspections. The Board

necessary to address the criteria for inspections of a centralized embalming facility. The Board proposes to create a new rule,

duplicate license and the renewal penalty fee for a delinquent license. The Board has also determined that a new rule,

procedures for a centralized embalming facility.

SUMMARY: Amendments are being made to Rule

when referring to refrigeration. Rule 61G8-24.040 is a new rule being promulgated to address registration for centralized

necessary to address inspections. Rule 61G8-24.042 is a new rule being promulgated by the Board to address the criteria for

61G8-24.043 is a new rule created by the Board to address the fees required for duplicate license and the renewal penalty fee

the Board finds necessary to address the operating procedures for a centralized embalming facility.

REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within

SPECIFIC AUTHORITY: 470.005, 470.0301 FS.

LAW IMPLEMENTED: 470.0301 FS.

THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Currie, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0754

THE FULL TEXT OF THE PROPOSED RULES IS:

61G8-24.031 Requirements for Inspection.

(1) through (4) No change.

(5) Refrigeration must be maintained as required by Section 470.0315, F.S. ~~Rule 10D-37.015.~~

Specific Authority 470.005, 470.0301 FS. Law Implemented 470.0301 FS. History—New 5-21-95, Amended _____.

61G8-24.040 Registration for Centralized Embalming Facilities.

(1) Centralized embalming facilities that are operated independently of funeral establishments shall register with the Board of Funeral Directors and Embalmers.

(2) Centralized embalming facilities shall apply to the Department to be registered and shall pay a nonrefundable application fee of \$250 together with an annual inspection fee of one hundred (\$100) dollars for each year for which the initial license will be issued.

(3) Centralized embalming facilities shall apply to the Department for renewal of registration and shall pay a nonrefundable renewal fee of \$300 together with the annual inspection fee of one hundred dollars (\$100) for each year for which the license will be issued.

(4) Centralized embalming facilities shall include the registration number issued by the Board of Funeral Directors and Embalmers on all forms, including the Report of Bodies Handled as required by rule 61G8-20.001, F.A.C., and on advertisements or solicitations to funeral homes or direct disposal establishments.

(5) A full-time embalmer in charge shall be responsible for no more than one centralized embalming facility and shall not serve as a funeral director in charge or direct disposer in charge in any other establishment.

Specific Authority 470.005, 470.0301 FS. Law Implemented 470.0301 FS. History—New _____.

61G8-24.041 Inspections.

(1) All centralized embalming facilities shall be subject to inspection by the Department at all times with or without notice. The inspection shall include, but not be limited to, all offices, closets, rooms, refrigeration room, preparation room, grounds contiguous to the centralized embalming facilities, embalming contracts or agreements and other documents used in the embalming business.

(2) All new centralized embalming facilities shall be inspected and shall receive a satisfactory rating prior to the issuance of an establishment license and shall comply with the criteria set forth in 61G8-24.042.

(3) All existing centralized embalming facilities shall be inspected once every year and shall comply with the criteria set forth in 61G8-24.042.

(4) A centralized embalming facility shall be inspected by the Department under the following circumstances, and the Department shall be notified by the owner of the establishment at least 10 days before items (a), (b), or (c) occur:

(a) When a centralized embalming facility moves to a new location;

(b) When ownership of a centralized embalming facility is changed or otherwise transferred;

(c) When major alterations or modifications in the physical structure of a centralized embalming facility are made;

(d) To ensure protection of the public health, safety, and welfare.

Specific Authority 470.005, 470.0301 FS. Law Implemented 470.0301 FS. History—New _____.

61G8-24.042 Criteria.

The Department shall inspect centralized embalming facilities on the basis of the following:

(1) There shall be a refrigeration equipment large enough to store all dead human bodies found in the facility at any given time; and

(2) a preparation room equipped as follows:

(a) An exhaust fan with proper screening to exchange the air in the room with outside air at least twelve (12) times per hour;

(b) Operating table with non-porous surface;

(c) Sanitary floors with non-porous surface;

(d) Sanitary waste receptacles;

(e) A hand sink with hot and cold water and a service sink and a floor drain or sanitary drain for the removal of body fluids connected to central sewage system or septic tank. The floor drain may be replaced by an alternative method of removal of body fluids which meet the sanitation requirements of 61G8-21.003(1)(c) and (h);

(f) The following instruments properly maintained:

1. 1 machine for embalming or gravity equipment

2. 1 aspirator

3. 1 master trocar

4. 1 aneurism needle

5. 1 scalpel

6. 1 drain tube

7. 1 arterial tube

8. 1 scissor

9. surgical needles

10. eye caps

11. surgeon's thread

12. 1 head rest

13. razor and blades

14. absorbent cotton

16. sheet(s)

17. towel(s)

19. tubing

20. disposable surgical gloves

human bodies:

1. 2 bottles arterial fluid per body

2. 1 bottle cavity fluid per body

3. supply of hardening compound for autopsies

(h) Room shall be maintained in a clean and sanitary condition.

(3) Centralized embalming facilities shall have on site or immediately available sufficient sealed containers of a type required for the transportation of bodies which prevents the seepage or emission of offensive fluids or odors.

(4) Compliance with Rule 61G8-24.041.

Specific Authority 470.005, 470.0301 FS. Law Implemented 470.0301 FS. History-New

61G8-24.043 Fees.

(1) The fee for each duplicate license shall be \$25. To obtain a duplicate license, a licensee must:

(a) file a written statement with the department that the license has been lost, stolen, or destroyed;

(b) pay the duplicate license fee to the department.

(2) The renewal penalty fee for a delinquent license shall be \$50.00.

Specific Authority 470.005, 470.0301 FS. Law Implemented 470.0301 FS. History-New

61G8-24.044 Operating Procedures.

(1) Centralized embalming facilities shall establish a system of identification of human remains received for embalming. This system shall be designed to track the identity of the remains from time of receipt until delivery of the remains to a licensed establishment.

(2) A system for identification of human remains shall not include identification by any persons other than an individual licensed pursuant to Chapter 470, F.S. or an employee of the facility.

Specific Authority 470.005, 470.0301 FS. Law Implemented 470.0301 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral Directors and Embalmers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral Directors and Embalmers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 7, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Embalmer Apprentice Program

RULE NO.: 61G8-27.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify the embalmer apprentice program.

SUMMARY: The Board has determined that it is necessary to amend this rule to increase the application for registration fee from \$40.00 to \$50.00 for persons desiring to become an embalmer apprentice. In addition, unnecessary language is being deleted and new language is being added to advise funeral directors in charge or the full-time embalmers in charge of an approved embalmer apprentice program training agency that they shall report to the Board when an apprentice embalmer commences enrollment and attendance in a course in mortuary science or funeral service education college or school and report any change in an apprentice embalmer's enrollment and attendance status.

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: 470.005, 470.0085 FS.

LAW IMPLEMENTED: 470.0085 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: John Currie, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0754

THE FULL TEXT OF THE PROPOSED RULE IS:

61G8-27.001 Embalmer Apprentice Program.

(1) Persons desiring to become an embalmer apprentice shall submit an application for registration to the Board together with a fifty dollar (\$50.00) ~~forty dollar (\$40.00)~~ nonrefundable fee. Such application shall demonstrate that the applicant is at least eighteen (18) years of age, and that he has received a high school diploma or equivalent degree.

(2) through (3) No change.

(4) ~~An embalmer apprentice shall be eligible to serve in an apprentice capacity for a period not to exceed one year.~~ The time spent as an apprentice may not be applied toward internship training.

(5) If an embalmer apprentice is unable to complete the one-year apprenticeship for a valid reason, such as illness, he may be permitted to reregister to complete his apprenticeship, subject to approval by the Board. An applicant should be permitted only one reregistration.

(6) The funeral director in charge or the full-time embalmer in charge of an approved embalmer apprentice program training agency shall report to the Board when an apprentice embalmer commences enrollment and attendance in a course in mortuary science or funeral service education at any mortuary college, community or junior college, or funeral service education college or school. The funeral director in charge or the full-time embalmer in charge shall also report to the Board any change in an apprentice embalmer's enrollment and attendance status.

Specific Authority 470.005, 470.0085 FS. Law Implemented 470.0085 FS. History—New 8-18-82, Formerly 21J-27.01, Amended 11-15-92, Formerly 21J-27.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral Directors and Embalmers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral Directors and Embalmers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 7, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: License Fees and Examination Fees

RULE NO.: 61J2-1.011

PURPOSE AND EFFECT: The purpose and effect is to repeal the examination review fee and unlicensed activity fee for which the Florida Real Estate Commission no longer has statutory authority to charge. The authority to assess these fees rests with the Department of Business and Professional Regulation, not the individual boards of the Department.

SUMMARY: Rule 61J2-1.011 outlines the fees paid to the Department of Business and Professional Regulation, Division of Real Estate. Paragraphs (12) and (13) assess fees for examination review and unlicensed activity, respectively. These fees are being repealed as the Commission no longer has statutory authority to charge fees in these specific areas. See s. 12, Ch. 94-119, Laws of Florida, and s. 2, Ch. 97-228, Laws of Florida, for the legislative amendments which eliminated the Commission's ability to charge these fees and placed the authority solely with the Department.

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

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.217, 455.2281, 475.04, 475.125, 475.182, 475.24, 475.451 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: 8:30 a.m., March 17, 1999

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James D. Kimbler, Acting Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-1.011 License Fees and Examination Fees.

(1) through (11) No change.

~~(12) Examination Review~~ \$ 55.00

~~(13) Unlicensed activity fee for initial licensure and registration and license and registration renewal~~ \$ 5.00

Specific Authority 475.05, FS. Law Implemented 455.217, 455.2281, 475.04, 475.125, 475.182, 475.24, 475.451, 68.065(2) FS. History—New 10-10-79, Amended 1-1-80, 4-14-81, 9-13-82, 10-19-83, 8-12-84, 10-13-85, Formerly 21V-1.11, Amended 2-1-87, 1-1-88, 5-5-88, 10-13-88, 9-10-89, 1-4-90, 2-13-90, 3-27-90, 8-21-90, 10-9-90, 1-13-91, 8-19-91, 7-1-93, Formerly 21V-1.011, Amended 7-18-94, 12-17-95, 12-30-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James D. Kimbler, Acting Director, Division of Real Estate

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 1998

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Advertising

RULE NO.: 61J2-10.025

PURPOSE AND EFFECT: The purpose and effect of the rule amendment is to clarify to licensees where, on a Web page, the required advertising information is to be placed.

placing a real estate advertisement to disclose the brokerage firm name, to ensure reasonable persons know they are dealing

registered with the Commission if the licensee chooses to place his or her name in the ad. The purpose of this rule amendment

advertisement on an Internet Web site but clarifies for the licensee where the information is to be displayed. This will

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a

writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.53, 475.05 FS.

475.4511 FS.

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

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

PROPOSED RULE IS: James D. Kimbler, Acting Director, Division of Real Estate, 400 West Robinson Street, Suite 308,

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-10.025 Advertising.

reasonable persons would know they are dealing with a real estate licensee. All real estate advertisements must include the

advertisement placed or caused to be placed by a licensee shall be fraudulent, false, deceptive or misleading.

advertisement, at the very least the licensee's last name must be used in the manner in which it is registered with the

(3)(a) When advertising on a site on the Internet, the brokerage firm name as required in paragraph (1) above shall

of contact information. "Point of contact information" refers to any means by which to contact the brokerage firm or individual

address(es), e-mail address(es), telephone number(s) or facsimile telephone number(s).

apply to advertising on a site on the Internet.

Specific Authority 120.53, 475.05 FS. Law Implemented 475.01, 475.25, 3-14-85, Formerly 21V-10.25, Amended 12-29-91, 7-20-93, Formerly 21V-10.025_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

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

HEAD: January 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-43R

RULE CHAPTER TITLE: RULE CHAPTER NO.:
The Voluntary Cleanup Tax Credit Rule 62-788

RULE TITLES:	RULE NOS.:
Applicability and Limitations	62-788.100
Definitions	62-788.200
Application Process	62-788.300
Eligibility Determination	62-788.400
Forms	62-788.900

PURPOSE AND EFFECT: The proposed rule will prescribe the necessary forms required to claim tax credits pursuant to s. 376.30781, F.S., and will provide the administrative guidelines and procedures required to administer the tax credit provision.

SUMMARY: The 1998 Florida Legislature created a tax credit to encourage voluntary cleanup of certain contaminated sites in Florida. An eligible applicant can receive up to 35% of the costs of voluntary cleanup activity that is integral to site rehabilitation, not to exceed \$250,000 per site per year in tax credits that can be applied toward Corporate Income Tax or Intangible Personal Property Tax in Florida. The proposed rule provides the administrative process, guidelines and forms for application for these tax credits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since the proposed rule governs voluntary actions on the part of members of the community, the Economic Analyst who reviewed the proposed rule for the FDEP concluded that a Statement of Estimated Regulatory Cost (SERC) was unnecessary.

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

SPECIFIC AUTHORITY: 376.30781 FS.

LAW IMPLEMENTED: 376.30781 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: Lisa M. Duchene, Department of Environmental Protection, Bureau of Waste Cleanup, M.S. 4505, Room 309L, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Telephone (850)488-0190; E-mail address: duchene_l@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-788.100 Applicability and Limitations.

(1) This Chapter applies to any taxpayer seeking a tax credit toward either corporate income tax or intangible personal property tax pursuant to Sections 199.1055 or 220.1845, F.S., and Section 376.30781, F.S., in the amount of 35 percent of the costs of voluntary cleanup activity that is integral to site rehabilitation at the following sites:

(a) A drycleaning-solvent-contaminated site eligible for state-funded site rehabilitation under Section 376.3078(3), F.S.:

(b) A drycleaning-solvent-contaminated site at which cleanup is undertaken by the real property owner pursuant to Section 376.3078(10), F.S., if the real property owner is not also, and has never been, the owner or operator of the drycleaning facility where the contamination exists; or

(c) A brownfield site in a designated brownfield area under Section 376.80, F.S.

(2) This Chapter does not apply to the tax return filing process regulated by the Florida Department of Revenue (DOR). An applicant seeking a tax credit pursuant to Section 376.30781, F.S., shall apply to the Department of Environmental Protection (DEP) using the application process and form adopted pursuant to this Chapter. If deemed eligible for a tax credit, the DEP will issue a tax credit certificate to the applicant.

(3) The applicant may use these tax credits by attaching the certificate to its annual tax return filed with the DOR pursuant to rules promulgated by that department, or the applicant may transfer the credits pursuant to Sections 199.1055(1)(g) or 220.1845(1)(h), F.S., and Rule 62-788.400(6), F.A.C.

(4) The DEP will not disburse any funds in connection with this voluntary cleanup tax credit program. Credits will not result in the payment of refunds by the DOR if total credits exceed the amount of tax owed.

(5) Pursuant to Section 376.30781, F.S., tax credits are limited to \$250,000 per site per year; however, a tax credit applicant may claim an additional 10 percent of the total cleanup costs, not to exceed \$50,000, in the final year of cleanup as evidenced by the DEP issuing a "No Further Action" order or a Site Rehabilitation Completion Order for that site.

(6) The DEP shall be responsible for allocating the tax credits not to exceed a total of \$2 million annually. If an eligible applicant does not receive a tax credit allocation due to an exhaustion of the \$2-million annual tax credit authorization, its application will remain in the first-come, first-served order in the next year's annual tax credit allocation, if any, based on the date and time of filing the original application.

(7) Tax credits pursuant to Section 376.30781, F.S., are available only for site rehabilitation conducted during the tax year in which the tax credit application is submitted.

(8) An owner, operator, or real property owner that receives state-funded site rehabilitation under Section 376.3078(3), F.S., for rehabilitation of a drycleaning-solvent-contaminated site is ineligible to receive a tax credit pursuant to Section 376.30781, F.S., for costs incurred and paid by the taxpayer in conjunction with the

rehabilitation of that site during the same time period that state-administered site rehabilitation was tasked and implemented.

(9) An applicant may only claim a tax credit for site rehabilitation costs incurred and paid on or after July 1, 1998, the effective date of Chapter 98-189, Laws of Florida. The provisions of said law cannot be applied retroactively to site rehabilitation conducted prior to July 1, 1998.

Specific Authority 376.30781 FS. Law Implemented 376.30781 FS. History—New _____.

62-788.200 Definitions.

All words and phrases defined in Sections 376.301 and 376.79, F.S., shall have the same meaning when used in this Chapter unless otherwise set forth in this Section or unless the context clearly indicates otherwise. The following words and phrases, when used in this Chapter shall, unless the context clearly indicates otherwise, have the following meanings:

(1) “Applicant” means any person or entity that has incurred and paid costs for voluntary cleanup activity that is integral to site rehabilitation at a site that is eligible for a tax credit and that submits a Voluntary Cleanup Tax Credit Application, DEP Form 62-788.900(1), F.A.C. The term “applicant” is used interchangeably with “taxpayer” except when the applicant is a municipal or county government.

(2) “Brownfield site” means a site that is generally abandoned, idled, or under-used industrial and commercial property where expansion or redevelopment is complicated by actual or perceived environmental contamination.

(3) “Brownfield area” means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and United States Environmental Protection Agency-designated brownfield pilot projects.

(4) “Brownfield Site Rehabilitation Agreement” (BSRA) means an agreement entered into between the person responsible for brownfield site rehabilitation and the DEP or a delegated local program. The BSRA shall at a minimum establish the timeframes, schedules, and milestones for completion of site rehabilitation tasks and submission of technical reports, and other commitments or provisions pursuant to Section 376.80(5), F.S., and Chapter 62-785, F.A.C., the Brownfields Cleanup Criteria Rule.

(5) “Contaminant” means any physical, chemical, biological, or radiological substance present in any medium which may result in adverse effects to human health or the environment or which creates an adverse nuisance, organoleptic, or aesthetic condition in groundwater.

(6) “Contaminated site” means any contiguous land, sediment, surface water, or groundwater areas that contain contaminants that may be harmful to human health or the environment.

(7) “DEP” means the Florida Department of Environmental Protection.

(8) “Drycleaning facility” means a commercial establishment that operates or has at some time in the past operated for the primary purpose of drycleaning clothing and other fabrics utilizing a process that involves any use of drycleaning solvents. The term “drycleaning facility” includes laundry facilities that use drycleaning solvents as part of their cleaning process. The term does not include a facility that operates or has at some time in the past operated as a uniform rental company or a linen supply company regardless of whether the facility operates as or was previously operated as a drycleaning facility.

(9) “Drycleaning solvents” means any and all nonaqueous solvents used in the cleaning of clothing and other fabrics and includes perchloroethylene (also known as tetrachloroethylene) and petroleum-based solvents and their breakdown products. For purposes of this definition, “drycleaning solvents” only includes those drycleaning solvents originating from use at a drycleaning facility or by a wholesale supply facility.

(10) “Real Property Owner” means the individual or entity that is vested with ownership, dominion, or legal or rightful title to the real property, or which has a ground lease interest in the real property, on which the contaminated site exists.

(11) “Registered Technical Professional” means a Professional Engineer (P.E.) or a Professional Geologist (P.G.), registered in the State of Florida under Chapters 471 and 492, F.S., respectively.

(12) “Site Rehabilitation” means the assessment of site contamination and the remediation activities that reduce the levels of contaminants at a site through accepted treatment methods to meet the cleanup target levels established for that site.

(13) “Taxpayer” means the person or entity that has tax liability for corporate income tax or intangible personal property tax and seeks to obtain a voluntary cleanup tax credit pursuant to this Chapter as an “applicant” after incurring costs for voluntary cleanup activity that is integral to site rehabilitation at a site that is eligible for a tax credit.

(14) “Voluntary Cleanup Agreement” (VCA) means an agreement entered into between the person responsible for drycleaning solvent site rehabilitation and the DEP. The VCA shall at a minimum establish the timeframes, schedules, and milestones for completion of site rehabilitation tasks and submission of technical reports, and other commitments or provisions pursuant to Chapter 62-782, F.A.C., the Drycleaning Solvent Cleanup Criteria Rule.

(15) “Wholesale supply facility” means a commercial establishment that supplies drycleaning solvents to drycleaning facilities.

Specific Authority 376.30781 FS. Law Implemented 376.30781 FS. History—New _____.

62-788.300 Application Process.

(1) A taxpayer, or multiple taxpayers working jointly to clean up a single contaminated site, may file one tax credit application per site per year claiming up to 35 percent of the costs of voluntary cleanup activity that is integral to site rehabilitation, not to exceed \$250,000. If multiple taxpayers are submitting an application, then they must indicate on the application form each taxpayer’s percentage contribution to payment of cleanup costs.

(2) The complete application must be received by the Department of Environmental Protection’s Division of Waste Management in Tallahassee by 5:00 p.m.(Eastern Standard Time) on December 31. If December 31 falls on a weekend or federal holiday (i.e., no mail service), then the deadline moves forward to the next business day.

(3) An applicant shall submit an application using Form 62-788.900(1), F.A.C., and include the following:

(a) A completed and signed affidavit (included as part of the application form) from each applicant (multiple taxpayers must each sign) certifying that all information contained in the application, including all records of costs incurred and paid and claimed in the tax credit application, are true and correct;

(b) If the application is submitted by the real property owner pursuant to Rule 62-788.100(1)(b), F.A.C., then the Real Property Owner Affidavit section of the application form must also be completed and signed by the real property owner stating that it is not, and has never been, the owner or operator of the drycleaning facility where the contamination exists;

(c) Proof that the applicant has entered into a Voluntary Cleanup Agreement (VCA) with the DEP for a drycleaning-solvent-contaminated site or a Brownfield Site Rehabilitation Agreement (BSRA), as applicable. A copy of the cover page and the signature page of the VCA or BSRA, as applicable, will suffice as proof;

(d) Proof of payment of all applicable deductibles pursuant to Section 376.3078(3)(d), F.S., for eligible drycleaning solvent cleanup program sites. If deductibles were paid prior to submitting a tax credit application, then the applicant shall include a copy of the canceled check or a receipt for a cashier’s check or money order as proof of payment. If deductibles have not been paid, the applicant shall fill out the deductible information in Section I of the application form and enclose a cashier’s check or money order for the appropriate amount;

(e) A nonrefundable review fee of \$250 in the form of a cashier’s check or money order made payable to the Water Quality Assurance Trust Fund;

(f) Copies of contracts and documentation of contract negotiations, accounts, invoices, sales tickets, or other payment records from purchases, sales, leases, or other transactions involving actual costs incurred and paid for that tax year that were integral to site rehabilitation;

(g) A certification form stating that site rehabilitation activities associated with the documentation submitted pursuant to paragraph (f) have been conducted under the observation of, and related technical documents have been signed and sealed by, an appropriate registered technical professional in each contributing technical discipline. The certification form shall be signed and sealed by the appropriate registered technical professional(s) stating that the costs incurred and paid were integral, necessary, and required for site rehabilitation; and

(h) Proof that the documentation submitted pursuant to paragraph (f) has been reviewed and verified by an independent Certified Public Accountant (CPA) in accordance with standards established by the American Institute of Certified Public Accountants. Specifically, the CPA must attest to the accuracy and validity of the costs incurred and paid by conducting an independent review of the cost information presented by the applicant. Accuracy and validity of costs incurred and paid shall be determined once the level of effort expended for site rehabilitation activities is certified by an appropriate registered technical professional in each contributing technical discipline pursuant to paragraph (g). The CPA’s report shall also attest that the costs included in the application form are not duplicated within the application. A copy of the CPA’s report shall be submitted with the tax credit application.

(4) The Certified Public Accountant and appropriate registered technical professional(s) submitting forms as part of a tax credit application shall verify such forms. Verification shall be accomplished as provided in Section 92.525(1)(b), F.S., and subject to the provisions of Section 92.525(3), F.S. This verification requirement is accomplished by completing and signing the appropriate certifications included as part of the application form, Form 62-788.900(1), F.A.C.

Specific Authority 376.30781 FS. Law Implemented 376.30781 FS. History—New _____.

62-788.400 Eligibility Determination.

(1) An application package will be deemed “complete” if Form 62-788.900(1), F.A.C., contains all required information and appropriate signatures and the package includes the list of items in Rule 62-788.300(3), F.A.C. Incomplete applications will not secure a position in the first-come, first-served order for allocation of tax credits.

(2) Tax credit allocation will be conducted on a first-come, first-served basis based upon the date and time complete applications are received by the DEP’s Division of Waste Management.

(3) The DEP will review the tax credit application package submitted by each applicant to verify that the applicant has met the qualifying statutory and rule criteria and has submitted all required documentation. Upon verification that the applicant has met all requirements, the DEP shall issue a written decision granting eligibility for tax credits and a tax credit certificate in the amount of 35% of the total costs claimed, subject to the \$250,000 limitation, for the tax year in which the tax credit application is submitted based on the report of the Certified Public Accountant and the certifications from the appropriate registered technical professionals.

(4) If the DEP determines that the application package is incomplete, then the DEP will return it with deficiencies indicated to the applicant by Certified Mail, unless the applicant requests, and is willing to pay for, alternative express mailing. If time permits, the applicant may correct the deficiencies and re-submit the application by 5:00 p.m. (Eastern Standard Time) on December 31.

(5) For those eligible, the DEP will issue a tax credit certificate on or before the following March 1. If multiple taxpayers are submitting a joint application, each taxpayer shall receive a separate tax credit certificate awarding tax credits in the same proportion as their contribution to payment of cleanup costs.

(6) Tax credit certificates are transferable pursuant to Sections 199.1055(1)(g) or 220.1845(1)(h), F.S. A tax credit certificate holder seeking to transfer the certificate to one or more individuals or entities shall submit the original certificate to the DEP's Division of Waste Management in Tallahassee along with a signed and notarized letter authorizing the transfer. The letter shall state the name, address, telephone number, and FEID or Social Security number, as applicable, of each transferee, and it shall indicate the portion (in whole or in units of no less than 25%) to be transferred. Such transferred credits may not be transferred again although they may succeed to a surviving or acquiring entity after merger or acquisition. An applicant cannot transfer its right to apply for a tax credit; i.e., the application must be filed by the taxpayer(s) that incurred and paid the cleanup costs. Any application filed by a taxpayer that has not incurred and paid any cleanup costs, but claims to be a tax credit transferee, will be rejected.

Specific Authority 376.30781 FS. Law Implemented 376.30781 FS. History—New _____.

62-788.900 Forms.

The following form is adopted and incorporated by reference in this Rule. The form is listed by rule number, which is also the form number, and by the subject title and effective date. Copies of the form may be obtained by writing to the Department of Environmental Protection, Bureau of Waste Cleanup, Mail Station 4505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Voluntary Cleanup Tax Credit Application, DEP Form 62-788.900(1), (effective _____).

Specific Authority 376.30781 FS. Law Implemented 376.30781 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lisa M. Duchene, Senior Management Analyst II, Bureau of Waste Cleanup

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Douglas A. Jones, Chief, Bureau of Waste Cleanup

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 4, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 7, 1998

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Marine Resources

DOCKET NO.: 98-45R

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Comprehensive Shellfish Control Code	62R-7
RULE TITLES:	RULE NOS.:
Purpose and Intent	62R-7.001
Definitions	62R-7.003
Shellfish Processing Plant Certification	62R-7.007
Shellfish Handling	62R-7.011
Sanitary Operations	62R-7.015
Plant Operation	62R-7.016

PURPOSE AND EFFECT: This amendment proposes to change the reference document cited in 62R-7. In addition the amendment proposes to adopt Hazard Analysis and Critical Control Points as a requirement for shellfish processing. Also the amendment proposes to change time requirements for shellfish from harvest to refrigeration.

SUMMARY: The proposed change changes the reference document from the manual of Operations Parts I and II(1995) to the Guide for the Control of Molluscan Shellfish (1997). In addition, Shellfish definitions, certification requirements, operational requirements, and recordkeeping requirements necessary to adopt Hazard Analysis and Critical Control Points in the shellfish processing industry are being modified. Also shellfish harvest time limits from the point of harvest to refrigeration are to be modified to extend the harvest to refrigeration limits for clams.

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

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

SPECIFIC AUTHORITY: 370.071(1) FS.

LAW IMPLEMENTED: 370.071 FS.

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

TIME AND DATE: 1:00 p.m., Monday, March 1, 1999
 PLACE: 1st Floor, Conference Room B, Marjorie Stoneman Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark L. Collins, Bureau of Marine Resource Regulation and Development, 3900 Commonwealth Boulevard, Room 822, Tallahassee, Florida, Phone (850)488-5471

THE FULL TEXT OF THE PROPOSED RULES IS:

62R-7.001 Purpose and Intent.

(1) through (4) No change.

(5) The National Shellfish Sanitation Program ~~Manual of Operations, Parts I (1995), and II (1995)~~ Guide for the Control of Molluscan Shellfish (1997), published by the U.S. Department of Health and Human Services, ~~are~~ is hereby incorporated by reference and available for inspection at the Department's offices located at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399.

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

62R-7.003 Definitions.

(1) through (9) No change.

(10) Critical control point – a point, step, or procedure in a food process at which control can be applied, and a food safety hazard can as a result be prevented, eliminated, or reduced to acceptable levels.

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

(10) through (13) renumbered (12) through (15) No change.

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

(14)(17) No change.

(18) HACCP-Hazard Analysis and Critical Control Points – A system of inspection conducted by a processor to identify microbiological, chemical, or physical hazards which are likely to occur in shellfish products produced by the processor. Upon identification of hazards the processor shall implement control points in the process to prevent, reduce, or eliminate the hazards.

(15) through (47) renumbered (19) through (51) No change.

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

62R-7.007 Shellfish Processing Plant Certification.

(1) through (6) No change.

(7) Each applicant for a shellfish certification license shall have conducted a Hazard Analysis of the shellfish products produced at the location listed on DEP form 34-006, Shellfish Processing Plant Certification License Application. Each certified dealer shall prepare a written HACCP plan to control at a minimum the food safety hazards of receiving shellfish from an unapproved source, and bacterial growth due to temperature abuse of shellfish. If due to the unique nature of the product produced, the process, facility, or source of shellfish used, other food safety hazards such as natural toxins, microbiological contamination, chemical contamination, pesticides, drug residues, parasites, unapproved use of direct or indirect food or color additives; and physical hazards, are identified, they shall also be controlled through the HACCP plan. The HACCP plan shall incorporate critical control points in the shellfish process which will eliminate or prevent the hazards identified in the hazard analysis. Critical control points shall have established critical limits for parameters to ensure when exceeded the dealer takes appropriate corrective actions. The HACCP plan shall include the procedures, and frequency thereof that will be used to monitor each of the critical control points to ensure compliance with the critical limits. The HACCP plan shall provide for a recordkeeping system that documents the monitoring of the critical control points. The records shall contain the actual values and observations obtained during monitoring. The plan shall be signed and dated by responsible management of the firm at the time of its implementation, after modification, and upon verification of the plan. Each processor shall verify that the HACCP plan is adequate to control food safety hazards that are reasonably likely to occur, and that the plan is being effectively implemented. Verification shall include at a minimum:

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

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

(7) through (10) renumbered (8) through (11) No change.

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

62R-7.011 Shellfish Handling.

(1) through (2) No change.

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

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

62R-7.015 Sanitary Operations.

(1) through (10) No change.

(11) Each certified dealer shall monitor the conditions and practices during processing with sufficient frequency to ensure, at a minimum, conformance with those conditions and practices specified in 62R-7.013(1)(a) and (b), 62R-7.013(6) and (7), 62R-7.014(1), 62R-7.015(1)-(10), 62R-7.016(7) and (8), and 62R-7.017(5).

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

62R-7.016 Plant Operation.

(1) The plant shall operate in accordance with the HACCP plan designed and approved by management of the firm.

(1) through (8) renumbered (2) through (9) No change.

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

- (a) From whom shellfish were purchased;
- (b) Areas from which ~~shellstock shellfish~~ were harvested;
- (c) State from which shucked shellfish were harvested;
- ~~(d)(e)~~ Harvesting date;
- (e) The date of receipt by the processor;
- ~~(f)(d)~~ Names and addresses of persons to whom shellfish were sold; and
- (g)(e) Date sold.

(h)(f) Records shall remain on file for not less than one year and shall be made available for inspection and copying by Department personnel during plant inspections.

~~(i)(g)~~ Production records shall be maintained for shucked meats which provide the amount of shellstock used, the harvest area, harvest date of the shellstock, and the amount of shucked meats produced.

(j) Production records shall be maintained for shellstock which provides for the amount of shellstock used, the harvest area, harvest date, harvest state, and the units of shellstock produced.

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

~~(l)(i)~~ Records for shellfish lots having completed a depuration or wet storage treatment process shall include:

1. Counties from which shellfish were harvested;
2. Name or location of harvesting areas;
3. Relaying permit numbers, if applicable;
4. Date received in plant;
5. Date released from the plant;
6. Date and time of initiation of treatment;
7. Date and time of termination of treatment;
8. Ending UV unit meter readings;
9. Number of hours treated; and
10. All laboratory results as specified.

11. Monitoring records of HACCP plan critical control points shall be maintained and reviewed as specified in the firm's HACCP plan. Records shall be reviewed to ensure that the records are complete and to verify that they document values that are within the critical limits. The review shall occur within one week of the day that the records are made. The records shall be signed and dated by an individual who has received HACCP training.

(12) Sanitation monitoring records shall be maintained and reviewed for those conditions identified in 62R-7.015(1)-(10) per the schedule of the activity, eg. daily, weekly, monthly.

(13) Whenever a deviation from a critical limit occurs, a processor shall take corrective action either by following a corrective action that is appropriate for the particular deviation, or by segregate and hold the affected product until a review to determine the acceptability of the affected product for distribution has been made. The review shall be performed by an individual or individuals who have adequate training or experience to perform such a review. Take corrective action, when necessary, with respect to the affected product to ensure that no product enters commerce that is either injurious to health or is otherwise adulterated as a result of the deviation. Take corrective action, when necessary, to correct the cause of the deviation. Document all actions taken in accordance with corrective actions.

(10) renumbered (14) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark L. Collins
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edwin Conklin, Director, Division of Marine Resources
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 1998
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

**DEPARTMENT OF HEALTH
Board of Acupuncture**

RULE TITLES: Examination Fee
Re-examination Fee

RULE NOS.: 64B1-2.005
64B1-2.006

PURPOSE AND EFFECT: The purpose of the amendment is to implement a transition to use of computerized administration for the approved licensing exam.

SUMMARY: The amendment to the rules implements a transition of the use of computerized administration for the approved licensing exam.

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: 457.104, 457.105(2)(d), 120.53(1) FS.

LAW IMPLEMENTED: 457.105(2)(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: 10:00 a.m., March 2, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL 32310

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B1-2.005 Examination Fee.

The fee is \$950 for taking the ~~two part~~ written examination and the ~~two~~ practical examinations, ~~including the Clean Needle Course which attends one of the practical examinations,~~ administered by the Department of Health (DOH) ~~at least once a year.~~ After the October 1999 examination application

deadline, all initial applicants for examination will continue to apply to the Board for licensure but will apply directly to the National Certification Commission For Acupuncture and Oriental Medicine (NCCAOM) for examination. DOH will no longer administer either the written or the practical examination after that date.

Specific Authority 457.104, 457.105(2)(d), 120.53(1) FS. Law Implemented 457.105(2)(d) FS. History--New 8-8-84, Amended 11-19-85, Formerly 21AA-2.05, Amended 12-21-87, 6-27-90, Formerly 21AA-2.005, 61F1-2.005, Amended 9-17-95, 11-21-95, Formerly 59M-2.005, Amended _____.

64B1-2.006 Re-examination Fee.

The re-examination fees are:

- (1) NCCAOM Acupuncture Theory – \$350;
- (2) NCCAOM Clean Needle Technique – \$250;
- (3) NCCAOM NCAA PEPLS – \$350;

(4) In May of 1999 and October of 1999, a special re-examination is administration of the written portion of the NCCAOM (Acupuncture Theory and Clean Needle Technique) will be provided administered by the Department of Health at least once a year, along with the administration of the examination for licensure.

(5) The Department of Health will provide two administrations of NCCAOM's Practical Examination on Point Location Skills in the May and October of 1999. After that all applicants shall apply directly to NCCAOM for the Computer Simulation Point Location Examination (CSPLE).

Specific Authority 457.104, 457.105(2)(d) FS. Law Implemented 457.105(2)(d) FS. History--New 8-8-84, Formerly 21AA-2.06, Amended 2-2-86, 12-21-87, 3-11-92, Formerly 21AA-2.006, 61F1-2.006, Amended 9-17-95, 11-21-95, Formerly 59M-2.006, Amended _____.

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: December 14, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 1998

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE TITLE: Incomplete Applications

RULE NO.: 64B4-3.010

PURPOSE AND EFFECT: The Board has determined that it is necessary to create a new rule to address incomplete applications.

SUMMARY: A new is being promulgated by the Board to address incomplete licensure applications that are received by the Board.

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

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

SPECIFIC AUTHORITY: 455.564, 491.004(5), 491.005 FS.

LAW IMPLEMENTED: 455.564, 491.005 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-3.010 Incomplete Applications.

Any applicant who fails to provide the Board with a complete application, as defined by §120.60(1), F.S., within twelve (12) months of the date of receipt of the application in the Board office shall be required to apply again as an initial applicant.

Specific Authority 455.564, 491.004(5), 491.005 FS. Law Implemented 455.564, 491.005 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 1998

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Address of Record and Place of Practice
RULE NO.: 64B9-1.013
PURPOSE AND EFFECT: The purpose of the rule is to implement Section 455.717.

SUMMARY: The rule advises licensees to maintain on file with the Board of Nursing their current place of practice.

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: 455.717 FS.

LAW IMPLEMENTED: 455.717 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: Marriott Hotel Jacksonville, 4670 Salisbury Road, Jacksonville, FL 32256

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:

64B9-1.013 Address of Record and Place of Practice Notices.

(1) Each person holding a license issued pursuant to Chapter 464, Florida Statutes, must maintain on file with the Board of Nursing the current address at which any notice required by law may be served by the Board or its agent. Within 60 days of changing this address, whether or not within this state, the licensee shall notify the Board in writing of the new address at which the licensee may be served with notices or other documents.

(2) Each person holding a license issued pursuant to Chapter 464, Florida Statutes, must maintain on file with the Board of Nursing the current place of practice. Place of practice is defined as one of the following:

- (a) acute care facility;
- (b) long-term care facility;
- (c) rehabilitation facility;
- (d) clinic;
- (e) physician's office;
- (f) home health care agency;
- (g) educational institution;
- (h) office of independent nursing practice;
- (i) correctional facility;
- (j) mental health facility;
- (k) occupational health facility;
- (m) managed health care organization or insurance company;
- (n) community health facility;
- (o) other.

Specific Authority 455.717 464.006 FS. Law Implemented 455.717 464.013(5), 464.014(1), 455.225(1) FS. History--New 4-1-90, Amended 8-8-90, Formerly 210-6.023, 61F7-1.013, 59S-1.013, 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: August 12, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 11, 1998

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER TITLE: General Provisions
 RULE CHAPTER NO.: 64B23-1
 RULE TITLE: Notice to the Department of Mailing Address and Place of Practice of Licensee
 RULE NO.: 64B23-1.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish time limits for licensed medical physicists to report changes in mailing and practice addresses and to define the term "place of practice."

SUMMARY: The proposed new rule establishes time limits for licensed medical physicists to report changes in mailing and practice addresses and defines place of practice.

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

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

SPECIFIC AUTHORITY: 455.717(1) FS.

LAW IMPLEMENTED: 455.717(1), 483.901(6)(f)2. 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: 8:30 a.m., March 5, 1999

PLACE: 1309 Winewood Boulevard, Bldg. 6, Suite 240, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Marie Frazee, Attorney, Department of Health General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULE IS:

64B23-1.001 Notice to the Department of Mailing Address and Place of Practice of Licensee.

Each licensee shall provide written notification to the Department of the licensee's current mailing and practice address(es) and name within 10 days of any change. The term "place of practice" means the primary physical location where the licensee practices the profession of medical physics.

Specific Authority 455.717 FS. Law Implemented 455.717, 483.901(6)(f)2. FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Baker, Jr., Executive Director, Council of Medical Physicists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria C. Henderson, Director, Division of Medical Quality Assurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF HEALTH

Council on Medical Physicists

RULE CHAPTER TITLE: Qualifications for Licensure
 RULE CHAPTER NO.: 64B23-2
 RULE TITLE: Documentation for Licensure
 RULE NO.: 64B23-2.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to ensure that the Department has identification information and proof of certification of the applicant.

SUMMARY: The proposed new rule states what must be submitted with the application.

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

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

SPECIFIC AUTHORITY: 483.901(6)(b) FS.

LAW IMPLEMENTED: 455.564(1), 483.901(6)(b) 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: 8:30 a.m., March 5, 1999

PLACE: Bldg. 6, Suite 240, 1309 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Marie Frazee, Attorney, Department of Health General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULE IS:

64B23-2.001 Documentation for Licensure.

Each applicant for licensure shall make application on form #xx-xxx, which shall be provided by the Department and is hereby incorporated by reference. The following items must be submitted with each application:

- (1) One passport style photograph of applicant taken within the last six months; and,
- (2) Official documentation of board certification; or
- (3) Licensure/Certification verification sent directly from the agency that issued the license or certification.

Specific Authority 483.901(6)(b) FS. Law Implemented 455.564(1), 483.901(6)(b) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Baker, Jr., Executive Director, Council of Medical Physicists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria C. Henderson, Director, Division of Medical Quality Assurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER TITLE: Fees RULE CHAPTER NO.: 64B23-3

RULE TITLES: Application and Licensure Fees RULE NOS.: 64B23-3.001

Biennial Renewal Fee 64B23-3.002

Change of Status Fee 64B23-3.003

Delinquency Fee 64B23-3.004

Duplicate License Fee 64B23-3.005

Continuing Education Provider Application Fee 64B23-3.006

Physicist-in-Training Fees 64B23-3.007

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to state the cost of the various fees for medical physicists.

SUMMARY: The rules state the cost of the Application and Licensure Fees, Biennial Renewal Fee, Change of Status Fee, Delinquency Fee, Duplicate License Fee, Continuing Education Provider Application Fee, and the Physicist-in Training Fees.

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

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

SPECIFIC AUTHORITY: 455.587(1),(3),(6), 455.711(4), 483.901(6)(a),(k) FS.

LAW IMPLEMENTED: 455.587(1),(3),(6), 455.711(4), 483.901(6)(k),(7) 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: 8:30 a.m., March 5, 1999

PLACE: 1309 Winewood Boulevard, Bldg. 6, Suite 240, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anne Marie Frazee, Attorney, Department of Health General Counsel’s Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULES IS:

64B23-3.001 Application and Licensure Fees.

(1) The non-refundable application fee for licensure shall be \$500.

(2) The initial license fee shall be \$100.

Specific Authority 455.587(1) FS. Law Implemented 455.587(1), 483.901(7) FS. History—New _____.

64B23-3.002 Biennial Renewal Fee.

All licenses, active or inactive, shall be renewed biennially for a fee of \$150.

Specific Authority 455.587(1), 483.901(6)(a) FS. Law Implemented 455.587(1), 483.901(7) FS. History—New _____.

64B23-3.003 Change of Status Fee.

The fee to change licensure status at any time other than renewal period shall be \$100.

Specific Authority 455.587(1), 455.711(4) FS. Law Implemented 455.587(1), 455.711(4) FS. History—New _____.

64B23-3.004 Delinquency Fee.

A delinquent status licensee shall pay a delinquency fee of \$250 when such licensee applies for active or inactive status, in addition to other applicable fees.

Specific Authority 455.587(1), 455.711(7) FS. Law Implemented 455.587(1), 455.711(7) FS. History—New _____.

64B23-3.005 Duplicate License Fee.

The fee for a duplicate license shall be \$25.00.

Specific Authority 455.587(6) FS. Law Implemented 455.587(6) FS. History—New _____.

64B23-3.006 Continuing Education Provider Application Fee.

In addition to meeting the requirements set forth for approval of continuing education programs, providers shall remit \$250 to be submitted with the information required in Rule 64B23-4.002 for program approval.

Specific Authority 455.587(3) FS. Law Implemented 455.587(3) FS. History—New _____.

64B23-3.007 Physicist-in-Training Fees.

(1) The non-refundable application fee for licensure as a physicist-in-training shall be \$100.

(2) The initial license fee shall be \$100.

(3) The yearly renewal fee shall be \$50.

(4) The fee for conversion of the physicist-in-training license to the medical physicist license after board certification shall be \$500.

Specific Authority 483.901(6)(k) FS. Law Implemented 483.901(6)(k) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Baker, Jr., Executive Director, Council of Medical Physicists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria C. Henderson, Director, Division of Medical Quality Assurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER TITLE: Continuing Education RULE CHAPTER NO.: 64B23-4

RULE TITLES: Continuing Education Requirements RULE NOS.: 64B23-4.001

Approval of Continuing Education Programs 64B23-4.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to provide the continuing education requirement parameters for licensees and providers.

SUMMARY: The rules state the required number of hours of continuing education for licensees, establish a random audit of licensees, and explain which continuing education providers are approved and, if not, then the procedure on how to become approved.

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

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

SPECIFIC AUTHORITY: 455.564(7), 483.901(6)(a) FS.

LAW IMPLEMENTED: 455.564(7), 483.901(6)(a) 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: 8:30 a.m., March 5, 1999

PLACE: 1309 Winewood Boulevard, Bldg. 6, Suite 240, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anne Marie Frazee, Attorney, Department of Health General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULES IS:

64B23-4.001 Continuing Education Requirements.

(1) For the purpose of renewing or reactivating a license, the licensee must demonstrate to the Department that he or she participated in at least twenty-four (24) hours of approved continuing education, of which twelve (12) hours must be in the specialty in which the license is held.

(2) Those persons initially licensed during the second year of a biennium are exempt from the continuing education requirements for their first renewal. Continuing education requirements must be met for each biennium thereafter.

(3) The licensee must retain certificates of attendance to document completion of the appropriate continuing education for each biennium for a period of not less than four (4) years from the date of the offering. The Department will audit at random a number of licensees as is necessary to assure that the continuing education requirements are met. Failure to document compliance with the continuing education requirements or the furnishing of false or misleading information regarding compliance shall be grounds for disciplinary action pursuant to Section 483.901(6)(g), Florida Statutes.

(4) Individual physicists licensed by the State of Florida can claim a one-time credit per program for an approved program of which they are the presenter.

Specific Authority 455.564(7), 483.901(6)(a) FS. Law Implemented 455.564(7), 483.901(6)(a) FS. History–New _____.

64B23-4.002 Approval of Continuing Education Programs.

(1) Continuing education programs sponsored or approved by the American Association of Physicists in Medicine (AAPM), the American College of Radiology (ACR), the American College of Medical Physics (ACMP), the Canadian Organization of Medical Physicists (COMP), the Health Physics Society (HPS), the Society of Nuclear Medicine (SNM), the American Medical Association (AMA), the Radiological Society of North America (RSNA), the American Society for Therapeutic Radiology and Oncology (ASTRO), the Commission on Accreditation of Medical Physics Education Programs (CAMPEP) and any not-for-profit university, college, or medical center, or any of their component or professional affiliate organizations are hereby approved if the program serves to enhance learning and skills consistent with contemporary standards for the profession. Neither these providers nor the programs they provide need be submitted to the Department for approval and are exempt from the fees specified in 64B23-3.006 and 64B23-4.002(2)(b).

(2) All other providers seeking approval shall:

(a) Make application on form #xx-xxx, hereby incorporated by reference, and provided by the Department, and submit the following:

1. a statement of the educational goals and objectives of the program, including the criteria for successful completion of the program as explained to attendees;

2. a detailed course outline or syllabus, including such items as method of instruction, and testing materials, if any;

3. a current curriculum vitae of each speaker or lecturer appearing in the program;

4. the procedure to be used for recording attendance.

(b) Pay the \$250 non-refundable application fee, and

(c) Submit a minimum of one (1) offering which shall be relevant to the practice of medical physics as defined in Section 483.901(3)(j), Florida Statutes, which must be offered for the purpose of keeping licensees apprised of advancements and new developments in the practice of medical physics, and is designed to enhance learning and skills consistent with contemporary standards for the profession.

Specific Authority 455.564(7), 483.901(6)(a) FS. Law Implemented 455.564(7), 483.901(6)(a) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Baker, Jr., Executive Director, Council of Medical Physicists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria C. Henderson, Director, Division of Medical Quality Assurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Renewal of License, Delinquent License, 64B23-5
Reactivation of Inactive Status

RULE TITLES: RULE NOS.:
Procedure for Renewal of Licensure 64B23-5.001
Procedure for Reactivation of Inactive Status

to Active Status 64B23-5.002
Delinquent License 64B23-5.003

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to provide the procedures for renewal of licensure and to change licensure status from inactive to active and to provide for the delinquency of a license.

SUMMARY: The rules state how an applicant registers for inactive or active status, how a licensee reactivates his or her license, and describes when the situation of licensure delinquency occurs.

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

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

SPECIFIC AUTHORITY: 455.711(5),(6),(9) FS.

LAW IMPLEMENTED: 455.711(5),(6),(9) 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: 8:30 a.m., March 5, 1999

PLACE: 1309 Winewood Boulevard, Bldg. 6, Suite 240, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anne Marie Frazee, Attorney, Department of Health General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULES IS:

64B23-5.001 Procedure for Renewal of Licensure.

(1) To register for active or inactive status, a medical physicist must make application on the appropriate form and pay the renewal fee. If the application and fee arrive at the Department during the timeframe specified by the Department for the biennial renewal, then the applicant does not need to pay any other fee. If, however, the application or fee arrive at any other time, then the medical physicist must pay the delinquency fee specified in Rule 64B23-3.004.

(2) The term "application" for purposes of active or inactive status licensure shall be the renewal card, including notification of the place of practice.

Specific Authority 455.711(5) FS. Law Implemented 455.711(5) FS. History—New

64B23-5.002 Procedure for Reactivation of Inactive Status to Active Status.

(1) One whose license is on inactive status may apply to reactivate that license by making application for reactivation on form #xx-xxx, hereby incorporated by reference and provided by the Department and paying the appropriate fees. If the application and fees arrive at the Department during the timeframe specified by the Department for the biennial renewal of active licenses, then the licensee must pay only the biennial renewal of active license. If, however, the application or fees arrive at the Department at any other time, then the licensee must pay the appropriate fees.

(2) In any event, the Department shall not reactivate a license unless and until the licensee has paid all of the licensee's outstanding fees, including any unpaid disciplinary fines and delinquency fees.

(3) In addition, no inactive license shall be reactivated unless and until the licensee demonstrates the completion of at least twenty-four (24) hours of approved continuing education

as specified in Rule 64B23-4.001, for each biennium or part thereof of inactive status, and reports either the details of any disciplinary action that has been taken since the licensee's most recent renewal of active license or that no disciplinary action has been taken since the licensee's most recent renewal of active licensure.

Specific Authority 455.711(9) FS. Law Implemented 455.711(9) FS. History--New _____.

64B23-5.003 Delinquent License.

(1) The failure of any license holder to elect active or inactive status before the license expires shall cause the license to become delinquent.

(2) The delinquent status licensee must affirmatively apply for active or inactive status during the licensure cycle in which the license becomes delinquent. The failure by the delinquent status licensee to cause the license to become active or inactive before the expiration of the licensure cycle in which the license became delinquent shall render the license null and void without further action by the department.

(3) The delinquent status licensee who applies for active or inactive license status shall:

(a) file with the department the complete application for either active or inactive status as defined in Rule 64B23-5.001(2);

(b) pay to the department either the active status or inactive status fee, the delinquency fee, and if applicable the processing fee; and,

(c) if active status is elected, demonstrate compliance with the continuing education requirements found in Rule 64B23-4.001.

Specific Authority 455.711(6) FS. Law Implemented 455.711(6) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Joe Baker, Jr., Executive Director, Council of Medical Physicists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria C. Henderson, Director, Division of Medical Quality Assurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Discipline	64B23-6
RULE TITLES:	RULE NOS.:
Penalties	64B23-6.001
Aggravating and Mitigating Circumstances	64B23-6.002
Citations	64B23-6.003
Notices of Noncompliance	64B23-6.004
Mediation	64B23-6.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to establish the offenses, penalties, aggravating and mitigating circumstances, and which offenses are subject to mediation regarding medical physicists.

SUMMARY: The rules state the offenses and penalties for each offense along with aggravating or mitigating circumstance which could be considered for the offense and which offenses will be handled through mediation.

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

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

SPECIFIC AUTHORITY: 455.614(1), 455.617(1), 455.621(3), 455.627(1),(3), 483.901(6)(a) FS.

LAW IMPLEMENTED: 455.614(1), 455.617(1), 455.621(3), 455.624, 455.627, 483.901(6)(a) 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: 8:30 a.m., March 5, 1999
PLACE: 1309 Winewood Boulevard, Bldg. 6, Suite 240, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anne Marie Frazee, Attorney, Department of Health, General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULES IS:

64B23-6.001 Penalties.

(1) Unless mitigating or aggravating factors are demonstrated when the Department finds an applicant or licensee whom it regulates under chapter 483, Part IV, Florida Statutes, has committed any of the acts set forth in section 483.901(6), Florida Statutes, it shall issue a final order imposing appropriate penalties based upon the severity and repetition of the offense within the ranges recommended in the following disciplinary guidelines:

(a) Practicing or attempting to practice medical physics with a license fraudulently obtained. In the case of an applicant, the Department shall deny the application. In the case of a licensee who has obtained or attempted to obtain a license by fraud, the Department shall impose a reprimand to revocation and a fine of \$250 to \$1,000, depending on the severity of the fraud. In the case of a licensee who has practiced or attempted to practice, the Department shall impose a reprimand with or without a period of suspension and fine of \$500 to \$1,000.

(b) Using or attempting to use a license to practice medical physics that has been suspended. The Department shall impose a penalty of revocation.

(c) Selling or fraudulently obtaining or furnishing any diploma, license, or record of registration or aiding or abetting in the same. The Department in the case of a licensee shall impose a penalty ranging from suspension to revocation and a fine of \$500 to \$1,000. In the case of an applicant, the Department shall deny the application.

(d) Making any willfully false oath or affirmation whenever an oath or affirmation is required by chapter 483, Part IV, Florida Statutes. The Department in the case of a licensee shall impose a penalty ranging from probation to suspension and a fine of \$500 to \$1,000. In the case of an applicant, the Department shall deny the application.

(e) Using any name, title, or phrase which would lead the public to believe that such person is engaging in the practice of medical physics, unless such person is licensed as a medical physicist in this State. The Department in the case of a licensee shall impose a penalty ranging from a reprimand to probation, and a fine from \$500 to \$1,000. In the case of an applicant, the Department shall deny the application.

(f) Knowingly concealing information relative to a violation of chapter 483, Part IV, Florida Statutes. The Department in the case of a licensee shall impose a penalty ranging from a reprimand to probation, and an administrative fine from \$250 to \$1,000. In the case of an applicant, the Department shall deny the application.

(2) Unless mitigating or aggravating factors are demonstrated when the Department finds an applicant or licensee whom it regulates under chapter 483, Part IV, Florida Statutes, has committed any of the acts set forth in section 483.901(6), Florida Statutes, it shall issue a final order imposing appropriate penalties based on the severity and repetition of the offense within the ranges recommended in the following disciplinary guidelines:

(a) Attempting to obtain, obtaining or renewing a license to practice medical physics by bribery, by fraudulent misrepresentation, or through an error of the Department. In the case of an applicant, the Department shall deny the application. In the case of a licensee, the Department shall impose a penalty of a reprimand to revocation and a fine from \$500 to \$1,000, based on the severity of the offense.

(b) Having a license to practice medical physics revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country. In the case of a licensee, the Department shall impose a penalty ranging from reprimand to revocation and a fine from \$250 to \$1,000, depending upon the nature of the offense and the substantiating evidence. In the case of an applicant, the Department shall deny the application.

(c) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which is directly related to the practice of medical physics or the ability to practice medical physics. In the case of a licensee, the Department shall impose a penalty ranging from probation to revocation and a fine from \$500 to \$1,000, depending upon the nature of the offense and the substantiating evidence. In the case of an applicant, the Department shall deny the application.

(d) Advertising in a manner which is false, deceptive or misleading. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$250 to \$1,000.

(e) Advertising, practicing or attempting to practice under a name other than one's own. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$250 to \$1,000.

(f) Failing to report to the Department any person the licensee knows to be in violation of chapter 455, Part II or chapter 483, Part IV, Florida Statutes, or the rules of the Department. The Department shall impose a penalty of a reprimand and a fine of \$250.

(g) Aiding, assisting, procuring, permitting or advising any unlicensed person to practice medical physics contrary to chapter 483, Part IV, Florida Statutes, or the rules of the Department. The Department shall impose a penalty of probation to suspension and a fine from \$500 to \$1,000. In the case of an applicant, the Department shall deny the application.

(h) Failing to perform any statutory or legal obligation placed upon a licensed medical physicist. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$250 to \$1,000.

(i) Making or filing a report or record which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records shall include only those which are signed in the capacity of a licensed medical physicist. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$250 to \$1,000.

(j) Paying or receiving any commission, bonus, kickback, rebate or engaging in any split-fee arrangement in any form whatsoever with a physician, organization, Department or person, either directly or indirectly, for patients referred to providers of health care goods and services, including, but not limited to hospitals, nursing homes, clinical laboratories,

ambulatory surgical centers or pharmacies. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$500 to \$1,000.

(k) Making misleading, deceptive, untrue or fraudulent representations in the practice of medical physics or employing a trick or scheme in the practice of medical physics when such scheme or trick fails to conform to the generally prevailing standards of treatment in the community. The Department shall impose a penalty ranging from probation to suspension and a fine from \$500 to \$1,000.

(l) Soliciting patients either personally or through an agent. The Department shall impose a penalty ranging from reprimand to probation and a fine of \$500.

(m) Failing to prepare written or electronic records detailing the content of the professional service(s) provided. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$250 to \$1,000.

(n) Exercising influence on the patient or client in such a manner as to exploit the patient or client for financial gain of the licensee or of a third party. The Department shall impose a penalty ranging from probation to suspension and a fine from \$500 to \$1,000.

(o) Performing professional services when knowing such services have not been duly authorized by the patient or client or his legal representative. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$250 to \$500.

(p) Practicing medical physics without reasonable skill and safety by reason of illness, or use of alcohol, drugs, narcotic, chemicals or any other type of material or as a result of any mental or physical condition. The Department shall impose a penalty of suspension until such time as the licensee demonstrates rehabilitation followed by probation under such terms and conditions as set by the Department and a fine from \$250 to \$500. If the individual is an applicant, the Department shall deny the application.

(q) Gross or repeated malpractice or the failure to practice medical physics at a level of care, skill, and treatment which is recognized by a reasonably prudent medical physicist as being acceptable under similar conditions and circumstances. The Department shall impose a penalty ranging from probation to revocation and a fine from \$250 to \$1,000, depending on the severity of the offense.

(r) Performing any procedure which, by prevailing standards of medical physics practice in the community, would constitute experimentation on human subjects without first obtaining full, informed, and written consent. The Department shall impose a penalty ranging from probation to suspension and a fine from \$500 to \$1,000.

(s) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that he is not competent to perform. The Department

shall impose a penalty ranging from reprimand to revocation and a fine from \$250 to \$1,000, depending on the severity of the offense.

(t) Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified by training, experience or licensure to perform them. The Department shall impose a penalty ranging from reprimand to probation and a fine from \$250 to \$1,000.

(u) Violating any provision of chapters 483, Part IV, or 455, Part II, Florida Statutes, or any rule of the Department. The Department shall impose a penalty ranging from reprimand to revocation and a fine from \$250 to \$1,000, depending on the severity of the offense.

(v) Conspiring with another licensee or with any other person to commit an act, or committing an act, which would tend to coerce, intimidate or preclude another licensee from lawfully advertising his services. The Department shall impose a penalty of reprimand to probation and a fine from \$250 to \$500.

(w) Fraud, deceit, or misconduct in the practice of medical physics. The Department shall impose a penalty ranging from reprimand to revocation and a fine from \$250 to \$1,000, depending on the severity of the offense.

(x) Violating any provision of section 483, Part IV, Florida Statutes, or section 455.624, Florida Statutes. The Department shall impose a penalty within the ranges provided in paragraph (1) of this rule for any violation of section 483, Part IV, Florida Statutes, and a penalty within the range provided in section 455.624, Florida Statutes, for violations thereof.

Specific Authority 455.627(1), 483.901(6)(a) FS. Law Implemented 455.624, 455.627, 483.901(6)(a) FS. History—New _____.

64B23-6.002 Aggravating and Mitigating Circumstances. The Department will give consideration to aggravating and mitigating circumstances in determining the penalty to be imposed in any given case. The following factors will influence the Department's decision:

- (1) The severity of the offense;
- (2) The danger to the public;
- (3) The number of repetitions of offenses;
- (4) The length of time since the violation when no further complaints have been made against the licensee;
- (5) The number of times the licensee has been previously disciplined by the Department;
- (6) The length of time licensee has practiced without having any disciplinary action taken;
- (7) The damage to the patient caused by the violation;
- (8) Any efforts of rehabilitation by the licensee;
- (9) The licensee's actual knowledge of the violation;
- (10) Attempts by the licensee to correct or stop the violation, or the refusal of the licensee to correct or stop the violation;

(11) Related violations by the licensee in Florida or in another jurisdiction, including findings of guilty or innocence, penalties imposed and penalties service;

(12) The degree to which the licensee was involved in the violation;

(13) The degree to which the licensee benefited from the violation;

(14) The cost of the disciplinary action.

Specific Authority 455.627(3), 483.901(6)(a) FS. Law Implemented 455.627(3), 483.901(6)(a) FS. History–New.

64B23-6.003 Citations.

(1) Pursuant to Section 455.617, Florida Statutes, the Department sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the penalty to be imposed. In addition to any administrative fine imposed, the Respondent shall be required by the Department to pay the costs of investigation. The form to be used is specified in rules of the Department of Health.

(2) Citations may only be issued for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section 455.621, Florida Statutes, to be followed. In addition, should an initial offense for which a citation could be issued occur in conjunction with other violations, then the procedures of Section 455.621, Florida Statutes, shall apply.

(3) The following violation may be disposed of by the Department by citation with the specified penalty:

<u>VIOLATIONS</u>	<u>PENALTY</u>
<u>(a) CE violations (Section 483.901(6))</u>	<u>Within six months of the date the citation is issued</u> <u>Respondent must submit certified documentation of completion of all CE requirements for the period for which the citation was issued; prior to renewing the license for the next biennium</u> <u>Respondent must document compliance with the CE requirements for the relevant period; AND</u>
<u>1. Failure to document specialty CE.</u>	<u>\$200 fine</u>
<u>2. Documentation of some, but not all of the required CE for license renewal.</u>	<u>\$25 fine for each hour not documented</u>
<u>3. Failure to document any of the required hours</u>	<u>1. \$1,000 fine</u> <u>2. Reprimand</u>
<u>4. Failure to respond to an audit.</u>	<u>\$250 fine</u>
<u>(b) Practice on an inactive status</u>	<u>\$500 fine</u>

license for a period of up to three months.

(4) The subject has 30 days from the date the citation becomes a final order to pay any fine imposed and costs. All fines and costs are to be made payable to the “Department of Health” and sent to the Department of Health in Tallahassee. A copy of the citation shall accompany the payment of the fine.

(5) The Department of Health shall, at the end of each calendar quarter, submit a report to the Council of the citations issued, which report shall contain the name of the subject, the violation, fine imposed, and the number of subjects offered citations who chose to follow the procedures of Section 455.621, Florida Statutes.

Specific Authority 455.617(1), 483.901(6)(a) FS. Law Implemented 455.617(1), 483.901(6)(a) FS. History–New.

64B23-6.004 Notices of Noncompliance.

(1) Definitions.

(a) “Notice of Noncompliance” is a notification by the Department issued to a licensee as a first response to minor violations of rules or statutes, which is not accompanied by a fine or other disciplinary penalty.

(b) “Minor violation” refers to a violation of a rule or statute that does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm.

(2) The Department designates the following as minor violations for which a notice of noncompliance may be issued for the first violation thereof:

(a) Failure to provide written notice of a licensee’s current mailing address and place of practice in violation of Rule 64B23-1.001, F.A.C.

(b) Failure to display the license in a place accessible to the public in violation of 483.901(6)(f)1., F.S.

Specific Authority 455.621(3) FS. Law Implemented 455.621(3) FS. History–New.

64B23-6.005 Mediation.

The Department has determined that the following violations are defined as mediation offenses:

(1) Failure of the licensee to pay any assessed administrative fines or costs on time; assuming payment of the fine has been made, and

(2) Failure of the licensee to respond to a continuing education audit on time, assuming a response has been made.

Specific Authority 455.614(1), 483.901(6)(a) FS. Law Implemented 455.614(1), 483.901(6)(a) FS. History–New.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Joe Baker, Jr., Executive Director, Council of Medical Physicists
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria C. Henderson, Director, Division of Medical Quality Assurance
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Physicists-in-Training	64B23-7
RULE TITLES:	RULE NOS.:
Application for Physicist-in-Training	64B23-7.001
Physicist-in-Training Supervisors	64B23-7.002
Renewal	64B23-7.003
Continuing Education	64B23-7.004
Licensure of Physicist-in-Training as	
Medical Physicist	64B23-7.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to establish guidelines for the physicists-in-training.

SUMMARY: The rules describe the application process, renewal of license requirements, continuing education requirements, and the procedure for converting the physician-in-training license to a medical physicist license.

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: 483.901(6)(k) FS.

LAW IMPLEMENTED: 483.901(6)(k) 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: 8:30 a.m., March 5, 1999

PLACE: 1309 Winewood Boulevard, Bldg. 6, Suite 240, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anne Marie Frazee, Attorney, Department of Health General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE FULL TEXT OF THE PROPOSED RULES IS:

64B23-7.001 Application for Physicist-in-Training.

Each applicant for physicist-in-training must meet the following requirements:

(1) Each applicant for physicist-in-training must fill out form #xx-xxx, hereby incorporated by reference and provided by the Department and pay the fee specified in Rule 64B23-3.007, FAC.

(2) Each applicant must specify the area of specialization on the form provided by the Department. The academic qualifications for that specialization as required by the appropriate board must already be met at the time of application.

(3) The applicant must present documentation of supervision signed by his or her proposed supervisor.

Specific Authority 483.901(6)(k) FS. Law Implemented 483.901(6)(k) FS. History--New _____.

64B23-7.002 Physicist-in-Training Supervisors.

(1) The supervisor must hold a Florida medical physicist license in the appropriate specialty.

(2) The supervisor must agree to provide supervision for a period of one year. Either party may decline to fulfill his/her obligation if good cause exists and is approved by the Department.

(3) The supervisor agrees to be a responsible medical physicist for all medical physicist activities under supervision. All reports must be signed by the physicist-in-training and the supervising physicist.

(4) A change of supervisor requires documentation from the new supervisor, including an agreement to provide supervision.

Specific Authority 483.901(6)(k) FS. Law Implemented 483.901(6)(k) FS. History--New _____.

64B23-7.003 Renewal.

(1) A physicist-in-training may renew his or her license every year, for a period not to exceed eight years.

(2) Application for renewal must include:

(a) reaffirmation of supervising physicist,

(b) statement by supervising physicist of physicist-in-training's satisfactory progress towards board certification, and

(c) Renewal fee provided in Rule 64B23-3.007.

Specific Authority 483.901(6)(k) FS. Law Implemented 483.901(6)(k) FS. History--New _____.

64B23-7.004 Continuing Education.

Continuing education requirements for the physicist-in-training will be twelve hours annually in the specialty in which the license is held. Approval of continuing education programs shall be in accordance with Rule 64B23-4.002, FAC.

Specific Authority 483.901(6)(k) FS. Law Implemented 483.901(6)(k) FS. History--New _____.

64B23-7.005 Licensure of Physicist-in-Training as Medical Physicist.

Upon receipt of documentation of board certification by the Department of Health, the physicist-in-training will be issued a medical physicist license. The licensee will not be required to pay the fees set out in Rule 64B23-3.001, FAC., but will be required to pay the fee set out in Rule 64B23-3.007(4), FAC.

Specific Authority 483.901(6)(k) FS. Law Implemented 483.901(6)(k) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Joe Baker, Jr., Executive Director, Council of Medical Physicists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gloria C. Henderson, Director, Division of Medical Quality Assurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

Division of Treasury

RULE CHAPTER NO.: 4C-2
RULE CHAPTER TITLE: Procedures for Administering the Florida Security for Public Deposits Act

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)l., Florida Statutes, published in Vol. 24, No. 45, November 6, 1998, of the Florida Administrative Weekly:

4C-2.004(13), the last sentence will read as follows “These forms will be requested by the Treasurer when concerns about the qualified public depository’s financial condition or reporting status or the security of collateral is in question. These forms are to be submitted only when the Treasurer specifically instructs the Qualified Public Depository or Custodian to submit them.”

4C-2.004(23) deletes the phrase “citing minimum necessary information” after the words “transmitted request” and after the word “Rule 4C-2.009(1)(g)”.

4C-2.004(25) deletes the phrase “citing minimum necessary information” after the words “transmitted request” and after the word “Rule 4C-2.009(1)(h)”.

4C-2.004 add to Law Implemented 280.05(16), 280.16(1)(b).

4C-2.0095 this section will read as follows ~~The Treasurer may allow the filing of any information, reports or forms required under Chapter 280, Florida Statutes, and Rule Chapter 4C-2, to be by electronic data transmission. Such Electronic filing filings~~ of information, reports, or forms, including any items required to be certified or made under oath shall have the same enforceability as a signed writing.

4C-2.026(4) should read “A current Public Deposit Identification and Acknowledgment Form DI4-1295 as required in Section 280.17, Florida Statutes, will accompany the claim. This form shall state, without alteration, the account number, account type, and account name which are identical to that stated in the Public Deposit Claim Form and Agreement and on the records of the Qualified Public Depository.”

4C-2.026(5) should read “Evidence of the deposit insurance afforded this public deposit and offsets allowed shall accompany the claim. The net claim shall be an uncompensated loss which is not subject to any indemnification other than that provided by Chapter 280, Florida Statutes.”

4C-2.026(6) delete entire section; renumber (7) and (8) to read (6) and (7). Add to Law Implemented 280.17(1)(b) and 280.10.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE CHAPTER NO.: 15C-1
RULE CHAPTER TITLE: General
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)3., F.S., pursuant to comments received from the Joint Administrative Procedures Committee, published in Vol. 24, No. 49, December 4, 1998, issue of the Florida Administrative Weekly:

All rules: Section 320.824(1), F.S., has been removed from the rulemaking authority.

15C-1.0101:

Section 320.8249, F.S., has been removed form the rulemaking authority.

15C-1.0102:

(4)(5) Auger Anchors: All mobile/manufactured homes and park trailers shall be anchored with approved auger anchors, which shall be coated with hot-dipped zinc galvanizing (ASTM Standard #123-89A, which is hereby incorporated by reference); .60 ounces per square foot. Auger anchors shall be installed to the manufacturers installation instructions with special emphasis on soil classification to a minimum depth of four feet (4’) and placed in undisturbed or compacted soil. Piers are to be installed off center of the anchors so as not to interfere with the proper alignment of the strapping. Anchors may be installed in predrilled holes

provided the anchor penetrates a minimum of two feet (2') into undisturbed soil beyond the predrilled hole. When the anchor manufacturer's installation instructions permit, the hole is then backfilled with soil compacted in layers not exceeding six inches (6"). For manufactured homes produced after July 13, 1994, refer to the manufacturer's set-up manual for the working load ultimate requirements for anchors at the different tie points on the manufactured home. For used manufactured homes manufactured after July 13, 1994, and the manufacturer's set-up manual is not available, all anchor points at side walls, shear walls, end walls, center line, and other points as identified by the manufacturer, shall be certified for a working load of four thousand (4,000) pounds, with an ultimate load of six thousand (6,000) pounds. Anchors are required one at each end of shear walls; one on each end of each I-beam; one frame tie at each vertical tie point; one on each end of each marriage wall (center line); and on each ridge beam support post. Note: Coral anchors are not designed to meet Zone II and Zone III wind requirements.

(5)(6) Stabilizing Devices Plates: All ground anchors shall have approved stabilizing devices plates approved by the department, each of which shall have a minimum surface area

of 180 square inches and shall be coated with hot-dipped zinc galvanizing (ASTM Standard 123-89A, which is hereby incorporated by reference); .60 ounces per square foot or zinc coated to ASTM (A 929/A 929M-96, which is hereby incorporated by reference). The stabilizing device shall be installed ~~on the inside (direction of pull)~~ with the top of the stabilizing device ~~plate driven~~ installed flush with the soil to prevent the anchor from deflecting. Exception: Stabilizer ~~devices plates~~ are not required ~~with coral anchors or~~ at center line or marriage wall locations unless required by the manufacturer's set-up manual.

(6)(8) Foundations, pPiers or other load bearing supports or devices shall be installed and constructed to evenly distribute the loads. Steel piers with mechanical adjustments shall be securely attached to the frame of all mobile/manufactured homes or park trailers. (See Figure C in Rule 15C-1.0103) Manufactured load-bearing supports or devices shall be listed and approved for the use in which it was applied intended, or piers shall be constructed as outlined in this rule. Concrete products shall comply with the following specifications: Minimum dimensional and structural requirements for load-bearing solid and cell concrete blocks

shall be to the Standard Specification for Load-Bearing Concrete Masonry Units, ASTM C-90, 1996 1993 edition, ~~as hereby incorporated by reference.~~ Concrete foundations and cap blocks must have a minimum of two thousand two hundred (2,200) pound flexural strength as measured by Standard Test Method for Sampling and Testing Concrete Masonry Units, ASTM C140-96. Solid 4" concrete blocks are the minimum thickness of blocks that will meet this test. Poured concrete shall be a minimum of $f_{cl} = 2500$ PSI. All plastic products shall be conditioned to ASTM D 618-61, reapproved 1990, Standard Practice for Conditioning Plastics and Electrical Insulating Materials for Testing, ~~as hereby incorporated by reference.~~ Plastics shall be tested to the following standards: ASTM D 790-92, Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials; ASTM D 732-85, Standard Test Method for Shear Strength of Plastics by Punch Tool; and ASTM G 53-88, Standard Practice for Operating Light and Water Exposure Apparatus for Exposure of Nonmetallic Materials. All of the above ASTM Standards in paragraph 6 are as hereby incorporated by reference.

Specific Authority 320.011, 320.8325(2) FS. Law Implemented 320.77(10), 320.822(12), 320.8285, 320.8325, 320.835(2) FS. History—New 1-10-94, Amended 10-2-95.

15C-1.0103

(1)(b) Piers may be constructed of regular 8" x 8" x 16" concrete blocks, open cells, ~~solid (minimum 8" x 10" top), or equivalent~~ (with open cells vertical), centered on the footing or foundation. A 2" x 8" x 16" pressure treated ~~or hardwood plate,~~ or other material approved and listed by the department, pursuant to rules 15C-1.0105 and 15C-1.0106, shall completely cover the top of the pier with pressure treated shims (1/4" minimum and 1 1/2" maximum thickness x 3 1/2" minimum width x 6" minimum length) centered and driven tight from both sides of the I-beam between the wood plate or cap and the main frame. Single tiered block piers shall be installed perpendicular to the main I-beam. Exception: When a pier has been capped with at least a four inch (4") solid concrete block; or other material approved and listed by the department, pursuant to rules 15C-1.0105 and 15C-1.0106, one-fourth inch (1/4") of wood stock or wood shims or other material approved and listed by the department, pursuant to rules 15C-1.0105 and 15C-1.0106, shall be installed between the pier and steel I-beam. (See Figures A, B and D)

(d) All piers over thirty-six inches (36") and corners piers over twenty-four inches (24") in height shall be double tiered with blocks interlocked and capped with two (2) 4" x 8" x 16" solid concrete blocks side by side and perpendicular to the I-beam; or other material approved and listed by the department, pursuant to rules 15C-1.0105 and 15C-1.0106, and cushioned with wood shims or pressure treated plate. Pier height is measured from top of footer or foundation to top of cement block stack, including 4" cap block(s). (See Figures B and D)

INSERT TABLE A, FIGURE A AND FIGURE B

INSERT FOR FIGURE C AND FIGURE D

15C-1.01031

(2) In absence of the original manufacturer's installation instructions, the anchoring system shall be designed by a professional engineer or architect, licensed in the State of Florida, to comply with Manufactured Home Installation in Flood Hazard Areas, FEMA 85/September 1985, incorporated by reference above. The foundation and piers shall comply with the requirements in 15C-1.0102 and 15C-1.0103.

15C-1.0104

(2) Frame Ties:

(a) All frame ties for new and used mobile/manufactured homes must have a factory fabricated strap connected at the top of the I-beam to an I-beam clamp approved by the department pursuant to rules 15C-1.0105 and 15C-1.0107. ~~new manufactured homes shall be certified and manufactured as meeting the Department of Housing and Urban Development Federal Manufactured Home Construction and Safety Standards.~~

(3) Longitudinal Tie-downs. All new and used mobile/manufactured homes, installed sixty (60) days after the effective date of this rule, must have longitudinal tie-downs or other approved longitudinal stabilizing systems meeting the specifications of rules 15C-1.0105, 15C-1.0107 and 15C-1.0108 and designed to resist horizontal wind loads in the long direction of the home (i.e.: wind load applied to each end of the home). The longitudinal tie-downs are in addition to the anchoring systems required along the exterior side walls and/or marriage walls of the mobile/manufactured home.

(a) When anchors and straps are used for stabilizing the home in the longitudinal direction the strap must connect to a clip welded onto the I-beam or other device connected mechanically. Unless factory installed, the connection device must be approved by the department pursuant to rules 15C-1.0105 and 15C-1.0107. At least four (4) anchors and straps are required (i.e., 16 per double-wide home) at the end of each section of the mobile/manufactured home.

15C-1.0107

(4) Strap Splice or Connections

(a) Strap splice shall require at least twelve inches (12") of strap overlap with two (2) seals evenly spaced. Each seal shall have two (2) crimps evenly spaced. All strap connections must be manufactured to meet minimum standards of rule 15C-1.0105 and must be approved by the department.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

RULE NOS.:	RULE TITLES:
29F-1.004	Membership
29F-1.0042	Membership Fees
29F-1.005	Council
29F-1.104	Membership
29F-1.1042	Membership Fees
29F-1.105	Council

NOTICE OF CHANGE

Notice is hereby given that rules 29F-1.004, 29F-1.0042, 29F-1.005, 29F-1.104 and 29F-1.1042, published in the Florida Administrative Weekly, Vol. 24, No. 45 on November 6, 1998 and Rule 29F-1.105, published in the Florida Administrative Weekly, Vol. 24, No. 49 on December 4, 1998 have been changed to reflect comments received at a January 20, 1999 public hearing held on the rules.

The change provides for an effective date for each of the subject rules to be May 1, 1999. Additionally, Rule 29F-1.1042 has been changed to read as follows:

(2) The Annual Assessment shall be for the purpose of maintaining the general administration and operations of the Council and for satisfying the matching fund requirements of various grant-in-aid programs and shall be set annually by the Council upon adoption of the Annual Budget. The Annual Assessment shall be at a uniform per capita rate for each county member in the Region and shall be in an amount sufficient, when combined with other revenue sources, to satisfy the financial requirements of the adopted Annual Budget.

(3) The Special Assessment shall be for the purpose of financially supporting any special activities that the Council elects to incorporate in the adopted Annual Work Program. Such special activities shall apply to either the total area of the Region or to a specifically designated geographic or jurisdictional area within the Region. When any special activity is designated to apply to the entire geographic area of the Region each county member ~~local government~~ shall be assessed at a uniform per capita rate. When any special activity is limited to specified geographic areas or jurisdictions within the Region only those member governments within the specified area or jurisdiction shall be assessed a fee for the special activity.

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF PROPOSED RULE CHANGE IS: Sandra S. Glenn, Executive Director, East Central Florida Regional Planning Council, 1011 Wymore Rd., Suite 105, Winter Park, Florida 32789

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-12.004
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 23, No. 52, December 26, 1997, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Law Enforcement

DOCKET NO.: 98-54R

RULE CHAPTER NO.: 62N-24
 RULE CHAPTER TITLE: Boating Restricted Areas
 RULE NO.: 62N-24.164
 RULE TITLE: Volusia County Boating Restricted Areas

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. 24, No. 53, December 31, 1998, issue of the Florida Administrative Weekly:

Rule 62N-24.164 Volusia County Boating Restricted Areas.

(a)1. Daytona Beach: An Idle Speed No Wake boating restricted area from the western shoreline to the eastern ~~limit portion~~ of the right-of-way of the ICW from a line drawn perpendicular to the centerline of the ICW 200 feet north of the Main Street Bridge to a line which is 600 feet northerly of and parallel drawn perpendicular to the centerline of northern span of the Seabreeze Bridge (S. R. ~~430~~ 403), as depicted in drawing A.

2. New Smyrna Beach: An Idle Speed No Wake boating restricted area in and adjacent to the ICW, bounded on the north and west by the western shoreline of the Indian River North, bounded on the south by the northern shoreline of Chicken Island and a line drawn due west from the western end of Chicken Island, and bounded on the east by a line drawn due north from the eastern end of Chicken Island ~~from the western shoreline to the eastern portion of the ICW from a line drawn perpendicular to the centerline of the ICW 300 feet north of Harris Saxon Bridge to a line drawn perpendicular to the centerline of the ICW 4,000 feet northeast of Harris Saxon Bridge (A 1 A),~~ as depicted in drawing B.

3. Edgewater: An Idle Speed No Wake boating restricted area from the western shoreline to the eastern ~~limit portion~~ of the right-of-way of the ICW from a line drawn perpendicular to the centerline of the ICW 300 feet north of the Kennedy Park boat ramp to a line drawn perpendicular to the centerline of the ICW 500 feet south of the Menard May Park boat ramp, as depicted in drawing C.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2035
 RULE TITLE: Examination Fees

NOTICE OF CHANGE

Notice is hereby given that based on the comments received from the Joint Administrative Procedures Committee, the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 24, No. 45, November 6, 1998, issue of the Florida Administrative Weekly.

Proposed Rule 64B16-26.2035 has been changed to read:

64B16-26.2035 Examination Fees.

The examination fees for licensure by examination includes a fee of \$50 payable to the Board, and component examination fees of \$250 for the National Practice Examination and \$85 for the jurisprudence examination. Component examination fees may be paid directly to the examination vendor. All fees collected under this section are non-refundable.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John D. Taylor, Executive Director, Board of Pharmacy/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.301
 RULE TITLE: Drug Screening and Testing of Temporary Cash Assistance Applicants

Notice is hereby given that changes are being made to the rule identified above as published in Vol. 24, No. 48, Florida Administrative Weekly, on November 25, 1998. These changes are the result of comments made by the Joint Administrative Procedures Committee (JAPC) in a letter dated December 7, 1998. The comments indicated potential JAPC objections to the proposed rule that required amendment of the published text.

The specific changes are as follows:

Sub-paragraph 65A-4.301(1)(a) is amended to read, “ “Controlled Substances” means substances ~~drugs~~ which are scheduled as defined under s. ~~Ch. 893.02(4)~~ 893.02(4), Florida Statutes; ~~as having no medical use, or as having medical use by legal prescription.~~”

Sub-paragraph 65A-4.301(1)(b) is deleted and sub-paragraphs 65A-4.301(1)(c) through 65A-4.301(1)(h) are re-numbered 65A-4.301(1)(b) through 65A-4.301(1)(g).

In the single sentence of sub-paragraph 65A-4.301(1)(e), following the word “qualified”, insert, “and”, and delete “, ~~as~~”. In the same sentence following “department”, delete the comma.

In the second sentence of sub-paragraph 65A-4.301(1)(g), following the acronym “(SASSI)”, insert, “(incorporated by reference)”. At the end of the sub-paragraph, add a new sentence, “Copies of the SASSI screening instrument may be obtained from the Department of Children and Family Services, Substance Abuse Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.”

In sub-paragraph 65A-4.301(3)(b)2., following the first sentence, insert a new sentence, “Copies of form CF-ES 2274 may be obtained from the Department of Children and Family Services, Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.”

In paragraph 65A-4.301(4), following the first sentence, insert a new sentence, “Drug testing in the context of this rule shall be done based upon the collection and testing of a urine sample.”

In the first sentence of sub-paragraph 65A-4.301(4)(a), following the word, “applicant”, delete, “, ~~if available~~”.

In the single sentence of sub-paragraph 65A-4.301(4)(a)2., following the word “manner”, delete the word “~~reasonably~~”.

In the single sentence of sub-paragraph 65A-4.301(4)(a)3., following the phrase “so as to”, delete the word “~~reasonably~~”.

In sub-paragraph 65A-4.301(4)(a)4., in the single sentence, following the word “will”, delete the word “~~reasonably~~”, and following the word preclude, insert “the likelihood of”.

In sub-paragraph 65A-4.301(5), in the first sentence, following “CF-ES 2274,” add “(incorporated by reference in rule 65A-4.301(3)(b)2.)”.

Following the fourth sentence in sub-paragraph 65A-4.301(5), insert a new sentence, “Copies of form CF-ES 2276 may be obtained from the Department of Children and Family Services, Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.”

In the fourth sentence of sub-paragraph 65A-4.301(6)(a), following “Addictions Severity Index-LITE,” insert, “(incorporated by reference)”. Following the fourth sentence, insert a new sentence, “Copies of the Addiction Severity Index-LITE form may be obtained from the Department of

Children and Family Services, Substance Abuse Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.”

Section IV Emergency Rules

MARINE FISHERIES COMMISSION

RULE TITLE: RULE NO.:
Emergency Suspension of Shrimp Minimum
Size Rule for Food Shrimp Production
in Dade County 46ER99-1

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY, AND WELFARE: For many years, the State of Florida has regulated the minimum size of shrimp harvested in the food shrimp fishery by requiring that shrimp in possession of the harvester be of legal size. Legal size is defined to mean that, on average, the shrimp number 47 shrimp with heads on, and 70 with heads off, per pound. The count law regulation, as this type of minimum size regulation is termed, has been in effect in Biscayne Bay, Dade County, Florida, since well before the creation of the Marine Fisheries Commission in 1983. It was continued by the MFC when comprehensive shrimping rules were adopted on January 1, 1992.

Very recently, it came to the attention of the Commission that the count law has never been consistently enforced against the wing net commercial food shrimp fishery in Biscayne Bay. There are 500 families in the area dependent on the fishery for a substantial portion of their incomes. According to the information immediately available from harvesters, a low percentage of the shrimp harvested in Biscayne Bay during the winter months are of a size that would meet the 47/70 count rule. At the present time, Dade County food shrimp harvesters have made their preparations for the winter season, making a considerable investment in wing net and other gear and vessels they intend to use. If, after many years of non-enforcement of the count rule, the 47/70 minimum size standard is now vigorously applied, the 500 families dependent on the Biscayne Bay food shrimp fishery will suffer severe economic hardships.

Therefore, the Marine Fisheries Commission finds that there is an immediate danger to the public welfare if immediate action is not taken to suspend the provisions of Rule Chapter 46-31, F.A.C., that establish a minimum size for food shrimp harvested in Biscayne Bay, Dade County, Florida. Further, the Commission finds that such a suspension will provide a necessary “cooling off” period, which will allow the Commission time to gather necessary data to determine whether alternative means can be found to assure that shrimp

taken in this fishery are not harvested at a size below that which would secure the continuing health and abundance of the shrimp resources of the area. The Commission also finds that the most appropriate and least restrictive means to alleviate the hardship caused by these circumstances is to suspend the application of the 47/70 minimum size (count) rule, Rule 46-31.009(1)(a), F.A.C., to the food shrimp fishery in the state waters of Dade County, for 90 days. With the data gathered during the suspension, the Commission will be able to determine whether regular rulemaking will be instituted to address the problem on a permanent basis.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: In late November, 1998, members of the MFC staff were notified that a problem existed in Biscayne Bay with respect to enforcement of the food shrimp minimum size (count) regulation against food shrimp producers using wing nets. Upon consultation with the Executive Director, the Chairman of the Commission determined that the issue should be taken up at the regular meeting of the MFC on December 7, 1998, in Islamorada, Florida, on an emergency basis, as part of a discussion of the work plan of the Commission. On that date, the Commission decided, after taking testimony from representatives of the Biscayne Bay wing net fishery, that consideration of emergency action was warranted. An estimated 200 participants in that fishery attended the December 7 meeting. The Commission directed that emergency rule language be prepared, but agreed to delay until Wednesday, December 9, 1998, actual consideration of the rule, to allow members of the news media in attendance to publicize the anticipated action.

The events of December 7 and the possible emergency action were reported by reporters from the Miami Herald, the Ft. Lauderdale Sun-Sentinel, and WSCV-TV, Channel 51, Miami. On December 9, 1998, the Commission, after taking testimony from all interested persons in attendance, approved the wording of this emergency rule and voted to submit it to the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, for approval at the January 26, 1999, regular meeting of the Board. At any meeting of the Governor and Cabinet in which a rule of the Marine Fisheries Commission is to be considered, interested persons are allowed to address the merits of the rule.

The entire text of the emergency rule is to be published in the Florida Administrative Weekly and distributed to the Joint Administrative Procedures Committee of the Florida Legislature as required by Section 120.54(4), Florida Statutes. Notice of the action taken by the Governor and Cabinet in approving the rule was distributed following the meeting to nearly 2,000 persons and organizations, including major state newspapers and electronic media, maintained on the Commission's regular mailing list.

The Marine Fisheries Commission hereby finds that the procedures used to promulgate this emergency rule are fair under the circumstances.

SUMMARY OF THE RULE: Emergency Rule 46ER99-1 suspends the application of the shrimp minimum size rule, the 47/70 shrimp count requirement, during the pendency of the emergency rule, in the state waters of Dade County.

A COPY OF THE EMERGENCY RULE MAY BE OBTAINED BY CONTACTING: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE EMERGENCY RULE IS:

46ER99-1 Emergency Suspension of Shrimp Minimum Size Rule for Food Shrimp Production in Dade County.

During the pendency of this emergency rule, the provisions of Rule 46-31.009(1)(a), F.A.C., shall not apply in the state waters of Dade County.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New 1-26-99.

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

EFFECTIVE DATE: January 26, 1999

MARINE FISHERIES COMMISSION

RULE TITLE:

RULE NO.:

Emergency Southwest Florida Seasonal
Shrimp Closure

46ER99-2

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY, AND WELFARE: Historically, intense and sometimes violent confrontations have occurred between persons deploying stone crab and shrimping gear on the same fishing grounds. Whenever shrimp trawls are towed where stone crab traps are fished, severe gear losses and economic hardship are suffered by both groups of fishers, the most serious damage being sustained by stonecrabbers. Along the west coast of Florida, zones have been established to separate the two groups, on an area and seasonal basis.

In southwest Florida, two zones are currently set up, each with a different season for closure of the area to shrimping. The two zones, one stretching offshore from Boca Grande Pass to Wiggins Pass and the other offshore from north of Naples to Key West, are about 1 1/2 miles apart. All segments of the two fisheries agree that the possibility for violence between participants will be greatly reduced during the current stone crab season if the northern zone is extended to coincide with the northern boundary of the zone to the south.

In workshops held by the Marine Fisheries Commission with participants of both fisheries on December 1, 1998, in Ft. Myers Beach, the possibility of violence and the need for emergency action to eliminate the gap between the zones separating the two fisheries was brought to light. These concerns were repeated at the regular meeting of the Commission on December 8, 1998, in Islamorada, Florida, by representatives of Organized Fishermen of Florida and individual stonecrabbers and shrimpers.

Therefore, the Marine Fisheries Commission finds that there is an immediate danger to the public safety if immediate action is not taken to extend the southern boundary of the existing seasonal shrimping closure in subsection (1) of Rule 46-38.002, F.A.C., southward to coincide with the northern boundary of the existing seasonal shrimping closure in subsection (3) of the rule. The Commission also finds that this is the most appropriate and least restrictive means to avoid the possibility of violence between participants in the stone crab and shrimp fisheries. The Commission will proceed with regular rulemaking to join these two closures in future stone crab seasons.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Marine Fisheries Commission has held workshops concerning stone crab/shrimping conflicts in southwest Florida, most recently on December 1, 1998. Participants in that workshop from both fisheries agreed at this workshop that emergency action should be taken to address the gap between existing zones of separation. Each group was advised that the issue would be taken up as a regular agenda item at the Commission's scheduled meeting to be held December 8, 1998.

On December 8, 1998, in Islamorada, Florida, a representative of Organized Fishermen of Florida, an organization with both stonecrabbers and shrimpers as members, and participants from the fisheries all expressed a strong preference for emergency action to eliminate the gap between the zones during the current stone crab season. After this testimony, the Commission directed staff to prepare this emergency rule. On December 9, after soliciting testimony from anyone in attendance on the issue, approved the wording of this emergency rule and voted to submit it to the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund, for approval at the January 26, 1999, regular meeting of the Board. At any meeting of the Governor and Cabinet in which a rule of the Marine Fisheries Commission is to be considered, interested persons are allowed to address the merits of the rule.

The entire text of the emergency rule is to be published in the Florida Administrative Weekly and distributed to the Joint Administrative Procedures Committee of the Florida Legislature as required by Section 120.54(4), Florida Statutes. Notice of the action taken by the Governor and Cabinet in approving the rule was distributed following the meeting to nearly 2,000 persons and organizations, including major state newspapers and electronic media, maintained on the Commission's regular mailing list.

The Marine Fisheries Commission hereby finds that the procedures used to promulgate this emergency rule are fair under the circumstances.

SUMMARY OF THE RULE: Subsection (1) of Emergency Rule 46ER99-2 repeats the description and coordinates for the shrimp trawl closure area contained in Rule 46-38.002(1), F.A.C., adds a small area on the southern end of that area, and repeats the seasonal closure of the area to shrimp trawling, for the duration of the emergency rule. Subsection (2) of the emergency rule states that the map contained in Rule 46-38.002(2), F.A.C., shall not be considered an official representation of the closure area as amended in subsection (1) of this rule.

A COPY OF THE EMERGENCY RULE MAY BE OBTAINED BY CONTACTING: Dr. Russell Nelson, Executive Director, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE EMERGENCY RULE IS:

46ER99-2 Emergency Southwest Florida Seasonal Shrimp Closure.

(1) For the pendency of this emergency rule, subsection (1) of Rule 46-38.002, F.A.C., shall read and be enforced as follows:

(1) From October 1 of each year and continuing through May 31 of the following year, no person shall operate any trawl, except a trawl used for live bait shrimping pursuant to license issued by the Division of Marine Resources as required by Section 370.15(6), Florida Statutes, within the following described area of state waters off the southwest coast of Florida:

Beginning with the Bell Buoy No. 8 (Point H) in the Boca Grande ship channel; thence easterly to the northernmost extent of the Colregs Demarcation Line at the northern end of Cayo Costa; thence following the Colregs Demarcation Line southerly and easterly along the shorelines of and across the passes between Cayo Costa, North Captiva Island, Captiva Island, Sanibel Island, Estero Island, the unnamed island

southwest of Black Island, Big Hickory Island, and Wiggins Island, to a point south of Wiggins Pass where the Colregs Demarcation Line meets 26°16.0' North Latitude; thence due west to Point Z, and following a continuous line from Point Z through Points A, B, C, D, E, F, and G; thence northwesterly to the point of beginning at Bell Buoy No. 8 (Point H). Points Z, A, B, C, D, E, F, and G are expressed as follows by latitude and longitude (Loran notations are unofficial and are included only for the convenience of fishermen):

Point	Loran Chain 7980		W	X	Y	Z
	North Latitude	West Longitude				
Z	26°16.00'	81°58.50'				
A	26°17.23'	81°55.55'	14110	30700	43826	62657.5
B	26°22.31'	81°59.00'	14114.1	30715	43868	62672.8
C	26°20.25'	82°04.39'	14099.5	30691	43904	62700.5
D	26°22.00'	82°10.79'	14090.4	30681	43961	62733
E	26°26.05'	82°15.55'	14089.4	30688	44012	62756
F	26°34.40'	82°18.90'	14101	30720	44070	62771.4
G	26°38.28'	82°16.92'	14113.8	30745	44070	62760.8

(2) The map in subsection (2) of Rule 46-38.002, F.A.C., shall not be deemed to be an official representation of the closure area described in subsection (1) of this emergency rule.

Specific Authority 370.027(2) FS. Law Implemented 370.025, 370.027 FS. History—New 1-26-99.

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

EFFECTIVE DATE: January 26, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 57 Specifics RULE NO.: 53ER99-2

SUMMARY OF THE RULE: This emergency rule describes Instant Game 57, "3 TIMES LUCKY," 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:

53ER99-2 Instant Game 57 Specifics.

(1) Name of Game. Instant Game Number 57 "3 TIMES LUCKY."

(2) Price. 3 TIMES LUCKY tickets sell for \$1.00 per ticket.

(3) 3 TIMES LUCKY 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 3 TIMES LUCKY 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 3 TIMES LUCKY Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The play symbols and play captions in 3 TIMES LUCKY are as follows:

INSERT CHART

(5) The BONUS SPOT symbols and captions in 3 TIMES LUCKY are as follows:

INSERT CHART

(6) Determination of Prize Winners.

(a) The holder of a ticket having three "3's" 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 "3's" 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 "3's" exposed in the play area in any one row, column or diagonal and a "3" exposed in the "BONUS SPOT" play area shall be entitled to a prize of triple the corresponding prize amount shown.

(7) Prize amounts in Instant Game Number 57, 3 TIMES LUCKY are: \$2.00, \$3.00, \$6.00, \$9.00, \$33.00, \$99.00, and \$900.

(8) Number and Size of Prizes. The following prizes will be available in the Instant Game Number 57, 3 TIMES LUCKY:

(a) Approximately 1,148,542 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 54 are as follows:

PRIZES OF:	WIN TICKET	NUMBER IN 42 POOLS	ODDS
GET 3 3's IN ANY ROW, COLUMN OR DIAGONAL TO WIN			
RIGHT COLUMN	\$2	1,310,400	1 in 7.69
MIDDLE COLUMN	\$2	537,600	1 in 18.75
LEFT COLUMN	\$3	369,600	1 in 27.27
MIDDLE COLUMN			
+ BONUS	\$6	100,800	1 in 100.00
TOP ROW	\$6	33,600	1 in 300.00
LEFT COLUMN			
+ BONUS	\$9	67,200	1 in 150.00
TOP ROW			
+ BONUS	\$18	33,600	1 in 300.00
CENTER ROW	\$33	4,662	1 in 2,162.16
BOTTOM ROW	\$99	1,428	1 in 7,058.82
DIAGONAL	\$900	42	1 in 240,000.00
DIAGONAL			
+ BONUS	\$2,700	10	1 in 1,0008,000.00

(9) The over-all odds of winning any prize in Instant Game Number 57 are 1 in 4.10.

Specific Authority 24.105(10)(a),(b),(c), 24.109 FS. Law Implemented 24.105(10)(a),(b),(c) FS. History--New 1-22-99.

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

EFFECTIVE DATE: January 22, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Florida Lottery's Million Dollar Flamingo Fortune Game Show 53ER99-3

SUMMARY OF THE RULE: The emergency rule provides that the Florida Lottery's Million Dollar Flamingo Fortune Game Show will end after the last game show taping on January 24, 1999.

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:

53ER99-3 Florida Lottery's Million Dollar Flamingo Fortune Game Show.

(1) The Florida Lottery's Million Dollar Flamingo Fortune Game Show will end after the last game show is taped on January 24, 1999. If there is not a jackpot winner in the game, Florida's Jackpot, for the last game show taped on January 24, 1999, the jackpot amount will remain in the pool from which future prizes are to be awarded in other Lottery games or used for special prize promotions.

(2) This emergency rule replaces 53ER97-45, 53ER98-42 and 53ER98-62 F.A.C., effective after the last game show taping.

Specific Authority 24.105(10)(a),(c),(d),(e), 24.109 FS. Law Implemented 24.105(10)(a),(c),(d),(e), 24.115(2), 24.117(2) FS. History--New 1-22-99, Replaces 53ER97-45, 53ER98-42 and 53ER98-62 FAC.

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

EFFECTIVE DATE: January 22, 1999

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on January 5, 1999, the Florida Public Service Commission received a Petition from Telaleasing Enterprises, Inc. (Docket Nos. 990031-TC and 990032-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 location of the pay telephone station is as follows: Diamond D Food, 1345 Kathleen Road, Lakeland, FL 33805. 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 that on January 5, 1999, the Florida Public Service Commission received a Petition from BellSouth Public Communications, Inc. (Docket No. 990030-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: 2940 Collins Avenue, Miami, FL 33140; 560 Ballough Road, Daytona Beach, FL 32114; 838 Millinodett Lane, Orlando, FL 32825; 4201 Ocean Drive, Lauderdale By The Sea, FL 33308. 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 that the Florida Public Service Commission has received a petition from the University of Florida in Docket No. 982015-TP, seeking waiver from Rule

25-24.640, Florida Administrative Code. The rule requires the University of Florida, as a "call aggregator" providing telephone service in student dormitories, to allow access to 10XXX access code long distance service. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice.

For additional information, please contact John Miller, Division of Legal Services, at the above address or telephone (850)413-6199.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT the South Florida Water Management District (SFWMD) has received a petition for variance from the Florida Department of Transportation for a project known as Palm Beach International Airport and I-95 Interconnect. The petition seeks relief from Section 7.4(A), (B), (C), and (D), 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. 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 Waterhouse, Director, Surface Water Management Division or Susan Roeder Martin, Esquire, Senior Attorney, Office of Counsel. For additional information contact Penelope Bell at the above address, or telephone (561)682-6320, or e-mail penelope.bell@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on January 20, 1999, the Construction Industry Licensing Board received a Petition for Waiver from the City of Miami, Florida, a municipal corporation located in Miami-Dade County, Florida, seeking a waiver of Rule 61G4-15.0021(3)(b), Florida Administrative Code. This matter will be on the next Construction Industry Licensing Board agenda for February 12, 1999, pursuant to Section 120.542(7), Florida Statutes, for review. The meeting will be held at the Whyndam Miami Airport, 3900 N. W. 21st Street, Miami, Florida 33142. Comments on this Petition for Waiver should be filed with the Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467, within 14 days of publication of this notice.

A copy of the Petition for Waiver may be obtained from: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection has taken action on a petition for variance received from American Environmental of Broward, Inc., on October 16, 1998. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 24, No. 45, dated November 6, 1998. No public comment was received. The petition requested a variance from the zone of discharge prohibition for discharges through wells under rule 62-522.300(2)(a) of the Florida Administrative Code for the use of the remediation product to clean up sites with petroleum contaminated soil and ground water and specifically to allow a zone of discharge for pH within a thirty-five foot radius from the point of discharge for a duration of 365 days. On January 11, 1999, the Department granted a variance to American Environmental of Broward, Inc., in a final order, OGC File No.: 98-2730. The final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the product must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4, underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for pH shall be a thirty-five foot radius from the point of injection; that the injection of the product shall be at such a rate and Volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

The Department of Environmental Protection has taken action on a petition for variance received from US Army Corps of Engineers, Jacksonville District, on September 16, 1998. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 24, No. 43, dated October 23, 1998. No public comment was received. The petition requested a variance from the zone of discharge prohibition for discharges through wells under rule 62-522.300(2)(a) of the Florida Administrative Code for the use of a remediation

process to clean up the Palm Valley Bridge Site which has contaminated soil and ground water, and specifically to allow a zone of discharge for pH, sulfate, and total dissolved solids within a twenty-foot radius from the point of discharge for a duration of 365 days. On January 15, 1999, the Department granted a variance to US Army Corps of Engineers, Jacksonville District, in a final order, OGC File No.: 98-2638. The final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the process must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4, underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for pH, sulfate, and total dissolved solids shall be a twenty-foot radius from the point of injection; that the use of the injection process shall be at such a rate and Volume that no undesirable migration occurs of the process, its by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation process based on site-specific hydrogeology and conditions. For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on January 6, 1999, a petition from Island Water Association, Inc., seeking a variance from the 500-foot radial setback requirement of a wellhead protection area under rules 62-521.200(7), and 62-521.400(1)(f) of the Florida Administrative Code, to place a Class I underground injection control well, which would be part of the petitioner's wastewater treatment facility, 273.7 feet from a public water supply well which provides water to petitioner's reverse osmosis water treatment plant in Lee County. The petition has been assigned OGC case number 99-0048.

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.

The Department of Environmental Protection has taken action on a petition for variance received from the Jacksonville Electric Authority (JEA), on August 13, 1998. Notice of receipt of this petition was published in the Florida

Administrative Weekly, Vol. 24, No. 40, dated October 2, 1998. The Department received many comments about the petition, and held a public meeting to which all commenters were invited to allow discussion of JEA's petition and concerns of attendees. The petition requested a variance from the lead/chief certified operator staffing requirement under rule 62-699.311(10) of the Florida Administrative Code for reduction of the lead/chief staffing at JEA's electronically surveilled water treatment plants, and to authorize such operators to supervise multiple plants from a centralized control facility. On January 15, 1999, the Department granted a variance to JEA in a final order, OGC File No.: 98-2316. The final order granted a variance from the lead/chief staffing requirements, and contained conditions. The conditions require the following. JEA shall employ an individual lead/chief operator for each of its separate, non-interconnected grids. The required classification of the lead/chief operator for each grid shall be determined in accordance with chapter 62-699 of the Florida Administrative Code, based upon the most complex treatment process at any one plant connected to the grid and upon the total cumulative permitted capacity of all plants connected to the grid. The lead/chief operator for each grid shall be on duty at the centralized surveillance and control center for one full shift each duty day. Furthermore, when these lead/chief operators are not on duty, separate Class C or higher licensed operators for each grid shall be on duty at the centralized surveillance and control center. Thus, the centralized surveillance and control center shall be staffed 24 hours per day and seven days per week by a Class C or higher operator for each grid. In the event reduced staffing other than for the lead/chief requirements contained in the final order is approved by the Duval County Health Department under rule 62-699.311(3), staffing by a licensed Class C or higher operator shall consist of no less than one visit per plant per day. For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

DEPARTMENT OF HEALTH

The Board of Orthotists and Prosthetists hereby gives notice that it received a petition, which was filed with the Agency Clerk on December 23, 1998, from Deloras M. Mullinnix, seeking a variance from the Board policy to require applicants for licensure as an orthotic fitter under section 468.803 to demonstrate two years experience as a licensed orthotic fitter assistant. The Board is currently engaged in rule making to adopt the policy as a rule, but the rule has not yet been adopted. The Board will address this matter at its regularly scheduled Board meeting which will be held March 15, 1999, at the Radisson Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812.

For additional information, contact Joe Baker, Jr., Board of Orthotists and Prosthetists at the above address or telephone (850)487-9502.

The Board of Orthotists and Prosthetists hereby gives notice that it received a petition, which was filed with the Agency Clerk on December 23, 1998, from Carla L. Landry, seeking a variance from the Board policy to require applicants for licensure as an orthotic fitter under section 468.803 to demonstrate two years experience as a licensed orthotic fitter assistant. The Board is currently engaged in rule making to adopt the policy as a rule, but the rule has not yet been adopted. The Board will address this matter at its regularly scheduled Board meeting which will be held March 15, 1999, at the Radisson Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812.

For additional information, contact Joe Baker, Jr., Board of Orthotists and Prosthetists at the above address or telephone (850)487-9502.

NOTICE IS HEREBY GIVEN THAT on January 14, 1999 the Department of Health received a Petition for Variance from or Waiver of Rule 64E-5.622(1) from August Miale, Jr., M.D. The Petitioner requests a permanent waiver from the rule that requires confinement of any patient administered a radiopharmaceutical until the dose rate from the patient is less than 5 millirems per hour at one meter or the activity in the patient is less than 30 millicuries. Comments on this Petition should be filed with: Angela Hall, Agency Clerk, Department of Health, Office of the General Counsel, 2020 Capital Circle, S. E., BIN #A02, Tallahassee, FL 32399-1703.

A copy of the petition may be obtained from: Angela Hall, Agency Clerk, Department of Health, Office of the General Counsel, 2020 Capital Circle, S. E., BIN #A02, Tallahassee, Florida 32399-1703.

NOTICE IS HEREBY GIVEN that on December 2, 1998, the Department of Health issued an Order and Notice disposing of a petition for variance from Rule 64E-6.008(2), Florida Administrative Code, filed by Theo B. Terry, Vice President of Sales and Marketing Services for Zabel Environmental Technology. An Amended Order was issued on January 26, 1999, correcting the failure of the first to reference both rule sections requested in the petition for variance. Rules 64E-6.008(2) and 64E-6.025(3)(b), Florida Administrative Code, require that outlet filter devices be physically inside a septic tank. These rules further require that the outlet filter devices be approved per the Department's policy on Approval Standards for Onsite Sewage Treatment and Disposal Systems Outlet Filter Devices, February 1995. The petition was filed with the Department on September 17, 1998, and noticed in Florida Administrative Weekly on October 9, 1998.

No comments from interested persons were received.

The Amended Order, which is dated January 25, 1999, provides, in summary, that:

At the time the language in Rules 64E-6.008(2) and 64E-6.025(3)(b), Florida Administrative Code was promulgated, the Department did not envision the placement of outlet filter devices outside the septic tank. Additionally, the Petitioner's outlet filter device meets all other requirements of the Department's Approval Standards. Accordingly, the petition for variance from Rules 64E-6.008(2) and 64E-6.025(3)(b), Florida Administrative Code, is granted.

A copy of the Amended 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 Job Search Committee of the Florida **Commission on the Status of Women** will hold a telephone conference.

DATE AND TIME: February 22, 1999, 3:00 p.m.

PLACE: 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 Women's Hall of Fame/Women's History Committee of the **Florida Commission on the Status of Women** will hold a conference call.

DATE AND TIME: February 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.

The **Office of the Attorney General**, Florida Motor Vehicle Theft Prevention Authority, announces a public meeting of the Board of Directors of the Florida Motor Vehicle Theft Prevention Authority to which all interested persons are invited.

DATE AND TIME: Thursday, April 8, 1999, 10:00 a.m.

PLACE: Florida Department of Law Enforcement (FDLE) Building, 2331 Phillips Road, Classroom B, Tallahassee, Florida

PURPOSE: Quarterly meeting of the Board of Directors as required by Florida Statute. Consideration of matters as presented in the agenda for the meeting.

A copy of the agenda may be obtained by contacting: Mary Mills, Florida Motor Vehicle Theft Prevention Authority, Office of the Attorney General, The Capitol, Room PL-01, Tallahassee, Florida 32399-1050, or by calling (850)414-3362.

A request for the agenda may be faxed to: Authority office, (850)413-0633. TDD users, please call through the Florida Relay Service, 1(800)955-8771.

If special accommodations are needed to attend this meeting because of a disability, please contact Mary Mills, no later than seven days prior to the proceedings, (850)414-3362. If hearing impaired, contact: Mary Mills, via Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BANKING AND FINANCE

The **Financial Management Information Board** announces the following public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 23, 1999, 9:00 a.m.

PLACE: Cabinet Meeting Room, The Capitol, Tallahassee, Florida 32399-0350

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and approval of the Financial Management Information Board agenda.

A copy of the agenda may be obtained by contacting: Martin Young, Department of Banking and Finance, Division of Accounting and Auditing, FFMIS Design and Coordination Staff, 101 E. Gaines Street, 434E Fletcher Building, Tallahassee, FL 32399-0350, telephone (850)410-9820 or (850)410-9417, Fax (850)410-9278, e-mail: Martin_L_Young@mail.dbf.state.fl.us

The Florida **Financial Management Information System (FFMIS) Coordinating Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Friday, February 26, 1999, 1:30 p.m.

PLACE: Room 171, Betty Easley Center, Capital Circle Office Complex, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relating to the Florida Financial Management Information System.

A copy of the agenda may be obtained by contacting: Martin Young, Department of Banking and Finance, Division of Accounting and Auditing, FFMIS Design and Coordination Staff, 101 E. Gaines Street, 434E Fletcher Building, Tallahassee, FL 32399-0350, telephone (850)410-9415, Fax (850)410-9278, e-mail: Martin_L_Young@mail.dbf.state.fl.us.

DEPARTMENT OF INSURANCE

The Florida **Department of Insurance** announces a public hearing to which all interested persons are invited.

DATE AND TIME: March 3, 1999, 10:00 a.m.

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

PURPOSE: To consider the appropriateness of the proposed filing by Aetna, Inc., wherein Aetna, Inc., seeks approval of the acquisition of Prudential Health Care Plan, Inc. and to accept evidence or testimony relevant to the Department's consideration of the appropriateness of this filing under the standards set forth in section 628.4615, Florida Statutes.

Any questions regarding the hearing can be addressed to: Joel Prather or Elenita Gomez, The Florida Department of Insurance, 200 East Gaines Street, Tallahassee, Florida.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Tropical Soda Apple Task Force** announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, February 19, 1999, 10:00 a.m.

PLACE: Highlands County Extension Office, Conference Room 2, 4059 West George Avenue, Sebring, Florida 32803

PURPOSE: To develop and recommend control strategies for tropical soda apple, a noxious weed that continues to spread and threatens Florida's agricultural and natural land areas.

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by February 12, 1999.

A copy of the agenda may be obtained by writing: Mr. Richard Gaskalla, Director, Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100, Telephone (352)372-3505.

The **Department of Agriculture and Consumer Services** announces a meeting of the Viticulture Advisory Council (VAC) Committees.

DATE AND TIME: February 22, 1999, 1:00 p.m.

PLACE: Collins Building, Innovation Park, 2051 East Dirac Drive, Tallahassee, FL 32319-3760

PURPOSE: To determine research and promotion grants for FY 1999/2000.

A copy of the agenda can be obtained by contacting: George Demetree, 407 South Calhoun Street, Room 431, Mayo Building, Tallahassee, Florida 32399-0800, or by calling

(850)488-4131. If special accommodations are needed to attend this meeting because of a disability, please contact George Demetree as soon as possible.

DEPARTMENT OF EDUCATION

The Planning Committee of the **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, February 18, 1999, 2:00 p.m. – 4:30 p.m.

PLACE: Room 229, University Center, Florida Atlantic University, Boca Raton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will take action on the Student Progression Study Progress Report and the Workforce Capitalization Grants.

For further information contact: Dr. Cynthia Balogh, Educational Policy Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894

The Program Committee of the **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, February 18, 1999, 2:00 p.m. – 4:30 p.m.

PLACE: Room 231, University Center, Florida Atlantic University, Boca Raton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will take action on the Graduate Education and Research and Two-Plus-Two Articulation studies.

For further information contact: Dr. Jon Rogers, Educational Policy Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, February 19, 1999, 8:30 a.m. – 1:00 p.m.

PLACE: Room 231, University Center, Florida Atlantic University, Boca Raton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will take action on the Graduate Education and Research and Two-Plus-Two Articulation studies, the Student Progression Study progress report, Joint-Use Facility proposals and Limited Access Competitive Grant Programs areas, as well as other ongoing responsibilities.

For further information contact: Dr. William B. Proctor, Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 19, 1999, 9:00 a.m.

PLACE: Music Building Auditorium, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)823-4000.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, 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.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance from the aforementioned address.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

DATES AND TIME: February 11-12, 1999, 1:00 p.m.

PLACE: Clarion Capitol Hotel, 316 West Tennessee St., Tallahassee, Florida

PURPOSE: The Commission recommends improvements to public policy to promote the production, preservation and maintenance of decent, affordable housing for all Floridians. During this meeting, the Commission heads will begin discussions on the Commission's 1999 work plan.

Any person requiring special accommodation due to disability or physical impairment should contact Valarie Jones, (850)922-1609, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Ms. Jones using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Agendas may be obtained from: Valarie Jones, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)922-1609.

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: February 22, 1999, 10:00 a.m. – 12:00 noon

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Conference Room #260N, Sadowski Building, Tallahassee, Florida

PURPOSE: To obtain public comment for the formulation and development of the State of Florida Action Plan for Disaster Recovery from El Nino Weather Events (FEMA-1195-DR-FL and FEMA-1204-DR-FL). This plan will address the use of \$20,240,000 in funds available for recovery from damage inflicted by these storms in the following counties:

FEMA-1195-DR-FL

Alachua, Baker, Bay, Bradford, Brevard, Broward, Calhoun, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hernando, Highlands, Hillsborough, Holmes, Jackson, Lafayette, Lake, Levy, Liberty, Madison, Manatee, Marion, Nassau, Okaloosa, Okeechobee, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Seminole, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, Walton and Washington.

FEMA-1204-DR-FL

Broward, Dade and Monroe.

PLAN SUMMARY: The Action Plan for El Nino Disaster Recovery under FEMA-1195-DR-FL and FEMA-1204-DR-FL represents a process required by the U.S. Department of Housing and Urban Development (HUD). The Plan identifies the amount of HUD Disaster Recovery Initiative Grants funds which will be made available to the State of Florida (\$20,240,000) and the eligible activities for which these funds may be used.

An \$18,740,000 portion of these funds are available to the eligible local governments and Indian tribes included under FEMA-1195-DR-FL and a \$1,500,000 portion of these funds are available to the eligible local governments and Indian tribes included under FEMA-1204-DR-FL. Eligible local governments must meet all the requirements established by this Department and the participating Federal agencies regardless of their designation by HUD as a "Small City," "Urban County," "Entitlement City," or Indian Tribe. This Plan proposes to use the HUD Disaster Recovery fund for the following activities:

- (1) voluntary buyouts of owner occupied residences which have suffered repeated flood damage,
- (2) repair and elevation of storm damaged properties or storm water drainage to provide the same level of protection as elevations,
- (3) as a match for FEMA funded Section 404 Hazard Mitigation Grant program (HMGP),

(4) as assistance to businesses to retain or create replacement jobs which would be lost to the applicant as a result of the disaster,

(5) for replacement of housing, and

(6) for critical health and safety repairs and mitigation efforts to eligible public facilities.

A 25% non-Federal public match is required by this program. The State of Florida proposes to provide one half of this required match.

ACTIONS TO BE TAKEN: At this public hearing the Department will provide information on:

- (1) Amount of assistance that the State expects to have available for this recovery effort.
- (2) Range of activities that may be undertaken with this assistance.
- (3) The non-Federal cost-share.

A draft copy of the Action Plan for Disaster Recovery may be obtained by request to the El Nino Action Plan for Disaster Recovery contact at the address below. The Department will take public comment at the hearing for consideration and use in revising and finalizing the State of Florida Action Plan for Disaster Recovery from El Nino Weather Events (FEMA-1195-DR-FL and FEMA-1204-DR-FL) before submission to HUD.

A copy of the agenda may be obtained by appearing in person at the agency headquarters or by writing or calling: El Nino Action Plan for Disaster Recovery Contact, Community Development Block Grant Program, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1897 (Pat Harvey). Any person requiring a special accommodation at this meeting because of a disability, physical impairment or English language deficiency should contact the CDBG program unit, (850)487-3644, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a meeting of the Florida Small Cities Community Development Block Grant (CDBG) Advisory Council. All interested parties are invited to attend.

DATE AND TIME: March 4, 1999, 1:00 p.m. – 4:00 p.m.

PLACE: Third Floor, Kelley Room #305, Sadowski Building, Tallahassee, Florida

PURPOSE: To discuss comments on amendments to Rule 9B-43 and comments from the public hearing and new business.

A copy of the agenda may be obtained by writing: Dr. Susan M. Cook, Community Program Administrator, Department of Community Affairs, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or appearing in person at the agency headquarters.

Any person requiring a special accommodation at this meeting because of a disability, physical impairment or English language deficiency should contact the CDBG program unit, (850)487-3644, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Division of Criminal Justice Standards and Training** announces a public meeting of the CJSTC Training Center Accreditation Task Force to which all persons are invited to attend.

DATE AND TIME: Friday, February 19, 1999, 9:30 a.m. – Open

PLACE: Altamonte Springs Police Department, 225 Newburyport Avenue, Altamonte Springs, Florida 32701-3697
 PURPOSE: First meeting of the CJSTC Training Center Accreditation Task Force.

A copy of the Task Force agenda can be obtained by calling: Stewart Clendinen, (850)410-8619, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

The **Department of Law Enforcement**, Medical Examiners Commission, announces a Medical Examiners Commission Meeting.

DATE AND TIME: Thursday, March 11, 1999, 1:00 p.m.

PLACE: Omni Rosen Hotel, 9840 International Drive, Orlando, Florida 32819-8122, (407)354-9840.

PURPOSE: Medical Examiners Commission Meeting

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Medical Examiners Commission Office, (850)410-8300, at least five (5) working days prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring that a

verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information or a copy of the agenda may be obtained by contacting: Mr. Dale H. Heidman, Forensic Coordinator, Criminal Investigation and Forensic Science Program, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8300.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** announces public meetings to which all persons are invited:

DATE AND TIME: February 18, 1999, 10:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

PURPOSE: Regular meeting of the Executive Committee.

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, 10:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

DATE AND TIME: May 20, 1999, 10:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

DATE AND TIME: June 17, 1999, 10:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

DATE AND TIME: July 15, 1999, 10:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street (Burns Building), Tallahassee, Florida

A copy of the agenda may be obtained by writing: Florida Department of Transportation, 605 Suwannee Street, Mail Station 57, Tallahassee, Florida 32399-0450.

The **Florida Transportation Commission** announces public meetings to which all persons are invited:

DATE AND TIME: March 3, 1999, 1:00 p.m. – 5:00 p.m.

PLACE: Executive Conference Room, 5th Floor, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida

PURPOSE: Briefing in preparation for regular meeting of the Florida Transportation Commission, March 4, 1999, 8:30 a.m.

DATE AND TIME: March 4, 1999, 8:30 a.m.

PLACE: Department of Transportation, Auditorium, 605 Suwannee Street, Tallahassee, Florida

PURPOSE: Regular meeting of the Florida Transportation Commission.

Information and a copy of the agenda may be obtained by contacting: Florida Transportation Commission, 605 Suwannee Street, Tallahassee, Florida 32399-0450, MS 9, Phone (850)414-4105.

The **Department of Transportation**, District 4 announces a public hearing to which all persons are invited.

DATE AND TIME: March 4, 1999, 7:30 p.m.

PLACE: Stuart Middle School, Auditorium, 575 Georgia Avenue, Stuart, Florida

PURPOSE: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 228819 1 21 01, State Project Number 89040-1531, Federal Aid Project Number 4931 022P and Work Program Item Number 4116289, otherwise known as SR A1A (Ernest F. Lyons Bridge) in Martin County. Project limits along SR A1A are from east of Sewall's Point Road to east of MacArthur Boulevard.

Anyone needing project or Public Hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call telephone number (954)777-4429 or Toll Free 1(800)930-3368.

Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Ms. Stacy Miller, P.E., Project Manager, Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

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: February 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** announces a status conference to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO. 981390-EI – Investigation into the equity ratio and return on equity of Florida Power & Light Company.

DATE AND TIME: Tuesday, February 16, 1999, 2:00 p.m., or upon the conclusion of the Commission's regularly scheduled agenda conference, whichever is later

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

PURPOSE: The purpose of the status conference is to address any pending motions requiring a ruling by the prehearing officer, to finalize the issues to be addressed at the hearing currently set for April 12th and 13th, 1999 and for such other matters as are determined by the prehearing officer to be appropriate. This status conference may be canceled if it is determined to be unnecessary.

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** will conduct an undocketed Commission workshop regarding the transaction between GTE Corporation and Bell Atlantic Corporation, whereby GTE will become a wholly-owned subsidiary of Bell Atlantic. The workshop will be conducted on the following date, at the time and place indicated:

DATE AND TIME: Monday March 1, 1999, 1:30 p.m.

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

Written comments regarding this transaction may be filed with the Commission's Division of Records and Reporting on or before February 19, 1999.

For further information regarding this workshop, you may contact: Beth Keating, (850)413-6212, Florida Public Service Commission.

REGIONAL PLANNING COUNCIL

The **Northeast Florida Regional Planning Council**, Local Emergency Preparedness Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: February 17, 1999, 10:00 a.m.

PLACE: NEFRPC, Administrative Office, 9143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: Board Meeting

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Ginny Montgomery, (904)363-6375, Ext. 146, at least three working days prior to the meeting. Hearing impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 11, 1999, 10:00 a.m.

PLACE: ECFRPC, 1011 Wymore Road, Winter Park, Florida

PURPOSE: Regular meeting of the East Central Florida Regional Planning Council, Project Review 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, February 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 **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: February 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 Region IX, **Local Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited:

DATE AND TIME: February 25, 1999, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

PURPOSE: To discuss and implement provisions of the Emergency Planning and Community Right to Know Act. An LEPC Subcommittee meeting will be held immediately following the LEPC meeting.

A copy of the Agenda may be obtained by contacting: Executive Director Wayne E. Daltry, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

NOTICE OF CORRECTION – The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: February 16, 1999, 9:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the South Hutchinson Island Incorporation Study Group.

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: February 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.

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, February 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.

DEPARTMENT OF CORRECTIONS

The **Department of Corrections** announces the commencement of a 21-day period for public comment on its 1999-2004 Agency Strategic Plan, effective 1 July 1999.

DATES FOR PUBLIC COMMENT: February 5, 1999 – March 8, 1999

PURPOSE: Provide citizen opportunity to participate in development of the department’s long-range direction and planning.

Obtain copies of the draft 1999-2004 strategic plan and the current 1998-2003 plan by contacting: Mr. Tom Bethart or Mr. Ed Pfiester, (850)410-4473 or (850)410-4475.

E-mail: bethart.tom@mail.dc.state.fl.us or pfiester.ed@mail.dc.state.fl.us. Computer file visions are available.

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, February 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: Call to Order; Agenda Review; Approval of Minutes; Consent Items; Action Items; Presentations, if any; Other Business; Chairman’s Report; Executive Director’s Report; 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 Florida **Department of Labor and Employment Security**, Division of Workers’ Compensation, Special Disability Trust Fund Advisory Committee, announces a meeting to which the public is invited.

DATE AND TIME: Wednesday, February 24, 1999, 2:00 – 4:00 p.m.

PLACE: Division of Safety, 2002 Old St. Augustine Road, Building E, Tallahassee, FL

PURPOSE: The purpose of the meeting is to discuss the Special Disability Trust Fund workloads, provide an update on the Fund, provide an update on the Special Disability Trust Fund Privatization Commission and discuss the privatization issues and any other issues relevant to the Fund.

For further information regarding the meeting, please contact: Annemarie Craft, 535 John Knox Road, Tallahassee, Florida 32399-4104, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Pamela Burnelis, by telephone, at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Pamela Burnelis using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation**, a meeting of the Self-Insurance Customer Council to which the public is invited.

DATE AND TIME: February 19, 1999, 11:00 a.m. – 1:00 p.m.

PLACE: Forrest Building, 2728 Centerview Drive, Room 301 F, Tallahassee, Florida

PURPOSE: To provide a forum for comments from self-insured employers, service companies, labor and the public on issues relating to the regulation of self-insured employers and their employees. Issues to be discussed include Privatization and Legislative update.

For further information regarding this meeting you may contact: W. Warren Mulherin, P. O. Box 5497, Tallahassee, Florida 32314-5497, telephone number (850)487-3591.

Persons with a disability or handicap requiring reasonable accommodation should contact W. Warren Mulherin, in writing, or by phone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Mr. Mulherin using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Department of Labor and Employment Security**, Florida Rehabilitation Advisory Council and the **Division of Vocational Rehabilitation** announces the following public meetings for the purpose of receiving comments and suggestions on the Division's State Plan. All interested individuals are invited. Copies of the State Plan are available from the noted contact individuals.

DATE AND TIME: February 16, 1999, 1:30 p.m. – 3:30 p.m., State Plan

PLACE: Vocational Rehabilitation, 7451 103rd Street, Jacksonville, FL, (904)573-3910

Interpreters for the deaf will be available. Individuals requiring other accommodations or assistance should contact: Sherri Watkins, Vocational Rehabilitation, 7451 103rd Street, Jacksonville, FL, (904)573-3910

DATE AND TIME: February 17, 1999, 1:30 p.m. – 4:30 p.m., State Plan

PLACE: Vocational Rehabilitation, 3355 Maguire Boulevard, Bennington, Bldg., Orlando, FL, (407)897-2725

CONTACT: Jim Walker, 3355 Maguire Boulevard, Bennington, Bldg., Orlando, FL, (407)897-2725.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public hearing to which all interested persons are invited.

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

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

PURPOSE: Public Hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Loncala Conservation Easements, 1,154 acres +/- in Gilchrist County and 1,158 acres +/- in Hamilton County, with funds from the Preservation 2000 Trust Fund. Also a Public Hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Falling Creek Tracts, 148 acres +/- in Columbia County, with funds from the Preservation 2000 Trust Fund.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The Suwannee River Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact: Lisa M. Cheshire, Administrative Assistant, (904)362-1001 or 1(800)226-1066 (Florida only), Fax (904)362-1056.

The **St. Johns River Water Management District** announces Southern Region Recreational Advisory Council Meeting to which all persons are invited. The meeting is scheduled for:
MEETING: Southern Region Recreation Advisory Council

DATE AND TIME: Thursday, February 18, 1999, 6:00 p.m. – 8:00 p.m.

PLACE: Brevard County Government Complex, Bldg. C, Third Floor Multi Purpose Room, 2725 Judge Fran Jamieson Way, Viera, FL 32940, (407)633-2046

PURPOSE: To discuss recreation on District lands in the Southern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

If, due to disability, you require a special accommodation to participate in this public meeting, contact Linda Lorenzen, (904)329-4262 or (904)329-4450 (TDD), at least five work days before the date of the meeting.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: February 17, 1999, 10:00 a.m. – 12:00 Noon

PLACE: Reedy Creek Improvement District (Administration Building), 19 Hotel Plaza Boulevard, Lake Buena Vista, Florida

PURPOSE: The Kissimmee Basin Water Supply Plan Advisory Committee will meet to receive public input in development of the Kissimmee Basin Water Supply Plan. The water supply plan will project future water demands and develop strategies to meet these demands for portions of Orange, Osceola, Polk, Highlands and Glades Counties (that are within the South Florida Water Management District) through the year 2020.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-3680.

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: Chris Sweazy, Planning Department, (407)858-6100.

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: February 17, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District Headquarters, 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 continue discussion on the Commission’s work plan.

DATE AND TIME: February 17, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District Headquarters, 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 continue discussion on the Commission’s work plan.

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: February 18, 1999, 9:00 a.m.

PLACE: City of Stuart City Hall Building (Commission Chambers), 121 S. W. Flagler Avenue, Stuart, FL

PURPOSE: The Upper East Coast Water Supply Plan Advisory Committee Meeting to update the Advisory Committee and Public on the implementation status of the Upper East Coast Water Supply Plan. The water supply plan will project future water demands and develop strategies to meet these demands for most of Martin and St. Lucie counties and eastern Okeechobee County through the year 2010. The public is invited.

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)687-6206, 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: February 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 Subcommittees.

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: Project Manager, Jim Jackson, (561)682-6334.

The **South Florida Water Management District** announces a public meeting in regards to Request for Proposals C-10707, Flow Monitoring Assistance, to which all interested persons are invited:

DATE AND TIME: February 23, 1999, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Building, Conference Room 2, 3301 Gun Club Road, West Palm Beach, FL

PURPOSE: Evaluation Committee meeting to discuss and tabulate scores of evaluations of proposals submitted in response to RFP C-10707.

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)687-6206, at least two business days in advance to make appropriate arrangements

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

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

PLACE: The Conservancy of Southwest Florida, 1450 Merrihue Drive, Naples, Florida

PURPOSE: A meeting of the Lower West Coast Water Supply Plan Advisory Committee to review and gather public input on the development of the Lower West Coast Water Supply Plan. The Plan will project future water demands and plan for water supplies to meet those demands for all or a portion of Hendry, Collier, Glades, Lee and Charlotte Counties through the year 2000.

DATE AND TIME: February 25, 1999, 1:30 p.m. – 3:00 p.m.

PLACE: The Conservancy of Southwest Florida, 1450 Merrihue Drive, Naples, Florida

PURPOSE: A workshop on the fundamentals of modeling.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. 34680, 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 a public meeting in regards to Request for Proposals C-10320, Replacement of 60 Photocopier Unite, to which all interested persons are invited:

DATE AND TIME: March 1, 1999, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Building, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, FL

PURPOSE: Evaluation Committee meeting to discuss and tabulate scores of evaluations of proposals submitted in response to RFP C-10320.

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)687-6206, at least two business days in advance to make appropriate arrangements.

For more information call: Jim Robinson, Senior Contract Administrator, (561)682-6373.

The **South Florida Water Management District** announces a public meeting in regards to Request for Proposals C-10320, Replacement of 60 Photocopier Unite, to which all interested persons are invited:

DATES AND TIMES: March 9, 10, 11, 1999, 9:00 a.m. or 1:30 p.m.

PLACE: To Be Determined. Interested parties may request locations and times by March 4, 1999

PURPOSE: Site visits will be conducted for the top ranked firms selected by evaluation of the written proposals. These top ranked firms will be required to demonstrate product and accessory capabilities which will include running test patterns furnished by the District.

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)687-6206, at least two business days in advance to make appropriate arrangements. The meeting is subject to cancellation in the event the District's Evaluation Committee determines the final ranking based solely on the written proposal submission.

Please contact Jim Robinson, Senior Contract Administrator, (561)682-6373, to ascertain if the meetings will take place as scheduled.

The **South Florida Water Management District** announces a public hearing required under Section 373.59, Florida Statutes, to which all interested parties are invited:

DATE AND TIME: March 11, 1999, 8:50 a.m.

PLACE: Building B-1, Auditorium, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To consider the purchase of lands or property rights generally described in the SFWMD 1999 Save Our Rivers Five Year Plan.

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 further information, contact: Fred Davis, Director, Land Stewardship Division, (561)682-6636.

The **South Florida Water Management District** announces public meetings to which all interested persons are invited:

DATE AND TIME: April 2, 1999, 1:30 p.m. – 4:00 p.m.

PLACE: District Headquarters, Building B-1, Storch Conference Room, Third Floor, 3301 Gun Club Road, West Palm Beach, FL

PURPOSE: Indian Trail Improvement District Pilot Pump Project Technical Advisory Committee 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.

For more information, contact: Patricia Walker, (561)682-6302.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Conference Planning and Awards Committee meeting to which all persons are invited.

DATE AND TIME: Thursday, February 18, 1999, 10:00 a.m. – completion

PLACE: 2740 Centerview Drive, Rhyne Building, Suite 1A, Tallahassee, Florida, (850)488-6036

PURPOSE: To discuss plans for the 1999 Transportation Disadvantaged Conference.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The hearing is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Public Hearing to which all persons are invited.

DATE AND TIME: Tuesday, February 23, 1999, 6:30 p.m. – completion

PLACE: Tallahassee Senior Center, Tallahassee, Florida, (850)891-4000

PURPOSE: To receive public comments or concerns on transportation disadvantaged services.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The hearing is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Full Commission Meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 24, 1999, 8:30 a.m. – 1:00 p.m.

PLACE: Tallahassee Senior Center, Tallahassee, Florida, (850)891-4000

PURPOSE: To discuss the regular business of the Commission for the Transportation Disadvantaged.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The hearing is subject to change upon chairperson's request.

MARINE FISHERIES COMMISSION

The **Marine Fisheries Commission** announces its regular public meeting and workshops, to which all interested persons are invited.

DATES AND TIMES: February 23, 24 and 25, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: Sheraton Four Points Hotel, 7401 E. Hillsborough Avenue, Tampa, Florida

PURPOSE: Regular meeting and workshops of the Florida Marine Fisheries Commission. Three final public hearings will be held. The first hearing is on proposed amendments regarding the management of certain tropical ornamental marine life species. The amendments would designate porkfish and blue-legged or tri-color hermit crabs as "restricted species", rename certain species due to changes in nomenclature in the scientific literature, establish minimum size limits for Cuban or spotfin hogfish and for porkfish and establish per person and per vessel commercial limits for porkfish, starsnails, blue-legged or tricolor hermit crabs and for Spanish hogfish and Cuban or spotfin hogfish. The second final public hearing seeks to reduce conflicts between shrimp and stone crab fishers in southwest Florida by extending a seasonal closure to shrimp trawling that stretches offshore from Boca Grande Pass to Wiggins Pass, an additional 1 1/2 miles to coincide with the northern boundary of a similar closed area that extends from Naples to Key West and change the closure dates of the southern area to begin October 1 and continue through May 31, of the following year. The third of the final public hearings allows the use of no more than two unconnected skimmer trawls per vessel to harvest shrimp in specified waters of Apalachicola Bay south of the John Gorrie Bridge until July 1, 2001. Five additional final public hearings have been scheduled on an if requested basis. The first hearing would reestablish the 12 inch minimum size limit for Spanish mackerel, while the second would amend Commission gear definitions to change the description of a cast net from that of a "cone-shaped" net, to the corrected reference of a cast net as a "circular" net, thus matching the specification of measuring the maximum mesh area of a cast net by means of its radius. The third final public hearing would eliminate as obsolete all references to recreational traps in the Commission's spiny lobster rules and the fourth hearing would allow the harvest of oysters in Apalachicola Bay on Tuesdays through Saturdays from July 1, through September 30, each year and eliminate during the winter season, the oyster commercial vessel limit. The last of the if requested final public hearings provides trap specifications for blue crab, stone crab and black sea bass traps. The Commission will also receive public comment and consider a legislative proposal to limit entry into the stone crab fishery, receive a spiny lobster workshop report and discuss any pending legislative and federal issues. Finally, the Commission will meet jointly with the Florida Game and Fresh

Water Fish Commission to discuss various procedural and management issues regarding the creation of the Fish and Wildlife Conservation Commission.

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the commission with respect to any matter considered at this meeting, he will need a record of 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 based.

Special accommodations at this meeting for persons with disabling conditions should be requested in writing at least 7 days in advance. Contact: Lisa Rubenstein, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301.

For further information or to receive a copy of the agenda for this meeting, contact: Lee Schlesinger, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Public Meeting to which all persons are invited:

DATE AND TIME: Monday, February 22, 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 2/13/99.

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, February 17, 1999, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, FL 33513

GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

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: February 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.

DEPARTMENT OF MANAGEMENT SERVICES

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: February 15-16, 1999, 8:30 a.m.

PLACE: Holiday Inn Select, 2001 N. Cove Blvd., Panama City, Florida

PURPOSE: To conduct hearings pursuant to Section 121.23, Florida Statutes and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312, or by telephoning (850)487-2410.

A party who decided to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

The **Florida Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday, February 10, 1999, 6:00 p.m.

PLACE: Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303. The meet-me telephone number is (850)488-5778 or Suncom 298-5778.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be to discuss general and 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.

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.

Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Extension 1036, at least five calendar days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces the following meetings to be conducted by the Florida **Board of Architecture and Interior Design** (Board):

MEETING: Architecture and Interior Probable Cause Panel Meeting

DATE AND TIME: February 17, 1999, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre Board Room, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: To conduct an official meeting of the Probable Cause Panel of the Florida Board of Architecture and Interior Design. Only that portion of the meeting wherein cases are presented for reconsideration by the Panel will be open to the public.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Department of Business and Professional Regulation, Board of Architecture and Interior Design, (850)488-6754, at least forty eight (48) hours prior to the

meeting. If you are hearing or speech impaired, please call Vickie Booher, Florida Board of Architecture and Interior Design using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation** announces the following meetings to be conducted by the Florida **Board of Architecture and Interior Design** (Board):

MEETING: Joint AR/ENG/BCAI Committee Meeting

DATE AND TIME: February 18, 1999, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, Secretary's Conference Room, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: To conduct an official meeting of the Joint Architecture/Engineering/Building Code Administrators and Inspectors Committee in order to review issues associated with the regulation of the respective professions.

Agenda copies may be obtained by writing: Board, 1940 North Monroe Street, Tallahassee, FL 32399-0751.

Any person deciding to appeal a decision made with respect to any matter considered at the meeting must ensure a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which an appeal is to be based.

Any person requiring special accommodations because of a disability or physical impairment should contact Gregory Spence, Board Staff, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, or call (850)488-6685, Extension 4, at least forty-eight (48) hours prior to the meeting. Hearing or speech impaired respondents may contact Mr. Spence using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Board of Pilot Commissioners** announces a Conference Call meeting to discuss deputy advancements to which all persons are invited.

DATE AND TIME: February 12, 1999, 12:00 noon

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399-0773, (850)921-5400 or SunCom 291-5400.

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 Cindy Ritter, 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 OTDD).

The **Board of Professional Geologists** announces the following meeting to which all persons are invited.

DATES AND TIMES: February 18, 1999, 1:00 p.m. or soon thereafter; continuing February 19, 1999, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Board Conference Room, Tallahassee, Florida

PURPOSE: General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0764 or by calling Christa Patterson, (850)488-8516.

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 Christa Patterson, (850)488-8516. 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 Accountancy** announces the following public meeting of the Minority Scholarship Council to which all persons are invited:

DATE AND TIME: Tuesday, February 16, 1999, 10:00 a.m.

PLACE: Holiday Inn Airport, 14670 Duval Road, Jacksonville Florida

PURPOSE: This is an organizational meeting to discuss implementation of HB 3589. This is a public meeting.

A copy of the agenda may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, 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.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting by contacting Martha Willis, (352)955-2165. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Florida **Real Estate Commission**, Education and Research Foundation Advisory Committee has scheduled a meeting to which all persons are invited.

DATE AND TIME: Thursday, February 18, 1999, 9:00 a.m.

PLACE: Suite 301, North Tower, 400 W. Robinson Street, Orlando, Florida

PURPOSE: Official business of the Foundation – including but not limited to proposed legislation affecting Chapter 475, review the progress of persons conducting research and studies, the results of any research project shall not be published or disseminated until it has been reviewed and approved in writing by the advisory committee, to create and promote education projects to expand the knowledge of the public and real estate licensees, to augment the existing real estate programs, to make studies of and recommend changes in state statutes and municipal ordinances; request proposals for studies that are requested by the governor or the presiding officers of the Legislature, prepare information of consumer interest concerning Florida real estate and to make the information available to the public and appropriate state agencies.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0830 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda, can be obtained by contacting: Education Section.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a (public meeting, hearing or workshop) to which all person are invited:

DATE AND TIME: February 9, 1999, 6:00 p.m.

PLACE: Rm. 502, 160 Governmental Center, Pensacola, Florida 32501

PURPOSE: The Northwest Citizens Advisory Panel meeting will include a presentation by our Northwest District Drinking Water Section representatives to discuss radionuclide levels in ECUA wells.

A copy of the agenda may be obtained by writing: Department of Environmental Protection, 160 Governmental Center, Pensacola, Florida 32501, or by calling Dick Fancher, (850)595-8300.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting the Personnel Service Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Wednesday, February 17, 1999, 7:00 p.m. (EST)

PLACE: Homosassa Springs State Wildlife Park, Visitor Center, 4150 South Suncoast Boulevard, Homosassa, Florida 34446

PURPOSE: To receive comments regarding management and land uses for Homosassa Springs State Wildlife Park 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 2, Administration, 4801 Southeast 17th Street, Gainesville, Florida 32641-9299

The **Department of Environmental Protection**, Division of Air Resource Management, announces a public workshop to which all persons are invited.

DATE AND TIME: Thursday, February 18, 1999, 1:00 p.m. – 5:00 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 **Department of Environmental Protection, Division of Marine Resources**, Bureau of Marine Resource Regulation and Development announces a public workshop to which all persons are invited:

DATE AND TIME: Wednesday, February 24, 1999, 8:30 a.m.

PLACE: Animal Science Department, Building 459, Room 102, Shealy Drive, University of Florida, Gainesville, Florida 32611

GENERAL SUBJECT MATTER TO BE CONSIDERED: The repeal of Chapter 62R-8, The Comprehensive Blue Crab Control Code.

A copy of the agenda may be obtained by contacting: Mark L. Collins, (850)488-5471, Department of Environmental Protection, Mail Station 205, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

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

DEPARTMENT OF HEALTH

The **Department of Health** and the Dietetics and Nutrition Practice Council, under the **Board of Medicine**, announces a meeting to which all persons are invited.

DATE AND TIME: February 12, 1999, 9:00 a.m. or soon thereafter

PLACE: Radisson Bay Harbor Inn, 7700 Courtney Campbell Causeway, Tampa, FL 33607, (813)281-8900.

PURPOSE: General Business Meeting and Rules discussion.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 2020 Capital Circle, S. E., BIN #C05, Tallahassee, Florida 32399-3255, or by calling the council 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 council office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling announces a general business meeting to be held via telephone conference call. All interested parties are invited to attend.

DATE AND TIME: Monday, February 15, 1999, 8:30 a.m.

PLACE: Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: To discuss general board business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 1940 North Monroe Street, Tallahassee, FL 32399.

If any person decides to appeal any decision made by the Panel 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 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 Sue Foster by Thursday, February 4, 1999.

The Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling announces a meeting of the Continuing Education Committee to be held via telephone conference call. All interested parties are invited to attend.

DATE AND TIME: Friday, February 19, 1999, 9:00 a.m.

PLACE: Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: Consideration of continuing education provider applications.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 1940 North Monroe Street, Tallahassee, FL 32399.

If any person decides to appeal any decision made by the Panel 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 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 Sue Foster by Thursday, February 11, 1999.

The Florida **Board of Medicine**, announces a Telephone Conference Call to be held via meet me number (850)414-6477
DATE AND TIME: Wednesday, February 24, 1999, 12:00 noon or soon thereafter

PLACE: The Florida Board of Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399

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, N. 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.

The Florida **Board of Medicine's**, Ad Hoc Committee on Telemedicine, announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, February 20, 1999, 9:00 a.m. or soon thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

PURPOSE: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Tanya Williams, Executive 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.

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).

The Florida **Board of Medicine**, Quality Assurance Committee, announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, February 20, 1999, 2:00 p.m. or soon thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

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, Board of Nursing** announces public meetings to which all interested persons are invited.

Continuing Education. Rules workshop

DATE AND TIME: Tuesday, February 9, 1999, 1:00 p.m.

PLACE: DiamondHead All-Suites Beach Resort, 2000 Estero Blvd., Ft. Myers Beach, FL 33901, (941)765-7654

PURPOSE: To discuss and hold hearings on procedures for continuing education rules

Practice Committee Meeting

DATE AND TIME: Tuesday, February 9, 1999, 7:00 p.m.

PLACE: DiamondHead All-Suites Beach Resort, 2000 Estero Blvd., Ft. Myers Beach, FL 33901, (941)765-7654

PURPOSE: To consider a petition for a declaratory statements Intervention Project for Nurses Committee Meeting

DATE AND TIME: Wednesday, February 10, 1999, 8:00 a.m.

PLACE: DiamondHead All-Suites Beach Resort, 2000 Estero Blvd., Ft. Myers Beach, FL 33901, (941)765-7654

PURPOSE: To discuss matters relating to the policies and procedures of the Intervention Project for Nurses.

Advanced Registered Nurse Practitioner's Committee Meeting.

DATE AND TIME: Wednesday, February 10, 1999, 8:30 a.m.

PLACE: DiamondHead All-Suites Beach Resort, 2000 Estero Blvd., Ft. Myers Beach, FL 33901, (941)337-0300

PURPOSE: To consider applications and review certification of Advanced Registered Nurse Practitioners.

Continuing Education Committee Meeting

DATE AND TIME: Wednesday, February 10, 1999, 9:00 a.m.

PLACE: DiamondHead All-Suites Beach Resort, 2000 Estero Blvd., Fort Myers Beach, Florida 33901, (941)765-7654

PURPOSE: To consider continuing education programs and procedures.

Education Committee Meeting

DATE AND TIME: Wednesday, February 10, 1999, 10:00 a.m.

PLACE: DiamondHead All-Suites Beach Resort, 2000 Estero Blvd., Fort Myers Beach, Florida 33901, (941)765-7654

PURPOSE: To consider matters relating to nursing programs and applications for licensure.

Regular Board Meeting

DATE AND TIME: Wednesday, February 10, 1999, 1:30 p.m.;

Thursday, February 11, 1999, 8:30 a.m.; Friday, February 12, 1999, 8:30 a.m.

PLACE: DiamondHead All-Suites Beach Resort, 2000 Estero Blvd., Fort Myers Beach, Florida 33901, (941)765-7654

PURPOSE: Rule Hearing/Adoptions; Nursing Education Program Requests and Reports; Advanced Registered Nurse Practitioners Certificates and matters relating to advanced nursing practice; Continuing Education matters; Legal and Disciplinary Actions; Licensing Problems, Informal Hearings, Declaratory Statements, Correspondence and other miscellaneous matters relating to the practice of nursing.

A copy of the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Florida Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207.

Please Note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings and for such purpose he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

RULE TITLES:	RULE NOS.:
Definitions	64B14-3.001
Approved Examinations	64B14-4.001
Requirements for Licensure by Examination	64B14-4.100

Notice of Third Rule Development Workshop

The **Department of Health, Board of Orthotists and Prosthetists** hereby gives notice that a third public workshop for the purposes of rule development of Rules 64B14-3.001, 64B14-4.001 and 64B14-4.100 will be held at the time, date and place listed below:

DATE AND TIME: March 15, 1999, 8:30 a.m.
PLACE: Radisson Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812

The original notice of rule development was published in Vol. 24, No. 30, of the July 24, 1998, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP AND A COPY OF THE PRELIMINARY TEXT IS: Joe R. Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3256. Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Osteopathic Medicine** will hold the following Board meeting to which all persons are invited:
DATES AND TIMES: Friday, February 26, 1999, 6:00 p.m.; Saturday, February 27, 1999, 9:00 a.m.; Sunday, February 28, 1999, 8:00 a.m., if necessary

PLACE: Hyatt Regency, 2301 S. E. 17th Street, Causeway, Ft. Lauderdale, Florida 33316, (954)525-6666

PURPOSE: To conduct Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Osteopathic Medicine, Northwood Centre, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tiffany Kemp, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Tiffany Kemp using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health** and the **Board of Physical Therapy Practice** announces a conference call meeting to which all persons are invited:

DATE AND TIME: February 25, 1999, 8:30 a.m. or soon thereafter

PLACE: Number Nonsuncom (850)921-5551, Suncom 291-5551

PURPOSE: Full Board Quorum Call

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, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The second meeting of the **Scientific Advisory Committee** for the Florida birth Defects Registry will be held as follows:

DATE AND TIME: February 11, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: Orlando Airport Marriott, Augusta Room A-B, 7499 Augusta National Drive, Orlando, Florida 32822

PURPOSE: The function of the Advisory Committee is to: 1) Review and provide advisement regarding criteria for case definition and content of the master data file; 2) Review and provide advice regarding prospective studies; 3) Be appraised of clusters and review results of any cluster analysis; 4) Review and provide advisement about information dissemination and web sit activities; 5) Review and provide advice regarding enhancement of the surveillance system; 6) Review drafts of all reports published by the consortium; 7) Assist in the identification of birth defects due to environmental exposures.

The preliminary agenda for the meeting is: 1) Welcome and Synopsis of Agenda, Cynthia Harris, Ph.D., DABT (FAMU); 2) Reporting Rule, Russell Mardon, Ph.D.; 3) Report Formats/Data Reporting Plans, Michael Resnick, Ed.D.; 4) Data Quality Evaluation, Randy Carter, Ph.D.; 5) Preliminary Registry Results, Jaime Frias, M.D.; 6) Folic Acid Grant Initiative, Jane Correia, MPH; 7) New Advisory Committee Members, Cynthis Harris, Ph.D., DABT; 8) Update on Florida Department of health Transition and Legislative Update; 9) Open Discussion; 10) Next Meeting Date; 11) Adjournment.

For further information, please contact: Perry Brown, DrPH, (850)599-8839.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Refugee Programs Administration Office announces the following public meetings to which all interested persons are invited.

MEETING: District 4/Duval County Refugee Task Force

DATE AND TIME: Thursday, February 25, 1999, 2:00 p.m. – 4:00 p.m.

PLACE: Lutheran Social Services, 421 West Church Street, Suite 322, Jacksonville, Florida 32202. Contact person: Russell Bloom, Phone (904)632-0022

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to refugee resettlement in the Duval County/Children and Family Services, District 4 area.

A copy of the agenda may be obtained by writing: Cheraka Thomas, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 7/Orange County Refugee Task Force

DATE AND TIME: Wednesday, February 10, 1999, 9:30 a.m. – 11:30 a.m.

PLACE: Catholic Charities of Orlando, 1771 North Semoran Boulevard, Orlando, Florida 32807. Contact person: Richard Logue, (407)658-0110

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to refugee resettlement in the Duval County/Children and Family Services, District 4 area.

A copy of the agenda may be obtained by writing: Cheraka Thomas, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: Districts 5, 6 and 14 – Tampa Bay Area Refugee Task Force

DATE AND TIME: Tuesday, February 23, 1999, 9:30 a.m. – 11:30 a.m.

PLACE: U.S. Immigration and Naturalization Service, 5524 W. Cypress Street, Tampa, Florida. Contact person: Ms. Kristen Holland, Phone (813)637-3011

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Tampa Area/Children and Family Services District(s) 5, 6 and 14.

A copy of the agenda may be obtained by writing: Tadesse Fessehaye, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 9/Palm Beach County Refugee Task Force

DATE AND TIME: Wednesday, February 17, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: Naval and Marine Corps Reserve Center, 1227 Marine Drive, West Palm Beach, Florida, Phone (561)687-3954. Contact person: George Lewis or Susan Sullivan, Phone (850)488-3791

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Palm Beach County/Children and Family Services, District 9 area.

A copy of the agenda may be obtained by writing: Susan Sullivan, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 10/Broward County Refugee Task Force

DATE AND TIME: Tuesday, February 23, 1999, 9:00 p.m. – 12:00 noon

PLACE: First Lutheran Church, 441 N. E. 3rd Avenue, Ft. Lauderdale, Florida 33301, Phone (954)764-3418, Contact person: Osman Uzun, (850)413-8219, or Claude Laussaint, (954)537-2929

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Broward County/Children and Family Services, District 10 area.

A copy of the agenda may be obtained by writing: Osman Uzun, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 11/Miami Area Refugee Task Force
DATE AND TIME: Friday, February 12, 1999, 10:00 a.m. – 12:00 noon

PLACE: Radisson Mart Plaza Hotel, 711 N. W. 72nd Ave., Miami, Florida 33126, Phone (305)261-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Miami Area/Children and Family Services, District 11.

A copy of the agenda may be obtained by writing: Juel Kamke, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

Pursuant to the Provisions of the American's 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 at the Refugee Programs Administration Office, (850)488-3791 or Fax (850)487-4272. If you are hearing or speech impaired, please contact the agency by calling TDD Number (850)922-4449 and reference the specific Refugee Task Force Meeting by location and date.

The **Department of Children and Family Services** announces the following public meeting of the District 6, Nominee Qualifications Review Committee:

COMMITTEE: Nominee Qualifications Review Committee

DATE AND TIME: February 18, 1999, 2:00 p.m.

PLACE: Hillsborough County Center, 28th Floor, 601 E. Kennedy Blvd., Tampa, FL

PURPOSE: To make recommendations for the Hillsborough Board of County Commission's appointments to the Health and Human Services Board.

Call Donna Sinudom, (813)871-7454 for additional information and meeting confirmations. Users of text telephones (TTYs), please call this number through the Florida Relay Service, 1(800)955-8771.

The Florida **Department of Children and Family Services** announces conference calls of the District 8, Health and Human Services Board will be held as follows:

DATES AND TIMES: February 1, 1999; March 1, 1999; April 5, 1999; May 3, 1999; June 7, 1999, 5:00 p.m.

PLACE: Suncom 278-5776 or Non Suncom (850)488-5776

PURPOSE: Review agenda for up-coming meeting.

The agenda may be obtained by contacting: 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 the conference call.

The Florida **Department of Children and Family Services** announces the District 8, Health and Human Services Board will meet on the following dates:

DATES AND TIME: February 8, 1999; April 12, 1999; June 14, 1999, 1:00 p.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Fort Myers, Florida

DATES AND TIME: March 8, 1999; May 10, 1999, 1:00 p.m.

PLACE: Charlotte County Public Health Unit, 514 East Grace Street, Punta Gorda, Florida

PURPOSE: Regular board meeting.

A copy of the agenda may be obtained by contacting: 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 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

DATE AND TIME: Not Meeting

Children's Services

DATE AND TIME: February 8, 1999, 12:15 p.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Room 232, Fort Myers, Florida

Economic Self-Sufficiency

DATE AND TIME: Not Meeting

Children's Substance Abuse Services

DATE AND TIME: Not Meeting

G. Pierce Wood, Adult Mental Health and Substance Abuse Services

DATE AND TIME: February 8, 1999, 11:30 a.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Room 140, Fort Myers, Florida

PURPOSE: Monthly committee meetings.

A copy of the agenda may be obtained by contacting: 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: 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 District 9, **Alcohol, Drug Abuse and Mental Health Program** office announces the following Public Hearings which will be held at Palm Beach County Baker Act Receiving Facilities, in accordance with F.S. 394. The schedule of hearings is as follows:

HEARING: Columbia Mental Health Services Pavilion
 DATE AND TIME: Tuesday, February 9, 1999, 10:00 a.m. – 11:00 a.m.
 PLACE: 2201 45th St., West Palm Beach, FL 33407, (561)842-6141

HEARING: St. Mary’s Institute of Mental Health
 DATE AND TIME: Tuesday, February 9, 1999, 3:00 p.m. – 4:00 p.m.

PLACE: 901 45th St., West Palm Beach, FL 33407, (561)840-6093

HEARING: Western PBC Mental Health Clinic
 DATE AND TIME: Wednesday, February 10, 1999, 2:00 p.m. – 3:00 p.m.

PLACE: Enrichment Center, 149 S. E. Ave. D, Belle Glade, FL 33430, (561)992-1330

HEARING: Bethesda Memorial Hospital Psychiatric Dept.
 DATE AND TIME: Thursday, February 11, 1999, 10:00 a.m. – 11:00 a.m.

PLACE: 2815 S. Seacrest Blvd., Boynton Beach, FL 33435, (561)737-4300

HEARING: Fair Oaks Hospital
 DATE AND TIME: Thursday, February 11, 1999, 1:00 p.m. – 2:00 p.m.

PLACE: 5440 Linton Boulevard, Delray Beach, FL 33445, (561)495-1000

HEARING: South County Mental Health Center
 DATE AND TIME: Thursday, February 11, 1999, 3:00 p.m. – 4:00 p.m.

PLACE: 16158 South Military Trail, Delray Beach, FL 33484, (561)737-8400

HEARING: 45th St. Mental Health Center
 DATE AND TIME: Friday, February, 12, 1999, 2:00 p.m. – 3:00 p.m.

PLACE: Behavioral Health Learning Center, 6266 S. Congress Ave., Lantana, FL 33462, (561)844-9741

PURPOSE: The purpose of the hearings is to elicit community input regarding the provision of services at each facility. Since information is crucial, your agency’s participation would be greatly appreciated.

The **Department of Children and Family Services**, District 12, Health and Human Services Board, Developmental Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 1999, 1:00 p.m.
 PLACE: HAVOC’s Developmental Disabilities Forum, Votran Auditorium, 950 Big Tree Rd., South Daytona, Florida
 PURPOSE: Special Board Meeting on Needs Assessment

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. assistive 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, Family Care Council announces a public meeting to which all persons are invited.

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

PLACE: Florida Department of Children and Family Services, 210 North Palmetto Avenue, Conference Room 440, Daytona Beach, Florida 32114

PURPOSE: Regular Board Meeting for General 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. assistive 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: February 19, 1999, 9:00 a.m.

PLACE: Daytona Beach Service Center, 210 North Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: General 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. assistive 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 14, Health and Human Services Board announces the following meetings to which all persons are invited.

Family Care Council meeting.

DATE AND TIME: Monday, February 15, 1999, 6:30 p.m.

PLACE: Children and Family Services Office, Conference Room 101, 270 Bartow Municipal Airport, Bartow, FL

PURPOSE: Address issues relating to services for the developmentally disabled.

Health and Human Services Board Business meeting.

DATE AND TIME: Tuesday, February 16, 1999, 4:30 p.m.

PLACE: Children and Family Services Office, Conference Room 101, 270 Bartow Municipal Airport, Bartow, FL

PURPOSE: Regular board meeting for general business.

For copies of the agenda, further information, or persons needing accommodation to participate in these meetings please contact: Patty Harrison, (941)619-4100, Extension 157, 1(800)342-0825 or TDD (941)648-3337.

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following public forum to which all persons are invited:

PRIVITIZATION FORUM

DATES AND TIME: February 8, 1999, 7:00 p.m.

PLACE: Indian River Community College, Dixon Hendry Center, 2220 N. W. 9th Avenue, Okeechobee, Florida

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174

The Health and Human Services Board of the **Department of Children and Family Services**, District 15 announces the following committee meeting to which all persons are invited:

BUDGET REVIEW

DATES AND TIME: February 15, 1999, 9:00 a.m. – 12:00 noon

PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 335, Fort Pierce, FL

A copy of the agenda may be obtained by contacting: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950

The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: February 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.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The **Florida Workers' Compensation Insurance Guaranty Association**, Inc. announces the following meetings to which all interested persons are invited to attend:

MEETING: Reinsurance Committee

DATE AND TIME: Wednesday, February 10, 1999, 9:00 a.m. – 10:00 a.m.

PURPOSE: Agenda items will include, but are not limited to Overview of Reinsurance Recoverable Process and LPT Agreement.

MEETING: Board of Directors

DATE AND TIME: Wednesday, February 10, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: University Center Club, Doak Campbell Stadium, Florida State University, Tallahassee, FL

PURPOSE: Agenda items will include, but are not limited to, Committee Chair Selections, Legal Report, Receiver's Report, Reinsurance Committee Report, Claims Report, Financial Report, Early Access Report and Operations Report.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces a meeting to which all persons are invited:

Ad Hoc Financial Issues Committee

DATE AND TIME: February 12, 1999, 10:00 a.m.

PLACE: Cole, Stone, Stoudemire & Morgan, 76 Laura Street, Suite 1700, Jacksonville, FL

PURPOSE: To review and discuss a draft request for proposals for development and implementation of a plan of marketing for an automobile theft prevention rewards program and other matters that may come before the committee.

Additional information may be obtained from: Lisa Blackwell, FAJUA, 1113 E. Tennessee St., Suite 401, Tallahassee, FL 32308.

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, February 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.

HEARTLAND LIBRARY COOPERATIVE

The Heartland Library Cooperative, which includes DeSoto, Hardee, Highlands and Okeechobee County libraries, announces a board meeting to which the public is invited.

DATE AND TIME: Wednesday, February 17, 10:00 a.m.

PLACE: Lake Placid Memorial Library, 47 Park Dr., Lake Placid, Florida

PURPOSE: Regular board meeting

Contact person: Carolyn Hesselink, Admin. Secretary, (941)386-6719.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY SERVICE

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to the request received from George R. Devenport, May 19, 1998. The request was assigned the number DCA98-DEC-158. This Declaratory Statement was issued January 21, 1999 and provides clarification of whether a door from a bedroom leading into a screened enclosure qualifies as an emergency egress under Section 1005.4.1. of the 1997 Edition of the Standard Building Code.

A copy of the Declaratory Statement may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has denied the Petition for Declaratory Statement filed by Vistana Management, Inc., Docket Number DS98175, DS 98-037.

The petition was denied because the Petitioner sought the Division's interpretation of Chapters 607 and 617. The Division does not have jurisdiction to interpret or issue a Declaratory Statement addressing chapters 607 or 617. The Petition was also denied because it was more akin to a general request for advisory opinion on portions of a contract rather than a request for the agency's interpretation of a specific statutory provision. Finally, the Petition was denied because there was no actual present or practical need for the issuance of a declaratory statement.

A copy of the Order Denying Petition for Declaratory Statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030.

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued a Final Order pertaining to the Petition for Declaratory Statement, Number FREC-DS-98-02, received from NRT, Incorporated, and Coldwell Banker Residential Real Estate, Inc., which was noticed in the Florida Administrative Weekly on December 31, 1998.

The Commission granted the Petition concluding that the Petitioner may give written authorization to a closing agent to disburse commissions directly to a salesperson, pursuant to s. 475.42(1)(d), Fla. Stat.

A copy of the Petition may be obtained by writing: James D. Kimbler, Acting Director, Division of Real Estate, 400 West Robinson Street, Orlando, Florida 32801.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Department of Environmental Protection, has received a petition for a declaratory statement from Ms. Ana E. Wood, Solid Waste Director, Environmental Services Solid Waste Division, Polk County. The petition seeks the agency's opinion as to the applicability of 40 CFR Subpart WWW as it applies to the petitioner.

**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:

Health Insurance Association of America, Inc. vs. Department of Insurance; Rule No.: 4-154.520; Case No.: 99-0267RP

Florida Association of Health Maintenance Organizations, Inc. vs. Department of Insurance; Rule No.: 4-154.520; Case No.: 99-0268RP

Florida Association of Life Underwriters vs. Department of Insurance and Treasurer, Rule No.: 4-154.520, Case No.: 99-0272RP

Florida Language, Speech and Hearing Association, Inc. d/b/a Florida Association of Speech-Language Pathologists and Audiologists, Inc. vs. Department of Education; Rule Nos.: 6A-4.006(2)(b),(3)(c), 6A-4.01761 and 6A-6.03012(5),(6); Case No.: 98-2567RP

Florida Pulp and Paper Association Environmental Affairs, Inc. vs. St. Johns River Water Management District, Rule No.: 40C-2.101; Case No.: 98-4707RP

Florida Association of Realtors vs. Florida Real Estate Commission, Rule No.: 61J2-10.039; Case No.: 98-5247RP

The Florida Electric Power Coordinating Group, Inc., The City of Lakeland, The City of Tallahassee and Solutia, Inc. vs. Department of Environmental Protection and Department of Health; Rule No.: 62-610; Case No.: 99-0229RP

The City of Tallahassee vs. Department of Health; Rule No.: 64E-1; Case No.: 98-5248RP

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Florida Retail Federation Self-Insurers Fund vs. Department of Insurance and Treasurer; Rule Nos.: 4-190.030(8),(20), and 4-190.066; Case No.: 98-5324RP; Dismissed

Pinellas County, Florida vs. Southwest Florida Water Management District; Rule Nos.: 40D-2, 40D-4 and 40D-8; Case No.: 98-4968RP; Dismissed

City of Tampa, Florida vs. Southwest Florida Water Management District; Rule Nos.: 40D-2.091, 40D-2.301, 40D-4.091, 40D-8.011, 40D-8.021, 40D-8.031, 40D-8.041, 40D-8.091, 40D-8.603, 40D-8.605, 40D-8.611, 40D-8.613, 40D-8.616, 40D-8.621, 40D-8.624 and 40D-8.626; Case No.: 98-5005RP; Dismissed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida for and on behalf of the Board of Regents, a public corporation of the State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: BR-101. Project and Location: Southwest Recreation Center Expansion – Phase II at the University of Florida. The project consists of 33,480 gross square feet of strength/conditioning space and gymnasium/special events space to accommodate activities such as basketball, volleyball, badminton, indoor soccer and floor hockey. The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$250,000.00, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed Board of Regents “Professional Qualifications Supplement,” dated September 15, 1997. 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 4 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 \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Janie Heidler, Office Assistant, Campus Planning and Construction Management, 232 Stadium, P. O. Box 115050, Gainesville, FL 32611-5050, Telephone (352)392-1256, Fax (352)392-6378, Internet: www.admin.ufl.edu/division/cp

Submittals must be received in the Campus Planning and Construction Management office, Attn: John Thomas McCaffrey, by 3:00 p.m., local time, Friday, March 5, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida on and behalf of the Board of Regents, a public corporation of the State of Florida, announces that construction management services will be required for the project listed below:

Project No.: BR-109, Project and Location: Hall of Fossils, Powell Hall at the University of Florida. The project consists of 4,975 GSF of a state-of-the-art, fully interactive permanent exhibition space and displays for the Hall of Florida Fossils to be constructed in the dedicated exhibit space within the Powell Hall building, for the Florida Museum of Natural History, University of Florida. The estimated construction cost is \$722,625.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager’s contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm’s personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest

documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals 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: Janie Heidler, (352)392-1256. 4 bound copies of the required proposal data shall be submitted to: John-Thomas McCaffrey, Project Manager, Campus Planning and Construction Management, 232 Stadium, P. O. Box 115050, Gainesville, FL 32611-5050, Telephone (352)392-1256, Fax (352)392-6378, E-mail: jtmcc@admin.ufl.edu, Internet: www.admin.ufl.edu/division/cp

Submittals must be received in the Campus Planning & Construction Management office by 3:00 p.m., local time, Friday, March 12, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 99L-147, IFAS Project 99025, Re-roof Building 5001, Fort Lauderdale, estimated budget: \$200,000 – \$250,000, to be opened March 2, 1999, 11:00 a.m., Local Time. Scope of work: The removal and re-application of the roofing assembly as outlined in the contract documents for IFAS BUILDING 5001 in Fort Lauderdale, Florida. Work shall include all utility connections and extensions as required

in the Contract Documents. Due to the nature of the work, bidders must be State Certified General Contractors and only those roofing contractors qualified and certified by Siplast, Inc. will be allowed to bid. Specifications and Plans are available in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611, Telephone (352)392-1331.

A Mandatory Pre-Bid Meeting will be held Wednesday, February 17, 1999, 11:00 a.m., 3205 College Avenue, Building 5001, Room 129, Fort Lauderdale, FL. All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing (352)392-1331, Ext. 306.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid meeting or Bid opening, contact Emily J. Hamby, (352)392-1331, within three (3) days of the event.

Invitation To Bid

Sealed bids will be received and publicly opened at Florida A & M University.

Bid No. 7203 Opening Date: 2/22/99 Time: 2:00 p.m.
Title: Audio-Visual Equipment for Teleconference Ctr.

Accommodations for Disabilities: Please indicate if special accommodation because of a disability is needed. If an accommodation is needed in order to participate in this activity, please contact the Purchasing Department at least seven days prior to the activity.

Bid Specifications: The bid document may be obtained at Florida A & M University, Purchasing Department, Foote-Hilyer Adm. Ctr., Room 210, Tallahassee, FL 32307-3200, (850)599-3203. Contact person: Ms. Annette Roberts, Sr. Purchasing Agent. The University reserves the right to reject any and all bids.

CALL FOR BIDS

Made by Florida Gulf Coast University, on behalf of the State of Florida, Board of Regents.

PROJECT NAME & NUMBER: North Entrance Road – BR-1007

QUALIFICATION: 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: Tuesday, March 9, 1999, until 2:00 p.m., local time

PLACE: 10501 FGCU Blvd. South, Howard Hall Meeting Room 111A, Florida Gulf Coast University, Fort Myers, Florida 33965-6565, 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: Johnson Engineering, Inc., 2158 Johnson Street, Fort Myers, Florida 33902-1550, phone (941)334-0046.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security. 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: Bidders are 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: Tuesday, February 16, 1999, 2:00 p.m., local time

PLACE: 10501 FGCU Blvd., South, Howard Hall Meeting Room 111A, Florida Gulf Coast University, Fort Myers, Florida 33965-6565

DEPOSIT: \$50.00 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, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, 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 fifteen (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 the Architect/Engineer for \$50.00 per set for the printing and handing cost. Partial sets may be purchased at \$1.50 per sheet of the drawings and \$20.00 per copy of the Project Manual, and are sold subject to the provisions of article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, 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 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.

STATE BOARD OF ADMINISTRATION

The Florida Prepaid College Board is soliciting proposals from qualified firms to serve as a Large Capitalization Core-Oriented Domestic Equity Investment Manager.

Copies of the Request for Proposal, RFP #99-01, are available on or after February 8, 1999, by submitting a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this RFP must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the RFP will be accepted. No written inquiries will be accepted after 4:00 p.m., Eastern Time, February 15, 1999. The original unbound copy and five (5) copies of each response to the RFP must be received by 12:00 Noon, Eastern Time, March 5, 1999, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the bid opening.

The Florida Prepaid College Board is soliciting proposals from qualified firms to serve as a Large Capitalization Value-Oriented Domestic Equity Investment Manager.

Copies of the Request for Proposal, RFP #99-02, are available on or after February 8, 1999, by submitting a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this RFP must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the RFP will be accepted. No written inquiries will be accepted after 4:00 p.m., Eastern Time, February 15, 1999. The original unbound copy and five (5) copies of each response to the RFP must be received by 12:00 Noon, Eastern Time, March 5, 1999, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the bid opening.

REGIONAL PLANNING COUNCILS

INVITATION TO BID

The Tampa Bay Regional Planning Council (TBRPC) is seeking sealed bids for the following:

1. The production of maps for the hurricane evacuation zone street maps for six Florida counties. The (6) street maps should include the street network, names and landmarks with a street index to cover the coastal areas of each county. Color-coded hurricane evacuation zones and numbered shelters will be provided in digital and hard copy to "overlay" onto street map base;
2. Printing of the six versions of the 1999 Hurricane Evacuation Zone Street Map (total 900,000 copies);
3. Printing of the 1999 Hurricane Guide (total 900,000 copies); and
4. Government, corporate and media sponsors for the 1999 Tampa Bay Region (6 county) hurricane preparedness campaign.

Print and Map specifications may be obtained from: TBRPC, 9455 Koger Blvd., Suite 219, St. Petersburg, Florida 33702 or by calling (813)577-5151, Ext. 242. Sealed bids will be received by the council until 4:30 p.m., February 19, 1999. TBRPC reserves the right to reject any and all bids. Dated this 5th day of February 1999.

Signed: Karen Lind, Director, Public Information and Administrative Services, February 5, 1999

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: DBCC-98061000

PROJECT NAME: Joint Venture Charter Technical School

PROJECT LOCATION: Daytona Beach, Volusia County, Florida

This project is a joint venture between the Daytona Beach Community College, Volusia County School Board, The Flagler County School Board and The Partnership for Workforce Development Board. The Department of Management Services, Division of Building Construction,

requests qualifications from construction management firms to provide construction management services for this project. The construction budget for this project is estimated between \$15,000,000.00 to \$18,000,000.00.

Construction start date is: Approximately April 3, 2000.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Chapter 60D-5, Florida Administrative Code, and procedures and criteria of Division of Building Construction.

Firms interested in being considered for this project must submit an application with the following information:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A Request for Qualification Procedures, an Experience Questionnaire and Contractor's Financial Statement as referenced in Chapter 60D-5, Florida Administrative Code.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Questions concerning this project may be directed to the DMS project manager,

Ken Perlowski, at the address below, or (904)823-4570, Fax (904)823-4573.

Submit four copies of your application to the Department of Management Services, Division of Building Construction, 100 Southpark Boulevard, Suite 308, St. Augustine, Florida 32086. Response Due Date: 2:00 p.m., Friday, March 5, 1999.

The Shortlist Meeting is scheduled for March 11, 1999. A Presentation Workshop is planned for March 16, 1999 for the shortlisted firms with the Final Presentations scheduled for March 24, 1999. The results of this selection will be posted at Daytona Beach Community College, 1200 West International Speedway Boulevard, Daytona Beach, Florida, during regular business hours starting March 26, 1999. Any protest on the selection must be made within 72 hours of posting this notice. If no protest is received within 72 hours, contract award and negotiation will proceed with the selected firm. The selection results will be published in the "Florida Administrative Weekly".

DEPARTMENT OF ENVIRONMENTAL PROTECTION

REQUEST FOR PROPOSALS

Sealed responses will be received by the Department of Environmental Protection (DEP) Alfred B. Maclay State Gardens, 3540 Tallahassee, Florida 32308, until the time, day and date shown below:

DATE AND TIME: Monday, March 8, 1999, 3:00 p.m., Eastern Standard Time

Request for Proposals for the selection of a professional Civil Engineer to provide design, permitting and construction administration for 1.5 miles of paved road and parking area, a stabilized parking area, a restroom, boardwalk and related utilities at Lake Louisa State Park near Clermont, Florida, for DEP Solicitation No. RFPBDRS 04-98/99.

The consultant will also be responsible for all surveying and geotechnical for the aforementioned items.

Any person with a qualified disability shall not be denied equal access and effective communication regarding any solicitation documents or the attendance at any related meeting or solicitation response opening. If accommodations are needed because of a disability, please contact the Contracts Section at (850)488-3539.

Solicitation packages may be obtained at the above address by calling telephone number (850)488-3539. Please specify the solicitation package by the DEP Solicitation NO. provided above. Minority business are encouraged to participate, The Department reserves the right to reject any or all proposals received.

**NOTICE OF INVITATION TO BID
BID NO. DEP 31-98/99**

The Department of Environmental Protection, Division of Marine Resources, St. Sebastian River State Buffer Preserve, is soliciting formal competitive bids for the project listed below:

PROJECT NAME/ Reroof the Coraci Shop, St. Sebastian River State Buffer Preserve, Sebastian, Florida.

SCOPE OF WORK: Furnish all labor equipment and materials to reroof the Coraci Shop, St. Sebastian River Buffer Preserve.

PROJECT LOCATION: St. Sebastian River State Buffer Preserve, 10120 WW Ranch Road, Sebastian (Indian River County) Florida

PROJECT MANAGER: Carrie Scafidi or Keith Fisher, St. Sebastian River State Buffer Preserve, Telephone Number (407)953-5004

INSTRUCTIONS: Any firm desiring specifications for this project may obtain a copy by writing the address or calling the telephone number listed below: Florida Department of Environmental Protection, St. Sebastian State Buffer Preserve, 1000 Buffer Drive, Fellsmere, Florida 32948, Attention: Carrie Scafidi or Keith Fisher, Telephone Number (407)953-5004.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of a disability, please contact the Department's Purchasing Section, (850)488-6711 at least five (5) workdays prior to bid opening.

BID SUBMITTAL DUE DATE: 3:00 p.m., Friday, February 19, 1999 to the below address: Florida Department of Environmental Protection, Purchasing Section, 3900 Commonwealth Boulevard, Mail Station 86, Tallahassee, Florida 32399, Telephone Number (850)488-6711 or hand delivered to: Florida Department of Environmental Protection, 3800 Commonwealth Blvd., Carr Building, Purchasing Section, Room 235, Tallahassee, Florida 32399.

Certified Minority Contractors are encouraged to participate in the bidding process.

The Department reserves the right to reject any or all bids.

DEPARTMENT OF HEALTH

**HIV/AIDS Prevention Projects
RFP Number 13, Round 10**

(This Notice is a Re-Bid of RFP 06, Round 9 in Department of Health Area 2B only)

The Centers for Disease Control and Prevention has provided funds to the Florida Department of Health, Bureau of HIV/AIDS to address reducing the transmission of the Human Immunodeficiency Virus (HIV) within groups practicing high or increased risk behaviors. The department is requesting proposals from non-profit community-based organizations (CBO's) and AIDS services organizations (ASO's), to conduct innovative and culturally sensitive HIV prevention projects within the Area 2B counties of Liberty, Franklin, Gadsden, Leon, Wakulla, Jefferson, Madison and Taylor.

Area 2B is one of seventeen geographical areas in Florida which comprise the Florida HIV/AIDS Community Planning Group, a planning body that consists of state/local agencies, non-governmental organizations and representatives of infected and affected communities who make recommendations to the Florida Department of Health.

The term of this Request for Proposal funding will be up to (12) months, with a non-competitive renewal possible for one (1) additional year, contingent upon satisfactory performance and availability of funds. The anticipated contract period is July 1, 1999 to June 30, 2000. The Department of Health anticipates funding of \$93,058 for this Request for Proposal, with up to two (2) contracts ranging from \$45,000 to \$93,058.

The bidders' conference will be held on February 26, 1999, from 9:00 a.m. - 12:00 noon, or until there are no more questions, whichever is earlier, at the Florida Department of Health, 1309 Winewood Blvd., Building 6, 4th Floor, Room 407, Tallahassee, Florida 32399-0700.

Bidders who submit to the Department of Health a Notice of Intent to submit a proposal that is postmarked no later than March 15, 1999, will be guaranteed to receive all information regarding addenda to or inquiries about the Request for Proposals.

Facsimile (FAX) documents will not be honored. The closing date for the receipt of all proposals is March 12, 1999, 12:00 p.m. (ET), with the opening of all proposals beginning the same day at 12:01 p.m.

Copies of the complete Request for Proposals are available from: Adrienne D. Sanders, Prevention Program Advisor, Florida Department of Health, Bureau of HIV/AIDS by mail at: 2020 Capital Circle, S. E. Bin #A09, Tallahassee, Florida 32399-1715 or at the physical address: 1309 Winewood Blvd., Building 6, 4th Floor, Room 412, Tallahassee, FL 32399-0700. To serve the best interest of the state, the Department reserves the right to reject any and all proposals received in response to the RFP.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

ADVERTISEMENT FOR BIDS:

LEGAL NOTICE IS HEREBY GIVEN THAT SEALED BIDS ARE REQUESTED FROM QUALIFIED BIDDERS, BY THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILY SERVICES, NORTHEAST FLORIDA STATE HOSPITAL, HEREINAFTER REFERRED TO AS THE OWNER, TO FURNISH AND INSTALL ONE (1) 500 KVA TRANSFORMER 4160-480V WITH LOAD BREAKS, FEED THROUGH INSERTS AND LOAD BREAK ARRESTORS AT BUILDING #38 (GYMNASIUM).

*******NOTE*******

A SITE VISITATION WILL BE MANDATORY BEFORE BID CAN BE ACCEPTED.

BID OPENING DATE AND TIME: FEBRUARY 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.

PROPOSAL: BIDS MUST BE SUBMITTED IN FULL, IN ACCORDANCE WITH THE REQUIREMENTS OF THE SPECIFICATIONS, BIDDING CONDITIONS AND SPECIAL CONDITIONS, WHICH MAY BE EXAMINED AND OBTAINED FROM:

PURCHASING AGENT: ALVIN GRIFFIS, PURCHASING AGENT III, AT BUILDING #19, NORTHEAST FLORIDA STATE HOSPITAL, S.R. 121, SOUTH, MACCLENNY, FLORIDA.

TELEPHONE: (904)259-6211, EXT. 1119, FAX (904)259-8497.

THE NORTHEAST FLORIDA STATE HOSPITAL RESERVES THE RIGHT TO REFUSE ANY AND ALL BIDS WHEN IN THE BEST INTEREST OF THE STATE OF FLORIDA.

CONTRACT AWARD: THE BID TABULATION AND NOTICE OF AWARD WILL BE POSTED MARCH 4, 1999 AT 2:00 P.M. LOCAL TIME AT THE LOCATION WHERE THE BIDS WERE OPENED. IN THE EVENT THAT THE BID TABULATION AND NOTICE OF AWARD CANNOT BE POSTED IN THIS MANNER, THEN ALL BIDDERS WILL BE NOTIFIED BY CERTIFIED 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.

FLORIDA INLAND NAVIGATION DISTRICT

ADVERTISEMENT FOR BIDS

Sealed bids are requested for the construction of Florida Inland Navigation District Dredged Material Management Area V-29 in Daytona Beach, Florida.

A mandatory pre-bid meeting will be held on February 16, 1999.

Bid packages, contract documents or further information can be obtained by contacting: Mr. Michael Cochran, Senior Engineer, Taylor Engineering, 9086 Cypress Green Drive, telephone (904)731-7040, Fax (904)731-9847.

BOARD OF COUNTY COMMISSIONERS, MONROE COUNTY

Monroe County Stormwater Management Master Plan

The Board of County Commissioners of Monroe County, Florida, hereby requests, pursuant to Sec. 287.055, Florida Statutes, letters of interest and statements of qualifications from professional consulting firms or individuals experienced in stormwater management and master planning.

Services will include, but not be limited to: gathering and analysis of existing information and data; assessment of the sufficiency of the information base for the master plan process and identification of data gaps; development of criteria for identifying and ranking stormwater problem areas; development of solutions to those problems; and development of implementation programs for the solutions.

Interested firms or individuals are requested to indicate their interest in this project by submitting two (2) complete originals and fifteen (15) complete copies of their letter of interest and statement of qualifications in a sealed package marked on the

outside, "Letter of Interest – Stormwater Management Master Plan", addressed to Monroe County Purchasing Department, 5100 College Road, Public Service Building, Cross Wing, Room #002, Key West, Florida 33040.

All submittals must be received by the Purchasing Department on or before 10:00 a.m., local time, March 2, 1999. No proposal will be received after 10:00 a.m. on that date. In accordance with Florida Statute 287.055(4)(b), please do not submit proposals for compensation.

Interested firms and individuals may contact the Monroe County Purchasing Department, (305)292-4464, to obtain a complete set of the requirements for submission and the selection criteria. Questions are to be directed to Robin Dye, Stormwater Project Manager, Growth Management Division, (305)289-2521.

Monroe County reserves the right to reject any and all proposals, to waive irregularities or informalities in any or all proposals, and to re-advertise for qualifications. Monroe County also reserves the right to separately accept or reject any item or items of a proposal and to award and/or negotiate a contract in the best interest of the County.

Dated at Key West, Florida, January 20, 1999.

FLORIDA KEYS MOSQUITO CONTROL DISTRICT

BID No. 1999-03

REQUEST FOR PROPOSALS

SEALED BIDS will be received by the Board of Commissioners of the Florida Keys Mosquito Control District for the following:

1164 SQ. FT. CBS CHEMICAL STORAGE BUILDING

SPECIFICATIONS may be obtained by bona fide bidders upon request at: District's Administration Building, 5224 College Road, Stock Island, Key West, Florida 33040, Telephone (305)292-7190.

SEALED BIDS WILL BE RECEIVED UP TO 2:00 P.M., Friday, February 12, 1999.

THE BOARD reserves the right to reject any and all bids and/or to waive any and all irregularities.

BY ORDER of the Board of Commissioners, Florida Keys Mosquito Control District, Stock Island, Key West, Florida.

Joan Lord-Papy, Chairman

ATTEST: William Shaw, Secretary-Treasurer

BID NO. 1999-04

REQUEST FOR PROPOSALS

SEALED BIDS will be received by the Board of Commissioners of the Florida Keys Mosquito Control District for the following:

BELL 206B HELICOPTER PAINTING/CORROSION CONTROL

SPECIFICATIONS may be obtained by bona fide bidders upon

request at: District's Administration Building, 5224 College Road, Stock Island, Key West, Florida 33040, Telephone (305)292-7190.

SEALED BIDS WILL BE RECEIVED UP TO 2:00 P.M., Friday, February 12, 1999.

THE BOARD reserves the right to reject any and all bids and/or to waive any and all irregularities.

BY ORDER of the Board of Commissioners, Florida Keys Mosquito Control District, Stock Island, Key West, Florida.

Joan Lord-Papy, Chairman

ATTEST: William Shaw, Secretary-Treasurer

BID NO. 1999-05

REQUEST FOR PROPOSALS

SEALED BIDS will be received by the Board of Commissioners of the Florida Keys Mosquito Control District for the following:

TELEPHONE ATTENDANT/MONITORING SYSTEM

SPECIFICATIONS may be obtained by bona fide bidders upon request at: District's Administration Building, 5224 College Road, Stock Island, Key West, Florida 33040, Telephone (305)292-7190.

SEALED BIDS WILL BE RECEIVED UP TO 2:00 P.M., Friday, February 12, 1999.

THE BOARD reserves the right to reject any and all bids and/or to waive any and all irregularities.

BY ORDER of the Board of Commissioners, Florida Keys Mosquito Control District, Stock Island, Key West, Florida.

Joan Lord-Papy, Chairman

ATTEST: William Shaw, Secretary-Treasurer

BID NO. 1999-06

REQUEST FOR PROPOSALS

SEALED BIDS will be received by the Board of Commissioners of the Florida Keys Mosquito Control District for the following:

HORIZONTAL SITUATION INDICATOR

SPECIFICATIONS may be obtained by bona fide bidders upon

request at: District's Administration Building, 5224 College Road, Stock Island, Key West, Florida 33040, Telephone (305)292-7190.

SEALED BIDS WILL BE RECEIVED UP TO 2:00 P.M., Friday, February 12, 1999.

THE BOARD reserves the right to reject any and all bids and/or to waive any and all irregularities.

BY ORDER of the Board of Commissioners, Florida Keys Mosquito Control District, Stock Island, Key West, Florida.

Joan Lord-Papy, Chairman

ATTEST: William Shaw, Secretary-Treasurer

Section XII
Miscellaneous

DEPARTMENT OF LEGAL AFFAIRS

NOTICE OF AVAILABILITY

This Office is pleased to announce the availability of federal grant funds from the Victims of Crime Act of 1984 (VOCA) to provide direct services to crime victims. The funding cycle is October 1, 1999, through September 30, 2000. The purpose of these grants is to provide direct assistance to victims of crime as soon as possible after the crime occurs in order to reduce the severity of the psychological consequences of the victimization, to improve the victim's willingness to cooperate with the criminal justice process, and to restore the victim's faith in the criminal justice system. Eligibility to apply for VOCA funds will be limited to victim assistance programs

administered by a state or local government agency or a not-for-profit corporation registered in Florida, or a combination thereof.

Orientation meetings to explain the VOCA grant process will be facilitated by a representative of the Office of the Attorney General at the following locations:

Fort Lauderdale/Coconut Creek

DATE AND TIME: Monday, February 8, 1999, 10:00 a.m.

PLACE: Coconut Creek Department of Public Safety, 4455 Sol Press Boulevard, Cyprus Room, Fort Lauderdale, FL

Tallahassee

DATE AND TIME: Wednesday, February 10, 1999, 10:00 a.m.

PLACE: Department of Corrections, 2601 Blairstone Road, Secretary's Conference Room, B501, Tallahassee, FL

Tampa

DATE AND TIME: Monday, February 15, 1999, 10:00 a.m.

PLACE: The County Center, 601 East Kennedy Boulevard, Second Floor, County Commission Boardroom, Tampa, FL

Orlando

DATE AND TIME: Tuesday, February 16, 1999, 10:00 a.m.

PLACE: Orange County Sheriff's Office, 601 East Kennedy Blvd., Training Facility, 8256 Exchange Drive, Suite #200, Orlando, FL

To request an application, you may fax or mail the attached form to: Office of the Attorney General, Bureau of Advocacy and Grants Management, The Capitol, PL-01, Tallahassee, Florida 32399-1050, Fax (850)487-3013 or SC 277-3013.

The funding process for the 1999-2000 grants involves submission of an application, an oral presentation and an on-site review for each new agency and any other agency so designated by the Office of the Attorney General. Applicants for which a site review is not practical may request to meet with the Review Team at another location. Applications must be received by this office at the above address, no later than 5:00 p.m. (EST) on Monday, March 15, 1999.

You will find the orientation meetings to be informative and helpful for the grant-writing process. However, if there are questions remaining after the meetings, please contact this office, (850)414-3325.

Thank you for your interest in the VOCA funding for victim services programs. We look forward to an exciting and productive 1999-2000 grant cycle.

DEPARTMENT OF COMMUNITY AFFAIRS

IN RE: MONROE COUNTY
 LAND DEVELOPMENT
 REGULATIONS ADOPTED
 Docket No. DCA99-OR-029
 BY ORDINANCE NO. 040-1998

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues this Final Order pursuant to Sections 380.05(6), Fla. Stat. (Supp. 1998), and 380.0552(9), Fla. Stat. (1997), which require the Department to enter a Final Order approving or rejecting Monroe County ordinances adopting Land Development Regulations ("LDRs").

FINDINGS OF FACT

1. Ordinance 040-1998 amends the Monroe County LDRs codified as Sections 9.5-336 through 9.5-342, regarding the Habitat Evaluation Index ("HEI").
2. Ordinance 040-1998 was rendered to the Department on January 13, 1999.
3. The habitat analysis required in this Ordinance, which proposes amending the above-cited HEI, necessitates an evaluation of the relative ecological and cultural quality of the remaining hardwood hammocks and slash pinelands of the Florida Keys with respect to both their inherent character and integrity and their context in the Florida Keys ecosystem landscape.
4. The Department has reviewed Ordinance 040-1998 for consistency with the Principles for Guiding Development as set forth in Section 380.0552, Fla. Stat., and with the Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

5. Section 380.031(8), Fla. Stat., defines "land development regulation" as including local zoning, subdivision, building and other regulations controlling the development of land. Monroe County Ordinance No. 040-1998 is a "land development regulation."

6. Pursuant to Sections 380.05(6) and 380.0552(a), Fla. Stat., the Department is required to approve or reject land development regulations adopted in Areas of Critical State Concern in a final order based upon whether the regulations are consistent with the Principles for Guiding Development set forth in Section 380.0552(9), Fla. Stat. Additionally, Section 163.3194(1)(b), Fla. Stat., requires that all land development regulations must be consistent with the local government's adopted comprehensive plan.

7. Ordinance 040-1998 establishes a system for HEI analysis that enhances the system in the present LDRs. For example, the proposed revision furthers Principle 7(b) of Section 380.0552, Fla. Stat., by improving the evaluation of adjacent upland resources and the management of development within upland habitats so as to conserve valuable ecological relationships between upland and shoreline resources. Principle 7(c) of the same section is also furthered by the proposed LDR's designed to protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, dune ridges, beaches, and wildlife and its habitat. In short, the LDR will operate to preserve hammocks within areas proposed for development, because Ordinance 040-1998 adequately distinguishes tropical hardwood hammocks according to size and other factors. Ordinance 040-1998 also eliminates the "separate analysis" of habitat type where more than one habitat is contained within the same parcel.

8. Finally, the proposed LDR is consistent with and furthers Policy 207.1.2 of the Monroe County Comprehensive Plan by: (1) valuing probable and potential habitat for endangered and listed species; (2) valuing critical nesting and feeding areas for birds; and (3) distinguishing high, medium and low quality hammock. Therefore, Ordinance 040-1998 furthers the Principles by strengthening Monroe County's capabilities for managing land use and development.

9. Ordinance 040-1998 is consistent with the Principles For Guiding Development taken as a whole.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance 040-1998 is consistent with the Principles For Guiding Development for the Florida Keys Area of Critical State Concern.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly, unless a petition is filed as described below.

DONE AND ORDERED this ____ day of January, 1999, in Tallahassee, Florida.

Carol Ann Forthman, Director, Division of Community Planning, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

NOTICE OF RIGHTS

A PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS FINAL ORDER MAY PETITION FOR AN ADMINISTRATIVE PROCEEDING (HEARING) IN ACCORDANCE WITH SECTION 120.57, F.S. THE PETITION MUST CONTAIN THE INFORMATION REQUIRED BY RULE 28-106.201, FLORIDA ADMINISTRATIVE CODE, AND MUST BE FILED (RECEIVED) IN THE OFFICE OF GENERAL COUNSEL. ATTENTION: AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100. PETITIONS MUST BE FILED WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER IN THE FLORIDA ADMINISTRATIVE WEEKLY. FAILURE TO FILE A PETITION WITHIN THIS TIME PERIOD SHALL CONSTITUTE A WAIVER OF ANY RIGHT SUCH PERSON MAY HAVE TO REQUEST AN ADMINISTRATIVE DETERMINATION (HEARING) UNDER SECTION 120.527, F.S.

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION UNLESS A TIMELY PETITION IS FILED IN ACCORDANCE WITH THIS NOTICE. SHOULD THIS FINAL ORDER NOT BE CHALLENGED, THIS FINAL ORDER SHALL BECOME FINAL AND EFFECTIVE 22 DAYS AFTER PUBLICATION OF THIS FINAL ORDER. UPON TIMELY FILING OF A PETITION, THIS FINAL ORDER WILL BE EFFECTIVE UNTIL FURTHER ORDER OF THE DEPARTMENT.

NOTICE OF FUND AVAILABILITY

The Department of Community Affairs announces funding availability under the Florida Small Cities Community Development Block Grant (CDBG) Program to small non-Entitlement cities and counties for Economic Development job creation/retention activities. DCA has allocated approximately \$9,692,019 of FFY 1999 CDBG funds and deobligated funds from prior years for job creating economic development activities with an initial application deadline of 5:00 p.m., Wednesday, March 31, 1999. Pursuant to Rule 9B-43.005(3), Florida Administrative Code, FFY 1999 applications for the initial application deadline may be submitted at any time after the publication of this notice. Should funds remain available after the initial application deadline, applications for economic development funding will continue to be accepted after March 31, 1999. Funds for applications received after March 31, 1999 will be reserved on a first come, first eligible basis pursuant to Rule 9B-43.006(10), Florida Administrative Code.

Fifty-one percent (51%) of the created or retained jobs must be held by, taken by, or made available to low and moderate income persons, and at least seventy percent (70%) of the requested funds must benefit low and moderate income persons. Funding is only available to eligible cities and counties and is not available for grants for the sole purpose of planning, designing or administering economic development activities.

DCA will be amending Rule 9B-43, Florida Administrative Code, and a new application manual will be included in that revision. After the effective date of the rule amendment, no new applications will be accepted using the current forms. Notice of changes will be published in the Florida Administrative Weekly.

DCA cannot execute contracts for the economic development applications until after fiscal year 2000 budgetary authority is effective on July 1, 1999. Further, timing of the execution of contracts by DCA is subject to completion and acceptance of the Annual Action Plan for the State of Florida's Consolidated

Plan by the U.S. Department of Housing and Urban Development (HUD) and the execution by HUD of the contract under which the funding is made available to DCA.

Applications must be submitted on forms required by and in the format specified in Rule Chapter 9B-43, Florida Administrative Code, and should be either hand delivered or sent by U.S. Mail or other licensed carrier. Applications must be received in the Community Development Section, Division of Housing and Community Development, Department of Community Affairs, The Sadowski Building, Room 260, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Cities and counties interested in applying should contact Mr. Rick Stauts, Planning Manager, (850)922-1892, for more information.

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, Bombardier Motor Corporation of America, intends to allow the establishment of Hideaway Yacht Sales, Inc. d/b/a Hideaway Yacht Sales, as a dealership for the sale of Bombardier NV neighborhood vehicles, at 750 South Federal Highway, Pompano Beach, (Broward County), Florida 33062, on or after January 21, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Hideaway Yacht Sales, Inc. d/b/a Hideaway Yacht Sales is Mr. Pierre Gaudreau, 750 South Federal Highway, Pompano Beach, Florida 33062.

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. Joel Prescott, National Sales Manager, Neighborhood Vehicles, Bombardier Motor Corporation of America, 730 E. Strawbridge Avenue, Melbourne, Florida 32901.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE ON PRACTICE PARAMETERS

The Agency for Health Care Administration, in consultation with the Florida Department of Health, is temporarily re-endorsing its practice guidelines on low back and neck pain and injury. The guidelines are undergoing a revision/update process which is not yet completed.

The guidelines are reviewed under the authority of §408.02 of the Health Care and Insurance Reform Act of 1993, and §440.13(15) of the Workers' Compensation Reform Act of 1993.

Please forward any comment you may have to: Christiane J. Guignard, R.N., M.S.N., Committee Coordinator and Coordinator, Medical Guideline Development, Agency for Health Care Administration, 2020 Capital Circle, S. E., Bin 15, Tallahassee, Florida 32399-1735 or FAX (850)414-6470, or call (850)922-5855.

TURNPIKE DISTRICT

Project Development and Environmental Study

The Florida Department of Transportation Turnpike District will conduct a Public Information Meeting on the proposed improvements to the Florida Turnpike/Commercial Boulevard Interchange in Broward County. The meeting will be held on Tuesday, February 16, 1999, 6:00 p.m., Broadview Elementary School, 1800 S. W. 62nd Avenue, Pompano Beach, Florida. A formal presentation of the proposed alternatives will be held at 7:00 p.m.

The proposed study will examine potential improvements, to the Turnpike/Commercial Boulevard corridor, needed for operational and safety issues associated with that system of interchanges and intersections. The study area includes: the Turnpike, beginning at Oakland Park Boulevard and continuing north to Cypress Creek/McNab Road; along Commercial Boulevard, beginning at Rock Island Road and continuing east through the S.R. 7 intersection; and along S.R. 7, from south of the Commercial Boulevard intersection north to Bailey Road.

This meeting is being held to share information regarding the study. Exhibits will be on display and Turnpike representatives will be on hand before and after the presentation to informally discuss the project and answer questions.

The proposed project is being developed in accordance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968. Under Title VI and Title VIII of the United States Civil Rights Acts, any person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, religion, sex, age, national origin, disability or familial status may file a written complaint with the Florida Department of Transportation's Minority Programs Office, 605 Suwannee Street, Tallahassee, Florida 32399-0450 or contact the District's Title VI/Title VIII Coordinator to the Turnpike District, 1211 Governor's Square Boulevard, Suite 100, Tallahassee, Florida 32301. Further, anyone needing special accommodations under the Americans with Disabilities Act of 1990 should contact Ms. Catherine Bradley, at least seven days prior to the meeting, by telephone, (850)488-4671, or by writing: Turnpike District, 1211 Governor's Square Boulevard, Suite 100, Tallahassee, Florida 32301.

ALTERNATIVES PUBLIC INFORMATION MEETING

DATE AND TIME: Tuesday, February 16, 1999, 6:00 p.m.

PLACE: Broadview Elementary School, 1800 S. W. 62nd Avenue, Pompano Beach, Florida

INSERT MAP

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN January 12, 1999
and January 25, 1999

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Library and Information Services

1B-2.011	1/25/99	2/14/99	24/39	24/50
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DEPARTMENT OF LEGAL AFFAIRS

2-40.004	1/22/99	2/11/99	24/52	
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Division of Victim Services and Criminal Justice

2A-7.004	1/15/99	2/4/99	24/48	
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

5F-8.001	1/25/99	2/14/99	24/42	
5F-8.0011	1/25/99	2/14/99	24/42	
5F-8.0012	1/25/99	2/14/99	24/42	
5F-8.002	1/25/99	2/14/99	24/42	
5F-8.003	1/25/99	2/14/99	24/42	
5F-8.004	1/25/99	2/14/99	24/42	
5F-8.005	1/25/99	2/14/99	24/42	
5F-8.0051	1/25/99	2/14/99	24/42	
5F-8.006	1/25/99	2/14/99	24/42	
5F-8.007	1/25/99	2/14/99	24/42	
5F-8.008	1/25/99	2/14/99	24/42	
5F-8.009	1/25/99	2/14/99	24/42	
5F-8.010	1/25/99	2/14/99	24/42	
5F-8.011	1/25/99	2/14/99	24/42	
5F-8.012	1/25/99	2/14/99	24/42	
5F-8.013	1/25/99	2/14/99	24/42	
5F-8.014	1/25/99	2/14/99	24/42	
5F-8.0141	1/25/99	2/14/99	24/42	
5F-8.0142	1/25/99	2/14/99	24/42	
5F-8.015	1/25/99	2/14/99	24/42	
5F-8.016	1/25/99	2/14/99	24/42	
5F-8.023	1/25/99	2/14/99	24/42	
5F-8.025	1/25/99	2/14/99	24/42	
5F-8.050	1/25/99	2/14/99	24/42	

DEPARTMENT OF EDUCATION

State Board of Education

6A-14.0734	1/21/99	2/10/99	24/45	24/52
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University of South Florida

6C4-1.005	1/14/99	2/3/99	Newspaper	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF TRANSPORTATION

14-15.0081	1/20/99	2/9/99	24/46	
14-15.010	1/15/99	1/15/99	24/52	

PUBLIC SERVICE COMMISSION

25-4.002	1/12/99	2/1/99	24/29	24/50
25-24.511	1/12/99	2/1/99	24/38	24/50
25-24.515	1/12/99	2/1/99	24/38	24/50
25-24.516	1/12/99	2/1/99	24/38	24/50
25-24.600	1/12/99	2/1/99	24/29	24/50
25-24.610	1/12/99	2/1/99	24/29	24/50
25-24.630	1/12/99	2/1/99	24/29	24/50

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

40C-2.101	1/20/99	2/9/99	24/40	24/48
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Southwest Florida Water Management District

40D-3.521	1/19/99	2/8/99	24/40	
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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-6.010	1/25/99	2/14/99	24/48	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-20.504	1/22/99	2/11/99	24/48	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-17.011	1/12/99	2/1/99	24/33	
62-17.021	1/12/99	2/1/99	24/33	24/45
62-17.031	1/12/99	2/1/99	24/33	24/45
62-17.041	1/12/99	2/1/99	24/33	
62-17.051	1/12/99	2/1/99	24/33	
62-17.081	1/12/99	2/1/99	24/33	
62-17.091	1/12/99	2/1/99	24/33	
62-17.093	1/12/99	2/1/99	24/33	
62-17.121	1/12/99	2/1/99	24/33	
62-17.133	1/12/99	2/1/99	24/33	24/45
62-17.135	1/12/99	2/1/99	24/33	24/45
62-17.141	1/12/99	2/1/99	24/33	
62-17.143	1/12/99	2/1/99	24/33	
62-17.147	1/12/99	2/1/99	24/33	
62-17.171	1/12/99	2/1/99	24/33	24/45
62-17.191	1/12/99	2/1/99	24/33	24/45
62-17.201	1/12/99	2/1/99	24/33	
62-17.205	1/12/99	2/1/99	24/33	24/45
62-17.211	1/12/99	2/1/99	24/33	24/45
62-17.221	1/12/99	2/1/99	24/33	24/50

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-17.231	1/12/99	2/1/99	24/33		62-257.200	1/20/99	2/9/99	24/44	
62-17.241	1/12/99	2/1/99	24/33	24/50	62-257.301	1/20/99	2/9/99	24/44	
62-17.251	1/12/99	2/1/99	24/33		62-257.400	1/20/99	2/9/99	24/44	
62-17.280	1/12/99	2/1/99	24/33		62-257.900	1/20/99	2/9/99	24/44	
62-17.281	1/12/99	2/1/99	24/33	24/45					
62-17.282	1/12/99	2/1/99	24/33		DEPARTMENT OF HEALTH				
62-17.283	1/12/99	2/1/99	24/33		Board of Chiropractic				
62-17.293	1/12/99	2/1/99	24/33	24/45	64B2-12.008	1/21/99	2/10/99	24/44	
62-210.200	1/22/99	2/11/99	24/48		64B2-16.0075	1/22/99	2/11/99	24/16	
62-210.220	1/22/99	2/11/99	24/48		Board of Clinical Social Work				
62-210.300	1/22/99	2/11/99	24/48		64B4-5.005	1/20/99	2/9/99	24/50	
62-210.350	1/22/99	2/11/99	24/48		64B4-5.007	1/20/99	2/9/99	24/50	
62-210.360	1/22/99	2/11/99	24/48		64B4-6.001	1/20/99	2/9/99	24/50	
62-210.370	1/22/99	2/11/99	24/46		64B4-6.002	1/20/99	2/9/99	24/50	
62-210.900	1/22/99	2/11/99	24/46		64B4-6.004	1/20/99	2/9/99	24/50	
62-210.920	1/22/99	2/11/99	24/48		64B4-7.007	1/20/99	2/9/99	24/50	
62-213.205	1/22/99	2/11/99	24/46		64B4-8.002	1/20/99	2/9/99	24/50	
62-213.400	1/22/99	2/11/99	24/46		Board of Massage				
62-213.412	1/22/99	2/11/99	24/46		64B7-25.0025	1/15/99	2/4/99	24/48	
62-213.420	1/22/99	2/11/99	24/46		Board of Pharmacy				
62-213.430	1/22/99	2/11/99	24/46		64B16-28.107	1/15/99	2/4/99	24/45	
62-213.440	1/22/99	2/11/99	24/46		Board of Physical Therapy Practice				
62-213.450	1/22/99	2/11/99	24/46		64B17-2.001	1/12/99	2/1/99	23/45	24/51
62-213.900	1/22/99	2/11/99	24/46		64B17-2.003	1/12/99	2/1/99	23/45	24/51
62-257.100	1/20/99	2/9/99	24/44						